

84TH GENERAL ASSEMBLY

REGULAR SESSION

MAY 14, 1986

PRESIDING OFFICER: (SENATOR DEMUZIO)

The hour of ten o'clock having arrived, the Senate will come to order. Members will be at their desks. Our guests in the gallery will please rise. Our prayer this morning by the Reverend Oliver Zivney, Chrisman United Methodist Church, Chrisman, Illinois. Reverend.

REVEREND ZIVNEY:

(Prayer given by Reverend Zivney)

PRESIDING OFFICER: (SENATOR DEMUZIO)

Thank you, Reverend Zivney. Is that close? Zivney. Reading of the Journal.

SECRETARY:

Tuesday, May the 6th, 1986.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. I move that the Journal just read by the Secretary be approved unless some Senator has additions or corrections to offer.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, you've heard the motion as posed by Senator Vadalabene. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Motion is carried. So ordered. Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President. I move that reading and approval of the Journals of Wednesday, May 7th; Thursday, May 8th and Tuesday, May 13th, in the year 1986, be postponed pending arrival of the printed Journals.

PRESIDING OFFICER: (SENATOR DEMUZIO)

You've heard the motion as posed by Senator Vadalabene. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Motion is carried. So...so

ordered. Messages from...from the House.

SECRETARY:

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

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

House Bill 988, 2237, 2544, 2562, 2613, 2621, 2637, 2644, 2724, 2726, 2733, 2741, 2775, 2777, 2778, 2839, 2843, 2876, 2889, 2891, 2893, 3019, 3040, 3058, 3062, 3079, 3097, 3107, 3114, 3128, 3156, 3230, 3371, 3378, 3425, 3428, 3474, 3479, 3520, 3553, 3554 and 3599.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Resolutions.

SECRETARY:

Senate Resolution 895 and 896 offered by Senator Jeremiah Joyce and Senator Degnan, and they're both congratulatory.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Consent Calendar.

SECRETARY:

Senate Joint Resolution 153 offered by Senators Newhouse, Smith, Collins, Jones, Hall and Chew.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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

SENATOR MAITLAND:

Thank you, very much, Mr. President. I ask leave of the Body to show Senator Arthur Berman as a hyphenated cosponsor to Senate Bill 1666.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator...Maitland requests Senator Berman be added as a hyphenated cosponsor of Senate Bill 1666. Is leave granted? Leave is granted. It's so ordered. Senator Rock, do you have an announcement on the procedure? Senator

Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I've discussed with Senator Philip and the procedure for today, we will begin on Senate bills 2nd reading and go through all those bills and then proceed immediately to Senate bills on 3rd reading, and our plan is to work straight through today. There are a number of meetings outside the Chamber. The Governor has called a summit meeting with respect to the horse racing industry that some of our members will be attending, and then later this afternoon there's a meeting on the insurance liability crisis at the direction of the Speaker, but we will proceed right through the Calendar on 2nd and 3rd reading and work until approximately five o'clock this afternoon. Tomorrow morning there are a number of breakfast meetings and we will be pleased to play host to the Consul General of Israel, and all of you have been invited to attend a breakfast in his honor and in...in the honor of the thirty-eighth anniversary of the State of Israel tomorrow morning at...in Room 212. We will commence Session at ten o'clock tomorrow morning and given the constraints of our district offices, we will conclude our Session at one o'clock so that all members can get back where they have to be tomorrow, and then we'll come back next Tuesday at the hour of noon and begin on the appropriation bills. So, the appropriation bills will this week be held awaiting the amendments from Senators Carroll and Sommer and we'll start those Tuesday at noon and, hopefully, in the next...next Tuesday, Wednesday and Thursday be in a position to conclude our business in accordance with our rules.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, we will begin on the Order of Senate Bills 2nd Reading, page 2 on your Calendar, is Senate Bill 233. Mr. Secretary, Senate Bill 233.

SECRETARY:

Senate Bill 233.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Topinka on Amendment No. 1.

SENATOR TOPINKA:

Yes, Mr. President and Ladies and Gentlemen of the Senate, Amendment No. 1 basically addresses the concerns that the Department of Public Health and the Illinois Hospital Association had with Senate Bill 233. Basically, what it would do, it would remove the auditing process that the Department of Public...of the Department...of Republican health, of course...Department of Public Health found to be onerous and it also made the system more workable in terms of the hospitals in...in being...being able to administer the Act. So, I would ask your favorable response to this.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Topinka moves the adoption of Amendment No. 1 to Senate Bill 233. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

Mr. President, I think the Senator explained the wrong amendment. That was Committee Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Topinka moves to reconsider the vote by which the original...we didn't adopt it? She explained the wrong amendment. Would you explain the right amendment, Senator Topinka?

SENATOR TOPINKA:

The first amendment was put out in committee and it became the bill which basically allowed hospitals to...to

provide a process whereby they would make available to families of a deceased person that should they wish to make an anatomical gift that that process could take place in an orderly and dignified fashion, and that was the amendment from the committee.

PRESIDING OFFICER: (SENATOR SAVICKAS)

You've heard the explanation. Is there any change in your vote? Senator Jones.

SENATOR JONES:

Yes, will the sponsor...is she moving to Table the amendment or what?

PRESIDING OFFICER: (SENATOR SAVICKAS)

...she's moving to adopt the committee amendment.

SENATOR JONES:

Would the sponsor yield?

PRESIDING OFFICER: (SENATOR SAVICKAS)

She indicates she will.

SENATOR JONES:

Senator Topinka, I know Senator Dawson and I had a...had a bill to require that the hospitals...institute said program which is also on 2nd reading and that bill was heard in the same committee which you sit. Now the amendment that you are putting on 233, is that amendment doing the same thing that is done in...in the bill that Senator Dawson and I are sponsoring?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Topinka.

SENATOR TOPINKA:

It's a bit more expansive in terms of allowing the hospital administrator or their designee to be able to make this approach. It basically leaves it to the responsibility of the hospital to...to decide how to do this be it in or outside the hospital's setting. It also provides that...the...the list in order of kinship as to how a person

or a family should be approached following this death. They are similar but not exactly.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Jones.

SENATOR JONES:

The reason why I raised that question because when I appeared before committee on the bill and I noticed you did not support it, and since they are doing essentially the same thing,...you...will...are you going to support the...the other bill on...3rd reading?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Topinka.

SENATOR TOPINKA:

Senator Jones, I always admire the fine work that you do and I'm sure we could probably work out an accommodation.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Jones.

SENATOR JONES:

Well, the...in addressing the amendment, I have no problem with the amendment as such. My only problem is that the...the provisions...in this amendment were...were taken more or less from another bill, the bill that Senator Dawson and I were sponsoring, the idea and concept as such; and to take them and place into your bill and then vote against the bill that Senator Dawson and I are sponsoring, you know, doesn't seem right more or less and that's the reason why I raised the question is that you're taking from one bill that's already been introduced and incorporating the same provisions and idea in your piece of legislation, and I have no problem in supporting this but I didn't want you to oppose that just so that you would be the key author of the idea.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Topinka.

SENATOR TOPINKA:

Yes, Senator Jones, nobody really removed any items from anybody else's bill. The product of this particular amendment came from almost two years worth of work that involved the Illinois State Medical Society, the Illinois Hospital Association, the Illinois Department of Public Health, the Illinois Transplant Society, the Kidney Foundation, the Illinois State Bar Association and about ten other groups, and I think, you know, that...to be really honest, we could probably become joint sponsors of each other's bills very easily.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Now, on the proper explanation of Amendment No. 1...Committee Amendment No. 1 to Senate Bill 233, those in favor indicate by saying Aye. Those opposed. The Ayes have it...Committee Amendment No. 1 to Senate Bill 233 is adopted. Are there further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Are there amendments from the Floor?

SECRETARY:

Amendment No. 2 offered by Senator Topinka.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Topinka.

SENATOR TOPINKA:

This was the amendment that I, unfortunately, discussed before going back to the committee amendment; and what this does is take care of the concerns in terms of auditing the recording keeping that the Illinois Department of Public Health had and also some of the technical problems that the Hospital Association exhibited with the amendment that I...that we discussed immediately previously.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Jones.

AB 916
2nd Reading

SENATOR JONES:

Yes...will the sponsor yield?

PRESIDING OFFICER: (SENATOR SAVICKAS)

She indicates she will.

SENATOR JONES:

Senator, could you be more explicit in tell me...telling us what you are deleting with this amendment from Amendment No. 1? Especially as to what you are deleting from Amendment No. 1 with this amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Topinka.

SENATOR TOPINKA:

We...we are deleting the monitoring system that the original amendment had placed in the Department of Public Health. We are maintaining all the religious considerations that we had worked out over the summer between the Chicago Rabbinate and the Catholic Council. Those are all intact and we've also allowed the hospital administrator...that they can notify an organ procurement agency and...and then we got rid of some of the things that they were required to do.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Jones. Is there further discussion? If not, Senator Topinka moves the adoption of Amendment No. 2 to Senate Bill 233. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 2 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. On the Order of Senate Bills 2nd Reading,

Senate Bill 916, Senator Lemke. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 916.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

What this amendment does in...in reality...it is the bill. It's...this is a bill that we've been negotiating for...for about a year with everybody and what it does is contains various technical changes existing...the foreclosure laws. It has new provisions requiring mortgages to be...be advised of State designated counseling agencies at least thirty-five days before a foreclosure is filed and a new provision providing State financial assistance to a narrow category of single family resident mortgages who face foreclosure due to circumstances beyond their control or are likely to be able to...within three years to resume making their full...mortgage payments. This is in areas where...such as U.S. Steel and areas where industry has moved out completely and all the homes go up for sale, we're trying to put together a provision. This bill is in effect drawn by the Illinois State Bar Association and is supported by them, and through compromises has...got the compromises with the Urban League and the State Support Center and Legal Assistance Foundation. I ask for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Lemke moves the adoption of Amendment No. 1 to Senate Bill 916. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. The amendment is adopted. Any further committee amend-

AB 1320
2nd Reading

ments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 1320, Senator Barkhausen. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1320.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, Committee Amendment No. 1, like the bill itself, is the product of the Secretary of State's Advisory Committee on Not-For-Profit Corporations...Amendment...No. 1 does a number of things that were suggested by this advisory committee. It...most...significantly, I think for us, it eliminates point of contention with the recorders and now will require a duplicate filing of a Partnership Act with the county recorders as well as with the Secretary of State. I'd be happy to further explain the amendment; otherwise, would urge its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Barkhausen moves the adoption of Amendment No. 1 to Senate Bill 1320. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Further committee

amendments?

SECRETARY:

No further...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke, for what purpose do you arise?

SENATOR LEHKE:

Amendment...is there amendment filed by Senator Berman?

Okay. I'm handling it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

Amendment No. 2, by Senator Barkhausen.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Amendment No. 2 specifically authorizes the Secretary of State to adopt rules and deletes references to the General Assembly's constitutional power to amend the law which, of course, we can do at any time, in any case and makes a small technical correction. I would ask for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Barkhausen moves the adoption of Amendment No. 2 to Senate Bill 1320. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 2 is adopted. Any further amendments?

SECRETARY:

Amendment No. 3, by Senator Barkhausen.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Amendment No. 3 deletes duplicative language from Committee Amendment No. 1 and provides for limited derivative rights that members can bring against not-for-profit corporations as to just certain types of not-for-profit organizations. Be happy to explain it; otherwise, ask for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Barkhausen moves the adoption of Amendment No. 3 to Senate Bill 1320. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 3 is adopted. Any further amendments?

SECRETARY:

Amendment No. 4, by Senator Barkhausen.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President, I would inquire...the Chair as to whether Amendment No. 4 is...is, in fact, mine. I...I wasn't aware of a fourth amendment.

SECRETARY:

I...I think what has happened, Senator, is that you might have...explained No. 4 and we have No. 3 up here which is adding some new language. You want...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio, for what purpose do you arise?

SENATOR DEMUZIO:

Well, thank you, Mr. President. While there's a little lull in the action here, I am told that this is a very significant day, obviously, in your life because this is your birthday today; and since I didn't see any cake back in your office, I thought we would do this early and afford you the opportunity to perhaps buy one for the memberships for this afternoon, but in the meantime, happy birthday.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Thank you, very much, Senator Demuzio. We do have cheesecake that Carol Higgason stood up all night baking. It's in the office. (Machine cutoff)...what purpose Senator Topinka arise?

SENATOR TOPINKA:

Yes, Mr. President, to include Senator Jones as a sponsor on...joint sponsor on Senate Bill 2279 and also to put me on as a joint sponsor of Senate Bill 1486.

PRESIDING OFFICER: (SENATOR SAVICKAS)

You've heard the motion of Senator Topinka. Is there discussion or objection? Hearing none, the motion is adopted.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further amendments?

SECRETARY:

Amendment No. 4 offered by Senator Berman.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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

SENATOR LEMKE:

I want...I'm to handle this amendment for...Senator Berman...

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, is there leave to have Senator Lemke handle the amendment...Amendment No 4 for Senator Berman? Leave is granted. It's so ordered. Senator Lemke.

SENATOR LEMKE:

What this amendment does is just...lets the...allows the common law in effect on derivative suits. This is what was agreed on in committee and I think it's a good amendment and I ask for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke has moved the adoption of Amendment No. 4 to Senate Bill 1320. Is there discussion? If not,...Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, just to...just to point out what's...going on here, I don't know that this is a major issue, but the...the...language...the language in this Amendment No. 4 is...is not the recommendation of the Secretary of State's Advisory Committee. What we're talking about here is...is derivative rights...the rights of members to bring an action against...officers and board of a not-for-profit organization where they feel the organization is being run against the interest of members, and the...with the language that had been adopted in Amendment No. 3, we were granting derivative rights to organizations that are social, number one, where the...is...is involved where the ownership or administration of residential property, such as a condominium or a co-op and the administration and operation of property...a co-op or condominium would be...would be two and three. Amendment No. 4 now, offered by Senator Lemke, would extend those rights to other not-for-profit organizations. Derivative rights are most...are most commonly asserted in the case of corporations where you have shareholders who are bringing actions against officers and directors of a corporation. The Secretary of State's Advisory Committee consisting of people who work on a daily basis with not-for-profit organizations feel that the...that the widespread granting of derivative rights in the case of not-for-profit organizations is...is...would largely be inappropriate; and as the sponsor of this bill, I am inclined to accept their advice and, therefore, would urge that this amendment not be adopted.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, can we have some order, please. Further discussion? Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. This amendment was discussed in committee and I suggest to the sponsor if he'd try to

refresh his memory. What this amendment says and what we had discussed in committee was that this was clarifying language that the...that the derivative rights were not being limited or...nor were any new derivative rights being created. My recollection was that John Notes agreed with that concept which is embodied in this amendment and that the committee itself that John represents was split as to whether or not this language was necessary, but it's my clear recollection that this was accepted by Mr. Notes and was drafted in accordance with that agreement. I...I'm surprised by the sponsor's opposition. Could...could you comment on that?

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Barkhausen.

SENATOR BARKHAUSEN:

As I indicated, Mr. President, this is not an issue on which the bill should stand or fall. I...I didn't know, Senator Berman, if, in fact, it's the case that the committee was split. What...what I offered was what I was told and was under the impression was their preferred language and I don't know that they would...would strenuously object to...to your revised language which would have the common law derivative rights apply, but...because I was under the impression that their preferred language is that which I explained and...and is embodied in Floor Amendment No. 3 was the reason that I resisting the adoption of Amendment No. 4, your amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Berman

SENATOR BERMAN:

Well, let...let me...let me make this suggestion, let's put the amendment on, move the bill, if...we'll talk to Notes, if there's a serious problem we'll bring it back and take it off. I...I think that's the simplest way because I'm under the impression that he has no problem with this. If...if that's all right with you, we can...we'll...we'll

move ahead that way.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Lemke...Senator Barkhausen. All right, Senator Lemke has moved the adoption of Amendment No. 4 to Senate Bill 1320. Further discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 4 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 1475, Senator Jones. All right, Senate Bill 1475, Mr. Secretary.

SECRETARY:

Senate Bill 1475.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

Yes, thank you, Mr...Mr. Speaker. This is a committee amendment. What the amendment does is delete the State Board of Education and include therein the Board of Higher Ed., and I move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones has moved the adoption of Committee Amendment No. 1 to Senate Bill 1475. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 1486. Senate Bill 1488, Senator Barkhausen. 1-4-8-8. On the Order of Senate Bills 2nd Reading is Senate Bill 1488, Mr. Secretary.

SECRETARY:

Senate Bill 1488.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Barkhausen.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President, I'm...I'm sorry, if...if we could take the bill out of the record for now.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Take it out of the record. 1491, Senator Rock...1516, Senator Welch. Senator Welch on the Floor? Senate Bill 1522, Senator Marovitz. 1529, Senator Collins. 1529. Bottom of page 2, Senate bills 2nd reading, is Senate Bill 1529, Mr. Secretary.

SECRETARY:

Senate Bill 1529 had a request for a fiscal note. That request has been answered.

(Secretary starts to read title of bill)

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Mr. Secretary...Senator Collins, you wish to have this taken out of the record? All right, take it out of the record. 1548, Senator Poshard. Senate bills 2nd reading, the bottom of page 2, is Senate Bill 1548, Mr.

Secretary.

SECRETARY:

Senate Bill 1548.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well,...sponsor indicates there is a Floor amendment.
Amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Poshard.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Poshard.

SENATOR POSHARD:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is an amendment which came out of the committee work. It meets the approval of the Police Training Board. Essentially what it does is allows a person to receive an appointment as a county corrections officer if they've completed either the minimum standards basic law enforcement or the county correctional training course instead of having to complete both courses. This saves the county a considerable expense for those people who have had previous training in law enforcement. It is agreed to by the Police Training Board, Mr. Apa. Move for its passage.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...Senator Poshard moves the adoption of Amendment No. 1 to Senate Bill 1548. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

*SB 1516
2nd reading*

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Before we leave this page, with leave of the Body, we can go back and pick up...Senate Bill 1516. Senator Welch was on the Floor. I inadvertently didn't see him. With leave of the Body, we will return and pick up Senate Bill 1516. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading is Senate Bill 1516.

SECRETARY:

Senate Bill 1516.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Welch.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Thank you, Mr. Chairman. This is an amendment that I said I would put on when I was in the committee. What the amendment does is exempt from the requirements of the oral proficiency testing any person who provides classroom instructions to students in foreign language courses.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Welch moves the adoption of Amendment No. 1, Senate Bill 1516. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Top of page 3. Top of page 3 is Senate Bill 1551, Senator Zito. 1552, Senator Lechowicz. 1559,

Senator Watson. 1575, Senator Jones. 1-5-7-5. Senator Jones, it's my understanding that even...this bill deals with insurance that we can move it today. Senator Bill 1575. All right, Senate bills 2nd reading is Senate Bill 1575, Mr. Secretary.

SECRETARY:

Senate Bill 1575.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEHUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEHUZIO)

3rd reading. Senate Bill 1576, Senator Kustra. All right, Senate bills 2nd reading, middle of page 3, Senate Bill 1576, Mr. Secretary.

SECRETARY:

Senate Bill 1576.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1...is this yours, Senator Kustra?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kustra, is this your amendment that's been filed? Amendments from the Floor?

SECRETARY:

Amendment No. 1, by Senator Kustra.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Can we have some order, please. Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President and members of the Senate. The bill makes it a Class C misdemeanor for a person to rent a motel or a hotel room to someone knowing that it will be used for the purpose of unlawful drinking by minors. The amendment comes from a proposal or a recommendation made by Senator Jeremiah Joyce in...in committee and it does two things.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kustra,...

SENATOR KUSTRA:

All right, we have two amendments and the other one is a technical amendment which makes uniform the penalty in the bill, and I would move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, the short one is Amendment No. 1. It makes the technical changes. All right, Senator Kustra has moved the adoption of Amendment No. 1 to Senate Bill 1576. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

...Floor Amendment No. 2, by Senator Kustra.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President. This is the amendment I was discussing a moment ago. It does two things. First of all, it requires the hotel or a motel to post a conspicuous notice of this new law and, secondly, it requires the hotel and motel to change their contract effective January 1st, 1988 to include a warning that this law is now in effect. The Hotel/Motel Association has agreed to this, Democratic staff and Republican staff have seen this amendment and have agreed to it and I would move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

SB 1588
2nd Reading

All right, Senator Kustra has moved the adoption of Amendment No. 2 to Senate Bill 1576. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

3rd reading. Senate Bill 1577, Senator Kustra. All right, Senate bills 2nd reading is Senate Bill 1577, Mr. Secretary.

SECRETARY:

Senate Bill 1577.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

3rd reading. Senate Bill 1588, Senator Darrow. Senate Bill 1-5-8-8, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 1588.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1, by Senator Darrow.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Darrow.

SENATOR DARROW:

Thank you, Mr. President. This is an amendment prepared

by the Illinois Pollution Control Board. I'm offering it on their behalf. What it does is change the legislation where we have that the fine can be...have an upper limit of one thousand dollars. We changed that to have a set fine of five hundred dollars.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Darrow moves the adoption of Amendment No. 1 to Senate Bill 1588. Discussion? Discussion? Senator Welch.

SENATOR WELCH:

A question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Welch.

SENATOR WELCH:

Senator Darrow, is this a automatic requirement of the fine of five hundred dollars or is there a...a flowing amount that the department could fine the person between one dollar and five hundred?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Darrow.

SENATOR DARROW:

The fine is set at five hundred.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Does that different...differ from the current law?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Darrow.

SENATOR DARROW:

Yes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Other than by the amount of five hundred dollars, does

the current law allow for a sliding scale of fines or is that a flat one thousand dollars per occurrence?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Darrow.

SENATOR DARROW:

There is no current law.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, Senator Darrow moves the adoption of Amendment No. 1 to Senate Bill 1588. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further...no further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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

SENATOR POSHARD:

Point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

State your point.

SENATOR POSHARD:

Recognition of guests. Mr. President, I've been privileged this week to have some outstanding people from my district to visit me here in Springfield. Seated in the President's Gallery, behind you, is the forensics team from Southeastern Illinois College near Harrisburg, Illinois, which is in my district. They have been brilliantly coached this year by their coaches, Gary Allen and George Dennis, and all the individual members of the team are here. I have to tell you that they are the champion forensic team of the State of Illinois and the champion forensic team of the United States. This team went to Omaha, Nebraska and in sixty-four teams from across the country competing there, Southeastern Illinois College won the National Forensic's

SB 1559
2nd reading

Championship and I'd like to honor them at this time.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, will our guests in the gallery please rise and be recognized by the Senate. Welcome to Springfield. All right, with leave of the Body, before we leave page 3, we will...if there's leave, we'll go back and pick up Senate Bill 1559. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading, page 3, is Senate Bill 1559, Mr. Secretary.

SECRETARY:

Senate Bill 1559.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. I appreciate you going back to this.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well...just...just a moment, Frank. Ladies and gentlemen, if we could have some order this will go a lot faster. Senator DeAngelis. Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. Once again, I'd like to thank you for going back to this particular piece of legislation; unfortunately, I was off the Floor when it was called. Committee Amendment No. 1 simply adds an...an immediate effective date.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson moves the adoption of Committee Amendment No. 1 to Senate Bill 1559. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee

amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Amendment No. 2, by Senator Watson.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

Thank you, again, Mr. President. This...this amendment simply clarifies and...and straightens out some problems that were brought in...brought up during the committee hearing and clarifies the original intent of the legislation. Should an officer stop and ticket an individual solely for a seat belt violation, the charge will be dismissed if the officer had no other probable cause to stop that individual; and also, currently, requirements are by the court appearance for multiple charges arising from the same circumstances, and this amendment simply states that a violation of the seat belt law in conjunction with another violation of this code arising from the same circumstance shall not be the basis for court appearance. Move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson moves the adoption of Amendment No. 2 to Senate Bill 1559. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Page 4...oh, there's another amendment?

Senator Watson.

SENATOR WATSON:

Yes, there should be a...a third amendment, I believe, called a Stevenson amendment that requires seat belts on horses. Is that...

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. We are...we are always obliged to go back and...page 4. Page 4, Senate Bill 1608, Senator Etheredge. 1612. 1615, Senator Maitland. On the Order of Senate Bills 2nd Reading, page 4, is 1615, Mr. Secretary.

SECRETARY:

Senate Bill 1615.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Page 5. Page 5 is Senate Bill 1629, Senator Lemke. All right, top of page 5 is Senate Bill 1629, Mr. Secretary.

SECRETARY:

Senate Bill 1629.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Lemke.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

What this bill does is...sets up the Home Repair Regis-

tration Act. The...the amendment that we have here deletes everything after the enacting clause and certain provisions have been worked out with the retail merchants and the...Illinois Home Remodelers Association and defines home repairs and...and I think it's a good bill and I ask for...the adoption of this amendment.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

All right, Senator Lemke moves the adoption of Amendment No. 1 to Senate Bill 1629. Is there discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Yeah, a question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Indicates he will yield. Senator DeAngelis.

SENATOR DeANGELIS:

Senator Lemke, I have not seen a copy of this amendment. Could you be just a little more specific in your explanation since you are, in fact, gutting the original bill?

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Lemke.

SENATOR LEMKE:

Okay, what this bill does is defines home remodeling means the repair, replacement, alteration, conversion, modernization, improvement or addition of any real property, primary design or used as a residence. Home repair could include the construction, installation, replacement and improvement of driveways, swimming pools, porches, kitchens, garage, fences, fallout shelters, central air conditioning, central heating, boilers, furnaces, hot water heaters, storm windows, awnings and other improvements to structures and upon the land adjacent thereto. Home...home repair does not include the sale, installation, cleaning or repair of carpets, the sale of goods or material by a merchant who does not directly or through a subsidiary perform any work...or

labor in connection with the installation or application of the goods or materials, the repair, the installation, replacement or connection of any home appliances including but not limited to disposal, refrigerators, ranges, garage door openers, television antennas, washing machines, telephones and other home appliances when a person replacing, installing, repairing or connecting such home appliances are employees or agents of the merchant who sold the home appliance or landscaping. It also requires the applicant for certification to include his name, principle office and place of business, not a P.O. box; telephone number, not an answering service; any felonies for which the applicant or its officers have been convicted, any outstanding judgments...

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator...Senator Lemke, Senator DeAngelis is...

SENATOR LEMKE:

You wanted me to explain the amendment, I'm explaining it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, I think he's surrendered. Senator DeAngelis.

SENATOR DeANGELIS:

Well, Senator Lemke, there's a difference between an explanation and reading something. Are you going to proceed with another amendment after this one?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

There's another amendment that's requested by the Illinois Home Builders which Senator Jerry Joyce has which will be...it was on this amendment...and the committee objected, so we did two separate amendments and the second amendment will take care of the Illinois Home Builders.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Question of the sponsor, Mr. President. You mentioned a whole long list of home repair people, including people who fix somebody's fence. As I understood what you were saying is that those...all those people on that list are going to have to be registered now and have some kind of a license or at least be registered with the Department of Registration and Education. Did I hear you correctly?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

This list, I understand, was worked out with the State's Attorney and the Illinois Retail Merchants. They excluded some and some they left in.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schuneman.

SENATOR SCHUNEMAN:

Well, Senator, I didn't ask who worked out the list, I wanted to know if the list that you read are the people that are going to have to register.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

That is correct, anybody that's into home repair and remodeling business that...does those...providing the job is over a thousand dollars.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schuneman.

SENATOR SCHUNEMAN:

Well...and does this broaden the list as opposed to the way the bill came out of committee?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

No, the way the bill came out of committee just narrows it. This puts on the retail merchants' amendment.

PRESIDING OFFICER: (SENATOR DEMUZIIO)

Senator Schuneman.

SENATOR SCHUNEMAN:

Well, okay. I...you know, I think this is...this is another ridiculous idea that the Legislature is about to get into here, and if we...if we...if we want to...beat the bill, maybe we better leave the amendment off and make it as bad as possible so nobody can vote for this turkey; but, you know, we're in the business of doing some pretty foolish things around here, but we're...we're striving for a record with this one.

PRESIDING OFFICER: (SENATOR DEMUZIIO)

Further discussion? Senator Lemke has moved the adoption of Amendment No. 1 to Senate Bill 1629. Those in favor indicate by saying Aye...all right, a roll call has been requested. Senator Lemke, did you wish to close?

SENATOR LEMKE:

Well, it's...I...you know, I...we've been trying to work out this problem of home repair fraud in the State of Illinois for a long time. This...this...we worked with the Tribune, we worked with everybody. If...if Mr. Schuneman and Mr. Schaffer over there want to defeat it, fine, or it goes as it is. I think we have worked on this bill. We're trying to rid con artists from ripping off little old ladies and new homeowners. If this is what...these people want to protect these con artists and they want to protect Mr. Nerd who took a lady for fifty-five thousand dollars and ripped up her floor and do things like that, that's up to them. If we want to allow these people to not simply just register with this State, and we're not talking a large amount of money when they register, and I talked to the Department of Registra-

tion, they're talking about twenty to fifty dollars, and if a guy cannot pay twenty and fifty dollars and do a search in regards to his criminal record and be registered in this State, then I think we should do something...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well,...

SENATOR LEMKE:

...and I ask for adoption of this amendment. I think it's a good amendment and I think it's a good bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator DeAngelis, Senator Lemke was closing. Senator DeAngelis.

SENATOR DeANGELIS:

Well, I want to rise on a point of personal privilege because the accusations that are made are totally unfounded and false. He's insinuating or...more than that, suggesting that anybody that opposes this is for the people that rip off the people, and I want to tell you something, if you want to know who the real rip-off artists are, pick up a yellow page directory and see all those people that are registered by the State of Illinois to do business and that's what we resent because you...legitimacy to the illegitimate operations because you're certifying them.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator,....the...the gentleman...the gentleman had, in fact, closed. Senator Topinka, for what purpose do you arise?

SENATOR TOPINKA:

Yes, Mr. President, and as being a member of the committee that discussed this bill...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well,....Senator, the...the gentleman had...had already closed...state your point. All right. Senator Topinka.

SENATOR TOPINKA:

That's all right, I withdraw it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Lemke has moved the adoption of Amendment No. 1 to Senate Bill 1629. Those in favor will...will vote Aye. Those opposed will vote Nay. The voting is open. (Machine cutoff)...voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 25, the Nays are 24, 2 voting Present. Senate Amendment...the Senate does adopt Amendment No. 1. Further amendments?

SECRETARY:

Amendment No. 2 offered by Senator Jerome Joyce.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEROME JOYCE:

Yes, thank you, Mr. President. Amendment No. 2 would exempt the home builders from this and also anyone who has...belonged to a home builders association that has existed for ten years, has...registered with the Secretary of State, an annual...annually...files a list with its members...of its members with R and E.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Joyce has moved the adoption of Amendment No. 2 to Senate Bill 1629. Discussion? Senator Topinka.

SENATOR TOPINKA:

Yes, Mr. President, and...and I admire the efforts of what Senator Joyce is trying to do and also what the home builders are trying to do; however, I would bring up what I thought was a relevant concern that we had in the committee, and that is the State should not be put into the position of becoming a membership chairman for specific organizations so that it almost forces people in home repair, remodeling or

whatever to have to become a member of an organization in order to qualify for a registration number. If you're going to be going after individuals who are less than ethical, then they should be dealt with on a one-on-one basis as opposed to letting them hide as some...you know, I mean, even the best of organizations have a few creeps that get into them, and I think in this particular case that could occur as well, and this gives just too broad of an application of a registration number and I would be in opposition from that standpoint.

PRESIDING OFFICER: (SENATOR DEHUZIO)

All right, further discussion? Senator Collins.

SENATOR COLLINS:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR DEHUZIO)

Indicates he will yield. Senator Collins.

SENATOR COLLINS:

Senator Joyce, does home builders participate in home repair contracts?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEROME JOYCE:

Yes.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

So, let me clearly understand this. All of the people who...who we are concerned about, the unscrupulous home builders, if, in fact,...home repairs, if, in fact, they pay the fee to join the Illinois Home Builders Association, they would be exempt from this bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEROME:

Repeat the last part. I...didn't hear it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

If...if I was a home repairer, all I would have to do to be exempt from this bill, the Lemke bill, would be to register, to pay my organization dues and become a member of the Illinois Home Builders Association.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEROME JOYCE:

Well, that is true, but the home builder...I'm...in fact, I'm not for this bill. I don't think that they ought to have to register to build a home anyway. Where I come from, we have all kinds of home builders and, you know, they don't belong to the home builders association and I don't particularly think they...ought to have to register; but to make a bad bill a little better, I am putting this amendment on there. Home builders principally build new buildings and they have a very high standard of...and a very high membership selection, their standards are very high.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

So,...so,...so, then maybe what you should have done was to say that those persons who are home builders who does not engage in the business of home repair.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Collins.

SENATOR COLLINS:

Well, I...I rise in opposition to this amendment because what it really does, it does not make the bill better, it totally guts the bill and...and totally...just reduce the bill to nothing, because to get around the Act, all you have to do would be to pay your organization dues and become a

member of the Illinois Home Builders Association, and so...for that reason, any of the existing, unscrupulous, fly-by-night companies could basically become a member of that organization and then get around...coming under provision of this bill. So, the bill would have no teeth at all if we pass this amendment; therefore, I would ask that we defeat the amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. I understand what the sponsor of the amendment is trying to do and...and I don't want to condemn him for that. I simply want to point out to the membership that if you're against this bill, you probably better not adopt this amendment, because if the home builders are against this turkey, they'll continue to work against it if they're included, and I'd just as soon leave them in there, Senator Joyce. They're friends of mine and I know they don't want this thing, but then neither do the other little contractors and little workmen around the State who aren't represented here in Springfield by some big lobbying organization. They're the ones that are going to have to pay the price for this bill if...if you let out all these various entrenched lobbying organizations, and so...even though I certainly support the home builders, I'm not going to support this amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

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

SENATOR JEROME JOYCE:

Roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce moves the adoption of Amendment No. 2 to Senate Bill 1629. Those in favor will...roll call is being

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requested on both sides of the aisle. Those in favor of adopting Amendment No. 2 to Senate Bill 1629 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 17, the Nays are 29. Amendment No. 2 having failed to receive a majority vote is declared lost. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 1634, Senator Lemke. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1634.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

This is the bill suggested by the Attorney General. It creates...fraud against the elderly. What this does is...this amendment corrects the technical errors in the bill that was drafted, I...I believe. I ask for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Lemke moves the adoption of Amendment No. 1 to Senate Bill 1634. Those in favor will say Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 1661, Senator Watson. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1661.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Watson.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. This amendment simply states that fire protection service that's going to be provided...under this bill is only going to affect fire protection service provided in subscription or those areas in which charge for...for that service. We're trying to clarify the intent. I move for its adoption

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Watson moves the adoption of Amendment No. 1 to Senate Bill 1661. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 1666, Senator Maitland. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1666.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President. We've been concerned in this State for sometime about the dropout rate in our elementary and secondary schools, and we were shocked to find out this spring that we have a...just a terribly inaccurate mechanism by which we determine what our dropouts in our schools...is. So, the amendment that we are offering this morning would clearly describe for us what a dropout student in the State is. I think we'll make a better...we'll be a...a much better addition and I would move for the adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Maitland moves the adoption of Amendment No. 1 to Senate Bill 1666. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

Amendment No. 2 offered by Senator Maitland.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR MAITLAND:

Mr. President,...Mr. President,...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR MAITLAND:

I...I am in error. The first amendment was a committee amendment which was a technical amendment and I explained for

the Body Amendment No. 2 which we are about to get to.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The first amendment was a technical amendment and it was adopted. The explanation given is for Amendment No. 2. Is there discussion on it? If not, Senator Maitland moves the adoption of Amendment No. 2 with his previous explanation. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 2 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 1709, Senator Netsch. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1709.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Keats.

END OF REEL

REEL #2

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Keats.

SENATOR KEATS:

Thank you. What Amendment No. 1 does, you know, on the Federal level, a Federal Congressman's campaign funds are taxed at fifteen percent, our's are taxed at the corporate rate of forty-six. What...that is probably unreasonable, the

Congressmen have taken care of themselves and hung us. What this says is then at the State level our campaign funds are taxed at two and a half, there's are taxed at 6.8 as a corporate rate. We do the exact same thing at the State level they do at the Federal level. The other reason being, Department of Revenue in answering the Federal rules has decided to do this, I don't think they can do this without legislative okay and it is reasonable that we be treated as someone else is treated. So it calls for equal treatment in terms of a tax existence. It legalizes something that probably has to be done and it says we are responding to the Federal issue of different levels of taxation. I would appreciate your support.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not,...Senator Keats moves the adoption of Amendment No. 1 to Senate Bill 1709. Those in favor will vote Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

Floor Amendment No. 2, by Senator Netsch.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. The one that should be used then and let me read you the LRB number. You have two amendments from me, one was on the assumption that the Keats amendment was adopted, the other was not. The one we should use is LR88409857GLTCAH02. All right? Thank you, very much.

What the amendment does is to equalize the interest rate assessment on sales tax...payments between the taxpayer and the State. Right now if a taxpayer owes money on sales tax to the State, he or she or it pays at the rate of two percent a month which is twenty-four percent. On the other hand, if it turns out that the State owes money to be refunded to the

taxpayer, the State pays only at the rate of one percent a month or twelve percent per year. I...I think the...the State Chamber, the Taxpayers' Federation and a number of other people have recognized the injustice of this; and I believe without misrepresenting his position it's fair to say that the Director of the Department of Revenue also recognizes that it probably is not fair. This would equalize them both at a flat rate of one and a half percent, so that the State would have to pay the taxpayer as much as the taxpayer has to pay the State in the event that one or the other owes money. I think it is eminently fair and although it may not be the...the final resolution of all the questions of interest rates, it certainly takes care of one major inequity right now and I would move the adoption of Amendment No. 2 to Senate Bill 1709.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Hall.

SENATOR HALL:

I...I wanted to ask the sponsor but...I just got this on Senator Keats on his amendment. Did his amendment go on the bill?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Yes, it did.

SENATOR HALL:

Well,...I...I wanted ask either you, Senator Netsch, or this. You're talking about our political organizations. Is that what you're talking? Oh, his is.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator, we...the amendment was adopted, we are on another amendment. You'll have a chance to speak to that on the bill. Is there further discussion? If not, Senator Netsch moves the adoption of Amendment No. 2 to Senate Bill 1709. Those in favor will indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 2 is adopted. Any

further amendments?

SECRETARY:

Senator Netsch, did you now want to withdraw this one?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch.

SENATOR NETSCH:

Yes, I will withdraw that one. Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Are there further amendments?

SECRETARY:

No...no further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 1711, Senator Collins. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1711.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

...the...the...the...that...that...that amendment was, in fact, technical in nature. I move for its adoption. Was that...

SECRETARY:

No, it's identical to the Floor amendment that you have up here. Unless you have...

SENATOR COLLINS:

Then I want to Table. Okay. I move to Table that amendment then.

SECRETARY:

All right.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Wait...wait...Senator,...there's two extra words in the Floor amendment compared to the committee amendment. Senator Collins moves to Table Committee Amendment No. 1. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. The motion carries. Are there further amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

Amendment No. 2 offered by Senator Collins.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

Thank you, Mr. President. Committee...Floor Amendment No. 1 Tables...I mean, corrects a technical error in the committee amendment. It's basically it's the same amendment but it...it...it cites the correct reference to the Juvenile Code. And I move for the adoption of this amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Collins moves the adoption of...Amendment No. 2 to Senate Bill 1711. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 2 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 1714, Senator Donahue. Senate Bill 1728, Senator Etheredge. Read the bill, Mr...Senator Etheredge, for what purpose...

SENATOR ETHEREDGE:

Mr. President, I wonder if I could ask leave to return to this bill. I've got an amendment in the works that I expect shortly.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Well, Senator, we're going to run right through the bills and into 3rd reading, and I imagine if we have time at that point we will return; otherwise, we will just follow up tomorrow morning. Senate Bill 1732, Senator Jones. Senate Bill 1733, Senator Jones. Senator Jones. Read the bills, Mr. Secretary, 1732.

SECRETARY:

(Machine cutoff)...Bill 1732.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Jones.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Jones.

SENATOR JONES:

Thank you, Mr. President, members of the Senate. Amendment...Amendment No. 1 is an amendment drafted by the department to deal with the third...party Administrator's Act that was passed last year. Under this amendment it only require those administrators who produce more than fifty percent of their premium to be deposited in financial institutions in the State, and I move the adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Jones moves the adoption of Amendment No. 1 to Senate Bill 1732. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

...no further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 1733, Senator Jones. Read the

bill, Mr. Secretary.

SECRETARY:

Senate Bill 1733.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Jones.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Jones.

SENATOR JONES:

Thank you, Mr. President. Amendment No. 1 is essentially the bill and it prohibits the issuance of industrial as well...life as well as industrial health and accident insurance effective July 1, 1987. I move its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Jones moves the adoption of Amendment No. 1 to Senate Bill 1733. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Is there further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. We are skipping all the appropriation bills and proceeding to page 9, top of...near the top of page 9, we will...on top of page 9, we have Senate Bill 1783. Senator Joyce. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1783.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1...offered by Senator Jerome Joyce.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce. Senator Jerome Joyce, you have Amendment No. 1 on Senate Bill 1783.

SENATOR JEROME JOYCE:

Thank you, Mr. President. All it...this does, it adds an immediate effective date.

PRESIDING OFFICER: (SENATOR SAVICKAS)

(Machine cutoff)...there any discussion? Senator Dudycz. No. If there's no further discussion, Senator Joyce moves the adoption of Amendment No. 1 to Senate Bill 1783. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill...Senator Dudycz, for what purpose do you arise?

SENATOR DUDYCZ:

Point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR SAVICKAS)

State your point.

SENATOR DUDYCZ:

Mr. President, Ladies and Gentlemen of the Senate, as you know, this being National Police Week...representatives from police departments from throughout the State attended a memorial service and the march for fellow comrades this morning in the Trinity Lutheran Church across the Street from the Capitol. Now in the President's Gallery behind you we have some special guests this morning. I am proud to introduce my fellow officers, the Chicago Police Pipe and Drum Bugle Corps

of the Emerald Society of Illinois led by their band leader Ed MacCarthy. I also understand that shortly the band will be playing in the Rotunda for your enjoyment and I would like for them to stand up and please be recognized.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Would they please rise and be recognized. While we're on that order, Senator Geo-Karis, for what purpose do you arise?
SENATOR GEO-KARIS:

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

PRESIDING OFFICER: (SENATOR SAVICKAS)

State your point.

SENATOR GEO-KARIS:

I am happy to tell you that today in the President's Gallery we have the Zion Christian School which will be singing some patriotic songs for us, and I would like you all to welcome them.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Would they please rise and be recognized and...it's my understanding we have five minutes of selected...tunes.

SENATOR GEO-KARIS:

Mr. President, under the direction of their head Mentor...Reverend Norman Schneller, yes, and we'd love to hear.

PRESIDING OFFICER: (SENATOR SAVICKAS)

There being no objection, could we have our...Zion School start our program.

ZION CHRISTIAN SCHOOL:

(Music program presented by Zion Christian School)

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

I want to thank Reverend Schneller and the Christian

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School...Zion Christian School and I want to introduce...our Assistant Majority Leader, John Matijevich from my district, District 61, who is up there and Representative Robert Churchill from my district, District 62 who joined us today; and, John Matijevich, I didn't know you could sing, and you, too, Bob. I'm very happy to have all of you and I hope you stay there for a minute now that you're done, because we're having a photographer, want to take a picture of you up there. Okay. Thank you, very much.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Thank you, very much, children. Now on the Order of Senate Bills 2nd Reading, Senate Bill 1798, Senator Watson. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1798.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIIO)

Any amendments from the Floor?

SECRETARY:

No Floor Amendments.

PRESIDING OFFICER: (SENATOR DEMUZIIO)

3rd Reading. Senate Bill 1805, Senator Lechowicz. Middle of page 9, 1805. On the Order of Senate Bills 2nd Reading, the middle of page 9, is Senate Bill 1805, Mr. Secretary.

SECRETARY:

Senate Bill 1805.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 1814, Senator Poshard. Page 10...page 10 on your Calendar. Senate Bill 1834, Senator Maitland. Senator Netsch, for what purpose do you arise? Oh, I beg your pardon...I did skip a bill. On page 9, leave of the Body, we'll return to page 9. On 1816, Senate Bill...1816, Mr. Secretary.

SECRETARY:

Senate Bill 1816.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Netsch.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. This is an Enrolling and Engrossing...or I'm sorry, this is a Legislative Reference Bureau, a technical error that was discovered in the effective date clause. I would move its adoption. In no way does it change the substance or even the timing of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch has moved the adoption of Amendment No. 1 to Senate Bill 1816. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Now, page 10...page 10, 1848, Senator Berman. Senator Berman on the Floor? 1871, Senator Mahar. Middle of page 10, Senate bills 2nd reading is Senate Bill

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2nd Reading

1871, Mr. Secretary.

SECRETARY:

(Machine cutoff)...Bill 1871.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 1873, Senator Jeremiah Joyce. Senate bills
2nd reading is Senate Bill 1873, Mr. Secretary.

SECRETARY:

Senate Bill 1873.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Jeremiah Joyce.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Thank you, Mr. President and members of the Senate. Amendment No. 1 to Senate Bill 1873 seeks to place under the jurisdiction of the Illinois Commerce Commission taxicab drivers in the City of Chicago. I am...amenable...I am, first of all, trying to get at the deplorable condition of the operation of taxicabs in the City of Chicago. I am not locked into this or into any other amendment. I just happen to believe at this point in time this is the best way to do this. If someone else in this Chamber has a better way of improving service...taxicab service in the City of Chicago, I am...more than open to any suggestions you have. I know the

Commerce Commission is going to file a fiscal note on this, there is some cost involved in this, but the fact of the matter is, I don't know how else to do this. So I ask that the Senate adopt Amendment No. 1 to Senate Bill 1873.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Jeremiah Joyce has moved the adoption of Amendment No. 1 to Senate Bill 1873. Discussion? Senator Collins.

SENATOR COLLINS:

Senator, did we have this bill...did we...didn't we have...wasn't this...this bill in committee...defeated in committee, this amendment?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

No.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Collins.

SENATOR COLLINS:

Could you just tell me what the amendment does?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

The amendment provides that the Commerce Commission shall determine minimum qualifications for operators of taxicabs in the City of Chicago. That is that they will...before they certify someone as eligible to operate a cab, they will determine whether or not that person can speak the English language, whether or not that person has any familiarity with the geographic territory in which he is operating, whether or not that person can operate safely a taxicab. That basically is what this amendment does. It does not intend to preclude the City of Chicago from imposing further restrictions, does not intend to take away any available revenues that the City

of Chicago may presently be deriving from these operations. If you have some other approach or anyone in this Chamber has some other approach to trying to deal with this situation, I am open to suggestions. But I've watched this thing for a decade now and it's not getting any better. I'm realistic enough to know that this legislation has a lot of opposition, a lot of power against it, and I know that...that the odds of this thing ever hitting the Governor's Desk given...the present operation of the House are...are...are...are...are long. But I think we have to do something and I think this sends a message if nothing else.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Collins.

SENATOR COLLINS:

Yes, I...I can, you know, concur with the need to do something, but I would just like to know more about what this amendment does and making sure that it does not infringe upon the right of the City of Chicago to regulate taxicab drivers in the city. But if we are going to do...do this down here, I don't think it should necessarily just relate to the City of Chicago. It ought to be...if it's a State function, it ought to deal with cabdrivers any place in the State of Illinois. I...you know, before this thing go to a vote, I most certainly would like to sit down and talk with you about it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator...Senator Joyce.

SENATOR JEREMIAH JOYCE:

I...I would be happy to sit and talk with you, Senator Collins. The...the...the fact of the matter is, as I understand it, the problem exists primarily in the City of Chicago. And if there are other...instances that need to be addressed with this type of legislation, it's fine by me.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Smith. Would

ask the Doorkeepers to keep that door closed, if you can.
Senator Smith.

SENATOR SMITH:

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

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Indicates he will yield. Senator Smith.

SENATOR SMITH:

Thank you. In this amendment, does this also implement...and I...may I first say I concur with the attitudes and the conduct of some of our cabdrivers today not knowing geographic location and not being able to speak the English language and...and sometimes very offensive to the rider. I go along with that. But what I am trying to find out in this also, what about the small businesses, are you taking a cap off of licenses to the...I want to get that.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Joyce.

SENATOR SMITH:

Are you...in regulating the cab...

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Joyce...Senator Joyce...

SENATOR SMITH:

...is...is that all...

SENATOR JEREMIAH JOYCE:

That is not in this amendment, that is in the bill itself. That...the bill, which I assume we'll deal with on 3rd reading, but in...response to your question, the bill itself would cause the City of Chicago to deregulate taxi-cabs. That is, there...they would no longer limit...be allowed to limit the number of medallions that are issued to operate a cab in the corporate limits of Chicago.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Smith.

SENATOR SMITH:

I recognize the fact that we are...what I'm asking would come up on 3rd reading because it does not deal with your...amendment. But I merely wanted to ask for information about the small businesses that this is going to kill, it's going to hurt them. And if in...if there's some way that we can talk, because I've had numerous calls from my district where people are just going to be wiped out and I'm very much concerned. So, thank you, I just wanted to bring that to... Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator...Kenneth Hall.

SENATOR HALL:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Hall.

SENATOR HALL:

Senator, I'm sorry, I wasn't here when you...to hear part of this discussion. But I'm reading...is what I'm reading right here in the...in our Calendar at...of course, it applies to cities over five hundred thousand. And I did hear you say something about it's going to be left to the Commerce Commission. If the Commerce Commission is going to be the ones that do that, then are you not taking the authority away from the city and getting it to the State? Is that what that amendment does?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Well, yes it does, in the sense that the State will now establish minimum qualifications for someone to operate a taxicab in the City of Chicago. To that...extent the...the legislation takes away authority that the City of Chicago presently enjoys exclusively.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...further discussion? Senator Jones.

SENATOR JONES:

Yes, thank you, Mr. President. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR DEMUZIO)

He indicates he will yield. Senator...Senator Jones.

SENATOR JONES:

Senator Joyce, are there any other municipalities across the State, do they regulate the cabs, do they set up minimum standards, could you give us that information?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

I...I...I don't purport to be an expert on what every municipality in the City of Chicago...in the State of Illinois does vis-a-vis cab operations. I know that the City of Chicago does not establish minimum qualifications that are sufficient to provide adequate cab service and that's what...I...I don't know.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

...in your remarks as you addressed the amendment and you spoke about one not being able to...to understand the English language and I can understand that. And since this amendment only deals with the City of Chicago, do other units of government in and around the City of Chicago hire persons who cannot deal with the English language to the degree wherein they can understand...the reason why I...raising that question 'cause you said to set up minimum standards and this amendment exempts all other local units of government other than the City of Chicago. So, do other local units of government have those minimum standards as such to your knowledge?

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

My best guess would be that they do not have the standards because they do not need them. If you don't...if you're operating a cab, it seems to me, in...in Arlington or if you're operating a cab in Winnetka and you don't know the geographic locations in Winnetka, you're probably going to soon be out of business.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Jones.

SENATOR JONES:

Well, in speaking to the amendment, let me say this. In and around the City of Chicago as you talk about those individuals who operate cabs and anyone who's...who's been to O'Hare Airport and see all the cabs, the cabs not only come from the City of Chicago, they come from the surrounding suburbs. And if the surrounding suburb cabdrivers operate within the City of Chicago and...and most of the passengers that they would take they take them within the City of Chicago, so, therefore...therefore, if they do not have such, to exempt them would be just to penalize the City of Chicago. I...the only reason this amendment is offered is because if it was not attached to the bill, the bill would die, it wouldn't pass because no...no Representative or no Senator here will be supporting a bill that would take the authority away from their local unit of government. And to penalize just the City of Chicago when maybe one-third of the cabs that you see out at O'Hare Airport do not come from the City of Chicago, they come from the surrounding suburbs and...and...but they operate within the City of Chicago. So, this amendment should be defeated. If you're going to do something with cabs, it should be Statewide if you want to give it to the Illinois Commerce Commission and I urge this

amendment be defeated.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Further discussion? Senator Marovitz.

SENATOR MAROVITZ:

Couple questions,...first a comment. I...I certainly agree with...with Senator Joyce that the...the English requirements and the requirements of having knowledge about the geographical boundaries, locations, et cetera of those things within the boundaries of the City of Chicago are absolutely mandatory, necessary and there is no excuse whatsoever for their not being present under...under circumstances in which every cabdriver receives a license. There's no excuse whatsoever and we've all...we've all come into situations where cabdrivers will not know where they're going to basic places and have to ask us, perhaps take us on joy rides around the city, not be able to speak English and understand us. I...I think that's absolutely necessary. But let me ask you another question in regards to other parts of the amendment. In...on...on page 3, line 17 where we talk about all requirements established by the Illinois Commerce Commission, what might those requirements be in addition to the ones that I've just mentioned...and, of course, proper licensing?

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

I don't know at this time and I don't particularly care if it helps improve the situation.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Marovitz.

SENATOR MAROVITZ:

And...I'm really asking this question 'cause I'm not sure. Is this the amendment that gives the regulatory power to the Commerce Commission and that wasn't done by the bill in its pristine form that was passed out of the committee?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

I don't know what you're talking about, pristine form; I mean, I don't know where you're coming from. Have I smoked you out on this thing, if you're now trying to kill the thing. You...we had some private conversations on this thing, you had some mumbo jumbo and you told me who was in the pocket of the cab companies. I mean, if you're in there now too, you know, why don't we just say it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

I suppose if I were I would. But I'm asking legitimate questions and I don't...and I...very legitimate questions. I agree with part of your amendment and I'm not trying to kill your amendment. Now if you don't want to...answer a very serious question I'm asking you. I mean, is this the part of the bill that gives the regulatory powers to the Commerce Commission and the bill that was passed out of commission just lifted the licensing restrictions? That's a pretty basic question, I really don't know the answer.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Where have you been during this debate? Haven't you been here listening?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

I've been listening to every word. I'm...I'm asking you a very logical question. This amendment gives all regulatory powers to the Commerce Commission, takes it all away from the City of Chicago, what additional restrictions or requirements

do you think...do you foresee in addition to knowing the City of Chicago, which is absolutely a necessity; knowing the English language, which is absolutely a necessity; being properly licensed, which is a necessity, what other things do you think the Commerce Commission, perhaps you've had some discussion with them, might require?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Well, they could possibly require that there be some first-aid technics available, that an operator of a cab know what to do when someone stops breathing in his cab, that he may be able to figure out how to get him to a hospital or to call a paramedic or something like that. I'd imagine there's a whole bunch of things that the Commerce Commission could probably think up. All I'm saying here today with this amendment is that this sets minimum qualifications. The City of Chicago can go much further than this. There's nothing to preclude the city from going in way beyond these minimum qualifications. Maybe they may want to make everybody who operates a cab in Chicago bilingual or trilingual, I don't know.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Further discussion for a first time? Senator Smith for...Senator Smith...Senator Schaffer, for what purpose do you arise?

SENATOR SCHAFFER:

Thank you, Mr. President. At the risk of interrupting some interesting debate, I would like to introduce a group from my district, the Crystal Lake Senior Citizens, who...club who have traveled some distance to come down and watch the proceedings, in the gallery behind me.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. If our guests in the gallery, please rise.

Welcome to Springfield. Welcome. The Chair will acknowledge the presence of the Secretary of State, Jim Edgar, on the Republican side. Further discussion? Senator Smith.

SENATOR SMITH:

Thank you, Mr. President. I'd like to direct a question to the sponsor, please. For a point of...clarification. Your amendment deals with 1874, that's in the bill...in...of 1874 which speaks in terms of the English language, the...familiarity of primary geographical locations, et cetera. Now your amendment is...is...is dealing with that, am I right? All right. That is 1874, but we have posted 1873 that deals with the regulating of licenses. Now will you straighten...will you straighten that out for me, please?

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

My amendment is 1874. What happened is, in committee we heard 1873 and we had a rather heated...committee hearing. And rather than go forward with 1874 after 1873 passed out of committee, I simply did not call 1874. Now...my...at that time, prior to the hearing, I stated what my purpose is as I've stated here today. Now, I am not...locked into any particular position other than trying to improve this taxicab service. The point that you raised about those small cab owners is very troubling to me. And I would like to see if we could work something out...if this thing can make it out of here, work something out in the House with respect to those little people who I am now hearing from also. I am looking at the...the problem in the City of Chicago, as I see, it is Yellow and Checker, and I am trying to do something about that, you know. Whether we succeed or not, I don't know, it's very...going to be very, very difficult. I am not looking to hurt those little operators that you are hearing from and that I am hearing from.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...Senator Smith.

SENATOR SMITH:

I...I appreciate your explanation and I would like to get with you at the close and see if we can work something out. Thank you, kindly.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Dudycz.

SENATOR DUDY CZ:

Yes, thank you, Mr. President. Senator Joyce, I'm sorry, but was the amendment passed out? I don't see anybody here having it on this end.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Well, it was filed...it was passed out long ago. I believe this thing was filed...probably last week sometime, it would have been passed out.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...Senator Dudycz.

SENATOR DUDY CZ:

Where can I get a copy of it?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Secretary...further discussion? Senator Jones, for a second time.

SENATOR JONES:

Yes, thank you, Mr. President. I apologize for rising a second time on the amendment but the amendment is really designed to try to usurp the authority within the City of Chicago. I sat on that committee when this bill was heard, and currently there is legislation sponsored by the city administration to deregulate the cab industry in the City of Chicago. That...that legislation had been bottled up in committee because of certain obstructionists within the city

were preventing the legislation from passing in the city council. So, as a result, now that the mayor has the power that the people of the City of Chicago invested in him, I'm quite certain that that legislation will move forward. And I discussed this with the sponsor of the bill, because the very thing that he's attempting to do is currently in the city council right now sponsored by the current administration. And the obstructionists have been more or less defeated as...as such. So for him to move forward and just...just for the sole purpose of trying to usurp the power of the city, I don't think that is in good taste and, again, the amendment should be defeated.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator...further discussion? Senator Joyce may close.

SENATOR JEREMIAH JOYCE:

Well, if I thought the City of Chicago was going to be able to move to deal with this problem, believe me, this legislation would not be here. I've watched this thing for a...for a decade. Those people seem to be able to touch the right buttons. The City of Chicago...the legislation...as I understand, the proposed ordinance talks about a...a hundred medallions out of almost five thousand stretches out a time period. I just don't think that the city is going to be able to deal with it. If I thought they would, I wouldn't be involved in this thing. I ask for the adoption of this amendment at this time.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce moves the adoption of...Amendment No. 1 to Senate Bill 1873. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it, in the opinion of the Chair. There's been a...all right...there's been a request for a roll call. Senator Joyce has moved the adoption of Amendment No. 1 to Senate Bill 1873. Those in favor will vote Aye.

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Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 42, the Nays are 4, none voting Present. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 1910, Senator Weaver. 1912, Senator Netsch. 1913. 1915, Senator Maitland; Page 11. 1920, Senator Karpel, 1-9-2-0. Top of page 11, Senate Bill 1920. 1925, Senator Zito. 1931, Senator Sangmeister. 1934, Senator Jeremiah Joyce. On the Order of Senate Bills 2nd Reading, the middle of page 11, is Senate Bill 1934, Mr. Secretary.

SECRETARY:

Senate Bill 1934.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...

SECRETARY:

No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...amendments from the floor?

SECRETARY:

Amendment No. 1 offered by Senator Topinka. Oh, wait just a minute, I have one here from Senator Joyce. Amendment No. 1, by Senator Jeremiah Joyce.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

...know we have one.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Can we break up that conversation.

SENATOR JEREMIAH JOYCE:

Amendment No. 1 provides that teachers and...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR JEREMIAH JOYCE:

...and other school employees shall not be required to work on legal school holidays except in...emergency or...or necessity which requires them to be there for a function on a school facility.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Joyce has moved the adoption of Amendment No. 1...Amendment No. 1 to Senate Bill 1934. Discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Question, Mr. President. Is this the...was...was this amendment adopted in committee, Senator, or are you moving this amendment on the Floor?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

I am moving this amendment on the Floor. We had discussion in committee as to what the amendment would be. There...and...and they had said that they would work out the language and that is what we have here before us today.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schuneman.

SENATOR SCHUNEMAN:

Well, is this some kind of agreed language, Senator, or is this basically the IEA position? What do we have here?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

The language is agreed with respect to the language. Now

I am not going to indicate that they have withdrawn opposition to the bill. The language itself is to how to deal with those situations where you have to have people on the school property for emergencies and where you have to make...make sure that the building is kept heated. Those types of things where there are nonschool functions and the building is still going to be open on a school holiday. Those types of things, this amendment and the language of this amendment attempts to deal with that, and to that extent it's been agreed upon.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schuneman.

SENATOR SCHUNEMAN:

Mr. President, well, apparently, what we have here then is...is a case where school management while opposed to the bill has agreed to the language. Is that a fair statement, Senator?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

That is a fair statement with respect to Bernice Bloom and...the...and ED-RED...my own school districts, I am most recently informed, do not agree to this or to anything else on...on this, but I don't know if they have looked at this language. They have not signed off on it, so I...I guess we will be hearing from everybody on 3rd reading.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schuneman.

SENATOR SCHUNEMAN:

Well, thank you, Mr. President, just to make the membership alert to what's happening here. I think this bill normally, probably would have gone to the Education Committee, but as I understand the impact of this bill, what in effect it says is that all school employees...no school employees now will be required to work on school holidays and gives

significant problem to school management who may have to provide for janitors and other service type people around the school to operate a school, the engineers and all the rest. But we can discuss this bill on 3rd reading.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Watson.

SENATOR WATSON:

Thank you, Mr. President, I...I'd like to have some clarification myself, then I'd like to ask a question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

I'm sure he'll yield. Senator Watson.

SENATOR WATSON:

Thank...thank you. Why...why are we doing this? What kind of a situation would arise in which you would want this type of legislation? Can you explain that for me?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

The situation which is...which...provides the genesis for this legislation involved a secretary who was forced...I shouldn't say forced...ordered to come in on school holidays and work. That is, all the other employees, the teachers, the clerks, all the other people were off, and out of that came this. This is not...not meant to go beyond that.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

It...it seems as though it does go considerably beyond that but I...what happens in a situation in which over a weekend let's say the Jaycee organization wants to rent the gymnasium at Greenville High School and now we can't have...the high school requires a janitor to be present and now we have a situation in which they...they won't work, are

they...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

That was the purpose of the language of the amendment. This...the...holidays except in the...in the necessary or emergency functioning of a school facility. The language in the necessary or emergency functioning...of a school facility is meant to embrace that situation that you have just described.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Hall.

SENATOR HALL:

Sponsor yield for a question? Senator, in my district we have the third highest number of students outside of the other two in this entire area. I'm going to give you...cite an example to you. When I'm saying high, the highest number of...of students. If we have...what I'm saying the District 189, and it's like Senator Watson has said, that...do you think that you fully cover that when you say that if you have any functions at the schools are not in on those days, you said necessary...what was the exact wording that you have in there? Are you covering that? What does that word say? Read that again to me.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Teachers shall not be required to teach on Saturdays nor shall teachers or other school employees other than...noncertified school employees whose presence is necessary because of an emergency or for the continued operation and maintenance of school facilities or property be required to work on a legal holiday. If...if...if that is not clear, we can certainly establish the...the...the legislative intent

and clear up any ambiguity in...in...in the event we are not with clear and plain language.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Hall.

SENATOR HALL:

I would appreciate that because it's kind of ambiguous. In other words, it's going to really, as I see it and maybe I'm looking at it wrong, it would create a serious problem so that's...so...get with you and maybe you can...I'll talk to them...my people...before the bill is voted on on 3rd reading.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

All right. We have two additional...speakers. Point out we're...we're bogging down here. Senator Fawell.

SENATOR FAWELL

Thank...thank you, very much. Will the sponsor yield for a...a question?

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Indicates he will yield. Senator Fawell.

SENATOR FAWELL:

I guess it's really more of a...of a statement. Some of my people have just talked to me about this too. What they're concerned about is the sports events and the drama clubs and the...concerts that are held usually on a weekend when school is not taking place. If you could some way or another clean that language up so that those kinds of events will...will still...which the community wants to participate in will still take place and...and is able to...okay.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Further discussion? If not, Senator Joyce has moved the adoption of Amendment No. 1 to Senate Bill 1934. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 2 offered by Senator Topinka.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka on the Floor? I am told that Senator Topinka is in a...a summit meeting. Are...are...is there leave to have Senator Joyce handle this amendment for Senator Topinka? Oh. Before we do that...leave is granted. Senator Maitland, for what purpose do you arise?

SENATOR MAITLAND:

Thank you, very much, Mr. President, on a point of personal privilege, sir.

PRESIDING OFFICER: (SENATOR DEMUZIO)

State your point.

SENATOR MAITLAND:

In the President's Gallery is...from Unity Junior High School in Tolono is teacher Mrs. June Carol and students and parents of students who are here today and will be out at Sangamon State later for the Student Historian Awards Day. We have several award winners and one duplicate award winner and I'd like them to rise and be recognized by the Senate, please.

PRESIDING OFFICER: (SENATOR DEMUZIO)

If our guests in the gallery would please rise. Welcome to Springfield. Congratulations. All right. Leave is granted to have Senator...Jeremiah Joyce handle Amendment No. 2. All right. Senator Joyce.

SENATOR JEREMIAH JOYCE:

Thank you, Mr. President and members of the Senate. Amendment No. 2 to Senate Bill 1934 provides that recruiters can receive the names and addresses of prospective high school graduates who have begun their final year of instruction.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Joyce moves the adoption of Amendment No. 2, Senate Bill 1934. Discussion? If not, those in favor

indicate by saying Aye. Opposed Nay. The Ayes have it.
Amendment No. 2 is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No...no further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 1935, Senator Lemke. All
right. Senate Bills 2nd reading is Senate Bill 1935, Mr.
Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1935.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke, for what purpose do you arise?

SENATOR LEMKE:

I just want to make for the record, this bill is strictly
a...Reference Bureau bill, it will not be used for anything
else. We're moving it to 3rd reading. If the Reference
Bureau has not complete the recodification of the Criminal
Code, then I will make a request at the end of Session to
have this put on the Calendar and held till the fall until
they get their...their computers together and put together
the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. There...there are no amendments to this bill.
So...Senator Geo-Karis, for what purpose do you arise?

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, I
concur with Senator...I'm the minority spokesman on Judiciary
I. This bill will stay on...on the bill...this bill will

stay on the records, rather, until we get the revisions from the Legislative Reference Bureau, and if they do not come in timely, it'll stay...will not go on with it. It will stay until...on the fall Calendar. That's the understanding we have with the Reference Bureau, because the code has to be revised.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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

SENATOR MAROVITZ:

On the bill, Mr. President. Number one, since there is no substance to the bill whatsoever, I wonder what's the point of moving it to 3rd reading if they're holding it for amendments? That's my first question.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well...Senator Marovitz...

SENATOR MAROVITZ:

My second question is this, and I'd like the Body to take note of this. This bill is being held for recodification of the Criminal Code of the State of Illinois but it did not go to the Criminal Judiciary Committee. Now I can't think of anything more ridiculous than that, a bill that's going to recodify the entire criminal laws of the State of Illinois not going to the Criminal Judiciary Committee. I don't understand that at all. And I'd also like to know, what's the point of moving it to 3rd if we're holding it for an amendment?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator Marovitz, there...there are no amendments and we...the sponsor wishes to proceed and under our rules...3rd reading. Senate Bill 1945, Senator DeAngelis. Senator DeAngelis, 1945. 1946, Senator DeAngelis...1954.

PRESIDING OFFICER: (SENATOR SAVICKAS)

(Machine cutoff)...Bill 1954, Senator Demuzio. Read the

bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1954.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Public Health, Welfare and Corrections offers one amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

Well, thank you, very...thank you,...Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 1954 was handled for me in a...in Public Health, Welfare and Corrections Committee, and the committee requested an amendment...which was adopted in committee actually, which deletes the requirement which allows the...of municipalities to adopt safety codes for manufactured housing. The amendment was put on 11 to nothing. I don't know of any particular controversy. I would move the adoption of Committee Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Demuzio moves the adoption of Amendment No. 1 to Senate Bill 1954. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 1955, Senator Demuzio. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1955.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 1957, Senator Friedland. Senate Bill 1961, Senator D'Arco. Senate Bill 1974, Senator Poshard. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1974.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator Poshard.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Poshard.

SENATOR POSHARD:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This amendment is a technical amendment that provides a working definition for toxic substances. We discussed this in committee and...this was just a technical amendment to...satisfy the wishes of those people who had some concerns in committee.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Poshard moves the adoption of Amendment No. 1 to Senate Bill 1974. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

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No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 1991, Senator Degnan. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1991.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1...Amendment No. 1 offered by Senator Degnan.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Degnan.

SENATOR DEGNAN:

Thank you, Mr. President. Amendment No. 1 to Senate Bill 1991, in fact, becomes the bill, deletes everything that was previously included in the bill and says that teachers who are Armed Forces Reservists and are activated or required to enter into active military service during a school year shall continue to receive their full salary throughout that period. The person is required to remain on active duty. Normally, I understand that is...two to three weeks or two to four weeks. I also understand this may affect four or five people. Currently, the Illinois Association of School Boards has taken no position on the bill. Be happy to answer any questions.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Degnan moves the adoption of Amendment No. 1 to Senate Bill 1991. Those in

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

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 2003, Senator Marovitz. Senate Bill 2008, Senator...Senator Marovitz.

SENATOR MAROVITZ:

What happened to 2000?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Well, those bills are on the insurance and we're holding those till tomorrow.

SENATOR MAROVITZ:

I've never been told that. I...I...it was my impression that we're going to move the bill to 3rd.

PRESIDING OFFICER: (SENATOR SAVICKAS)

No, we're not...we're not moving any of those to 3rd. These are Floor...now had you been here earlier, Senator Rock had made the Floor announcement. Since there is a three o'clock summit meeting on this topic, none of the insurance bills are to be moved. This was announced when we opened the Session this morning. Senator Marovitz.

SENATOR MAROVITZ:

Go ahead.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Well, Senate Bill 2003. Do you wish to...read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 2003.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 2008, Senator Marovitz. Senate Bill 2018, Senator Leitch. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 2018.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Leitch.

SENATOR LEITCH:

A...this amendment has been worked out by the trucking industry and the Illinois Department of Transportation and was approved unanimously. And I know of no opposition and would move approval.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Leitch moves the adoption of Amendment No. 1 to Senate Bill 2018. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 2019, Senator Geo-Karis. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 2019.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator Geo-Karis.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, Amendment No. 1 is being proffered by...at the request of the Department of Aging. And it follows through...and I've explained it once before and, incidentally, I did clear it with Mr. Handley from the Republican side, and it says that any person who knowingly transmits a...a false report under the Illinois Domestic Violence Act commits the offense of disorderly conduct. The Elder Abuse Demonstration Act is included in the Illinois Domestic Violence Act and I move for its passage.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Demuzio.

SENATOR DEMUZIO:

...is this...is this a...a...a...a committee amendment? And...could you just briefly...describe that again for me, please?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

This...says any person who knowingly transmits a false report under this Act commits the offense of disorderly conduct under...substantive...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis, I understand you're explaining the wrong amendment.

SENATOR GEO-KARIS:

I'm sorry, but there's two amendments. I'm sorry, I

apologize. Let me...oh. Amendment No. 1...I believe we amended in...in paragraph 9 on page 18...and line 18 and page 2. And on line 24 on page 2.

ACTING SECRETARY: (MR. FERNANDES)

Well, Amendment No. 1 is on page 1 by inserting after line 15 the following, "Section 2." "Section 26-1 of the Criminal Code of 1961."

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

Well, as I understand it, Amendment No. 1 simply...includes as one of the...the acts that constitute the crime of disorderly conduct the transmittal of a false report under the Illinois Domestic Violence Act, and it seems to me that, Senator, you might want to move adoption of that so we can...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Could you give me the number of the...the LRB number, please?

ACTING SECRETARY: (MR. FERNANDES)

The Reference Bureau number is LRB8408651JMCSAM01.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis moves the adoption of Amendment No. 1 to Senate Bill 2019. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 2 offered by Senator Geo-Karis.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Amendment No. 2 amends the...first page of the bill by

inserting after line 15 the following, "Section...4.1, any person who knowingly transmits a false report under this Act commits the offense of...disorderly conduct under Subsection A-9 of Section 26-1 of the Criminal Code of 1961." And it also amends...on page 2 in line 27, it says...and it says paragraph 9, "Transmits a false report under Article II of an Act in relation to victims of violence and abuse. Approved September 16, 1984 as amended." And I move the passage of this amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

...can you describe this as a technical amendment that corrects Amendment No. 1?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

I wonder...you want to take that out of the record for a minute because the staff man is right on the outside there.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Take it out of the record. Senate Bill 2020, Senator Geo-Karis. Senate Bill 2022...Senate Bill 2020, Senator Geo-Karis. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 2020.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator Geo-Karis.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President, Ladies and...Gentlemen of the Senate, this amendment was made at the...and has been approved by...Senate Democrat staff and the Attorney General's Office and the Legal...Assistance Foundation. And this was the amendment we said we would put on when I was in committee on this bill. And it says...it amends page 2 by deleting lines 28 and 29 and inserting thereof the following, "(A) Compromise or...release any such claim for benefits provided under this Code, or (B) Waive any such claims for benefits provided under this Code in whole or in part for the." And then it makes the...it does amend the bill as we promised to amend it in committee. And I move the passage of this amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Geo-Karis moves the adoption of Amendment No. 1 to Senate Bill 2020. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 2022, Senator Berman. Read the bill, Mr. Secretary.

END OF REEL

AB 2038
2nd Reading

REEL #3

PRESIDING OFFICER: (SENATOR SAVICKAS)

No...take it out of the record. Senate Bill 2025, Senator Fawell. Senate Bill 2037, Senator Netsch. Senator Netsch. Senate Bill 2038, Senator Netsch. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 2038.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 2044, Senator Weaver. Senate...for what purpose Senator Fawell...

SENATOR FAWELL:

I'm...I'm sorry, I was speaking to one of our colleagues on the other side of the aisle and I waved when my bill came up. Could you possibly consider going back?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Was it a sweet wave or...you've heard the request by Senator Fawell. She requests permission to return to Senate Bill 2025. Is leave granted? Hearing no objection, leave is granted. On the Order of Senate Bills 2nd Reading, Senate Bill 2025, Senator Fawell.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 2025.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 2044, Senator Weaver. For what purpose Senator DeAngelis arise?

SENATOR DeANGELIS:

Well, I...I would like to commend the Chair. I have noticed since Senator Savickas married, he's become less chauvinistic. Frank, keep up the good work.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senate...Senate Bill...we're going to skip 2051, 52, 53 and 54 as...as per the President's request. Senate Bill 2074, Senator Marovitz. Senate Bill 2076, Senator Geo-Karis. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

(Machine cutoff)...Bill 2076.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 2077, Senator Geo-Karis. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 2077.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator Geo-Karis.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, I believe, Amendment No. 1 has CAM on the...the...the end of the line of the LRB, is that correct?

ACTING SECRETARY: (MR. FERNANDES)

Yes, that's correct.

SENATOR GEO-KARIS:

I'd like to withdraw that amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis moves to withdraw Amendment No. 1 from...is that a committee amendment...to withdraw...Floor Amendment No. 1 from Senate Bill 2077. Is there leave granted? Hearing no objection, leave is granted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator Geo-Karis.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

...and I'm substituting this amendment for Amendment No. 1. and I...we made some changes. I talked with the staff...Democrats, Mr. Marovitz, I believe it was that I talked to. He had these concerns, they have been answered. We have amended it by inserting on page 1...by deleting line 18 and inserting in lieu thereof "Three, to be the father and having been informed of being the father of the child...which was born out of," and in line six by inserting after the...rather in line 20 inserting after the word "and" the following, "Having knowledge of the residence of the child." And in line 10, inserting on page 2...by deleting line 16 rather and inserting thereof, "Three, to be the father and

having been informed of being the father of the child which was born out of wedlock." I move the passage of this amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis has moved the adoption of Amendment No. 1 to 2077. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 2 offered by Senator Geo-Karis.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Would you please read me the...

ACTING SECRETARY: (MR. FERNANDES)

Amends Senate Bill 2077 on page 1 in line 18 by striking "be"...

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right.

ACTING SECRETARY: (MR. FERNANDES)

...by changing "be" to "be the" and on page 2 in line 16 by changing "three to four."

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

That's a technical amendment and I move its...adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Geo-Karis moves the adoption of Amendment No. 2 to Senate Bill 2077. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. There were just two amendments, Senator Geokaris? All right. 3rd reading. Senate Bill 2082, Senator Nedza. Bottom of page 13, Senate Bill 2-0-8-2.

SECRETARY:

Senate Bill 2082.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Nedza.

SENATOR NEDZA:

Thank you, Mr. President. I move to Table that amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Nedza moves to Table Amendment...Committee Amendment No. 1. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is Tabled. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...sponsor indicates there's a Floor amendment.

SECRETARY:

Well, then, it's...just minute.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dudycz must have some expressed interest in this...

SECRETARY:

Amendment No. 2 offered by Senator Nedza.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Nedza.

SENATOR NEDZA:

Thank you, Mr. President. Amendment No. 2 in...in its effect takes most of the committee amendment but also adds an immediate effective date and also acquiesces to the Illinois Press Association's amendment to offer the...or to clarify the advertising of the positions in at least one newspaper of general circulation. There are no questions, I move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, Senator Nedza moves the adoption of Amendment No. 2 to Senate Bill 2082. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 2086. Senator Degnan seeks leave to return to that bill a little later in the day. Is leave granted? Leave is granted. Senate Bill...Senator Degnan. Okay. Leave is granted. Senate Bill 2088, Senator Savickas. Mr. Secretary, read the bill, 2-0-8-8.

SECRETARY:

Senate Bill 2088.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Topinka.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka. Senator Topinka on...well, she...Senator, she's apparently in the summit meeting dealing

with racing. Senator Savickas.

SENATOR SAVICKAS:

Well, I...I know...I don't know anything about her amendment, she hasn't spoke to me about it. I do have...have an amendment on the Desk that I wish to be adopted.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator, she...Senator...Topinka has filed an amendment to the bill and it seems to me that perhaps we ought to seek leave and come back when she's on the Floor.

SENATOR SAVICKAS:

Well, I would think that if she was that concerned she would have been here for this amendment stage.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas.

SENATOR SAVICKAS:

I do have an amendment there I would like to get adopted and after I see...speak to Senator Topinka and look at her amendment, we can always discuss about bringing it back.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, the Secretary indicates that there is only one amendment. That means...one...the two amendments that have been filed, Senator Savickas, both have the name of Senator Topinka. I suggest that we take it out of the record for the time being. Senator Savickas.

SENATOR SAVICKAS:

I brought this...amendment up yesterday, it should be there.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well,...

SECRETARY:

Amendment No. 1 offered by Senator Savickas.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas.

SENATOR SAVICKAS:

Mine is just a technical amendment and it deletes the word "horse" on page...37, line 19. It was an error in drafting and was called to our attention in Enrolling and Engrossing. It's just a technical amendment and I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas moves the adoption of Amendment No. 1 to Senate Bill 2088. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. (Machine cutoff)...Savickas, we still have two amendments of Senator Topinka's to dispose with. Is it your intention to attempt to...to move this bill to 3rd reading and work...Senator Savickas.

SENATOR SAVICKAS:

My intention would be to move it to 3rd and sit down with Senator Topinka and possibly bring it back when she's around.

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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

SENATOR MAITLAND:

Thank you, very much, Mr. President. On a point of personal privilege, sir.

PRESIDING OFFICER: (SENATOR DEMUZIO)

State your point.

SENATOR MAITLAND:

In the President's Gallery, school teacher Marilyn Ames from Melvin Sibley High School and a...and...and students who once again are attending the Student Historian Awards Day at Sangamon State. I'd like to welcome them to Springfield and ask them to stand and be recognized, please.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Will our guests in the gallery please rise. Welcome to

Springfield. All right. On the Order of Senate Bills 2nd Reading is Senate Bill 2090, Senator Berman. Mr. Secretary, read the bill, 2-0-9-0.

SECRETARY:

Senate Bill 2090.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. Committee Amendment No. 1 was adopted in committee to include...Chicago along with all of the other school districts that are addressed in the original bill. Move the adoption of Committee Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman moves the adoption...of Committee Amendment No. 1 to Senate Bill 2090. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Amendments from the Floor?

SECRETARY:

Amendment No. 2 offered by Senator Berman.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

Yes, this was brought to my attention by an attorney that represents the school districts to add language that would...allow the self-insurers to do the same thing that the bill originally provided. Move the adoption of Amendment No.

2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Berman has moved the adoption of Amendment No. 2 to Senate Bill 2090. Any discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 2091, Mr. Secretary.

SECRETARY:

Senate Bill 2091.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

Amendment No. 1 adopted in committee was...added the language "including all athletic and extracurricular programs" to the scope of the activities that are covered by the relationship in the maintenance of discipline by school personnel. Move the adoption of Committee Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman moves the adoption of Committee Amendment No. 1 to Senate Bill 2091. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 2092, Mr. Secretary. Senate

SB 2108
2nd Reading

bills 2nd reading.

SECRETARY:

Senate Bill 2092.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 2093, Senator Berman. Senate bills 2nd reading, Senate Bill 2093, Mr. Secretary.

SECRETARY:

Senate Bill 2093.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 2104, Senator Luft. Senator Luft on the Floor? 2108, Senator D'Arco. Senate bills 2nd reading, in the middle of page 14, is Senate Bill 2108, Mr. Secretary.

SECRETARY:

Senate Bill 2108.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. The amendment...the amendment becomes the bill and the amendment provides that no person,

partnership or corporation authorized to practice accountancy or any of its employees, members or officers shall be liable to persons not in privity of contract with...for civil damages. This is the bill...the way that a person would be liable is if the conduct of the accountant was wilful and wanton, and I would ask to adopt Amendment No. 1 to Senate Bill 2108.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator D'Arco has moved the adoption of Committee Amendment No. 1 to Senate Bill 2108. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Amendment No. 2 offered by Senator D'Arco.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. This was amendment...an amendment that was requested by Senator Berman and it makes the Act prospective in nature. It says that the Act would not take effect upon becoming law...or the Act does take effect upon becoming law, and it shall apply to only acts, omissions, decisions or other conduct in connection with professional services rendered after the effective date of this Act. It's a prospective amendment. I would ask for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator D'Arco has moved the adoption of Amendment No. 2 to Senate Bill 2108. Discussion? If not, those in favor

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2nd Reading

indicate by saying Aye. Opposed Nay. The Ayes have it.
Amendment No. 2 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. All right. 2117. Is there leave to have
Senator Maitland handle that for Senator Demuzio? Leave is
granted. Senate Bill 2117, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 2117.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 2123, Senator Poshard. Senate bills 2nd
reading, Senate Bill 2123, Mr. Secretary.

SECRETARY:

Senate Bill 2123.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Page 15, Senate Bill 2151, Senator
Savickas. Top of page 15, Senate Bill 2151. Senate Bill
2158, Senator Hall. Senator Hall on the Floor? 2162, Sena-
tor Smith. All right. Senate bills 2nd reading, middle of
page 15, is Senate Bill 2162, Mr. Secretary.

SECRETARY:

Senate Bill 2162.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Smith.

SENATOR SMITH:

Thank you, Mr. President and members of the Senate. This amendment was made in committee. It places the program with the Department of Public Health. It retains the program and services of the original bill and adds those currently encompassed by the Parents Too Soon Program. It reduces grants match required by our participating agencies to twenty-five percent, deletes provision requiring administrative agencies to retain no more than five percent of appropriations for administration costs. It deletes provisions requiring accident and health insurance policies or for maternity coverage to...provide coverage for any person covered under this policy. The Department of Public Health and the Governor's Office supports this amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right...

SENATOR SMITH:

...and I ask for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Smith has moved the adoption of Committee Amendment No. 1 to Senate Bill 2162. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 2163, Senator Collins. All right. Senate

bills 2nd reading is Senate Bill 2163, Mr. Secretary.

SECRETARY:

Senate Bill 2163.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any...amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Lemke.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke on the Floor? Senator Lemke.

SENATOR LEMKE:

This is amendment...Amendment No. 1? Okay, what this does is deletes reference to the termination of a pregnancy and refers instead of to a miscarriage. Amends section of home instruction of pregnant students or teen...mothers. The bill requires home instruction for three months after the birth of the child or pregnancy is terminated. This amendment would allow instructions only after the birth of the child or a miscarriage thereby not authorizing home instruction in the case of an abortion. I think it's a good amendment, I ask for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke has moved the adoption of Amendment...No. 1 to Senate Bill 2163. Is there discussion? Senator Maitland.

SENATOR MAITLAND:

...Mr. President, thank you. I...Senator Lemke, I...I didn't quite totally understand the amendment. Would you once again explain the amendment to the Body, please?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

What this does is amends the home instruction section of pregnant students or teen mothers. The bill requires home

instructions for three months after the birth of the child of a...or a pregnancy is terminated. What we're doing is changing "pregnancy termination" to the word "miscarriage," so it doesn't authorize home instruction in cases of abortion.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President. Unless I'm misinterpreting what you're saying, I think this is a rather far-reaching amendment, Senator Lemke, and I...I don't have a copy of the amendment, I don't think anyone else does. This is requiring...requiring schools to provide home care.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Further discussion? All right. Senator Lemke has moved the adoption of Amendment No. 1 to Senate Bill 2163. Discussion? Senator Collins. Senator Karpziel.

SENATOR KARPIEL:

Thank you, Mr. President. Senator Lemke, if I understand you correctly, the purpose of this amendment is to avoid this...having this home instruction or home care be provided to girls who have abortions. Is that correct?

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Lemke.

SENATOR LEMKE:

This is in regards to home instructions and what we're doing is eliminating the...the word "termination of pregnancy" and...so it doesn't reflect as to instructions on abortion.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Karpziel.

SENATOR KARPIEL:

If you could just read the wording again one more time. It sounded to me like it was after a miscarriage or after cessation of pregnancy or something like that, I thought you

said.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Lemke.

SENATOR LEMKE:

What this does is deletes reference to the...to termination of pregnancy and refers instead of to a miscarriage. We're...we're doing a matter of semantics because the Right to Life people do not like the word termination of pregnancy, miscarriage is a better semantic word...it doesn't do...get involved in regards to...this bill does home instructions for pregnant students or teen mothers. The bill now requires home instructions for...for three months after the birth of the child or a pregnancy is terminated. What this will do, my wording, will just change the word "pregnancy terminated" to "miscarriage."

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Further discussion? Senator Lemke has moved the adoption of Amendment No. 1 to Senate Bill 2163. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is...is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

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

SENATOR SCHAFFER:

I was wondering...I believe we requested a fiscal note. I don't...it may very well have been complied with and I just haven't seen it.

SECRETARY:

You...you...you are right, Senator, and it has been complied with.

SENATOR SCHAFFER:

Okay.

*SB. 2165
2nd - reading*

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 2164, Senator Lemke. Senate bills 2nd reading, Senate Bill 2164, Mr. Secretary.

SECRETARY:

Senate Bill 2164.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 2165. Senate bills 2nd reading is Senate Bill 2165, Mr. Secretary.

SECRETARY:

Senate Bill 2165.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Jeremiah Joyce.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce. The staff...can we have the file for Senator Joyce, please?

SENATOR JEREMIAH JOYCE:

...okay, I'm sorry. This amendment was agreed to in committee and it was agreed that we would put it on on the Floor. What it seeks to do is exclude the social host from long-arm jurisdiction.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce moves the adoption of Amendment No...

SECRETARY:

1...yeah.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...Amendment No. 1 to Senate Bill 2165. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 2166, Senator O'Daniel...Senate bills 2nd reading is Senate Bill 2166, Mr. Secretary, read the bill, please.

SECRETARY:

Senate Bill 2166.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Labor and Commerce offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator O'Daniel.

SENATOR O'DANIEL:

Yes, the Committee Amendment No. 1 makes some...technical changes that were recommended by the Department of Conservation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator O'Daniel has moved the adoption of Committee Amendment No. 1 to Senate Bill 2166. Discussion? If not...Senator Hudson.

SENATOR HUDSON:

Would the sponsor yield to a question?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Hudson.

SENATOR HUDSON:

Senator, does this in any way change the provision regarding the minimum wage?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator O'Daniel.

SENATOR O'DANIEL:

Not this amendment, the next one does.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Hudson.

SENATOR HUDSON:

Thank you.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

All right. Senator O'Daniel has moved the adoption of Committee Amendment No. 1 to Senate Bill 2166. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Amendments from the Floor?

SECRETARY:

Amendment No. 2 offered by Senator O'Daniel.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator O'Daniel.

SENATOR O'DANIEL:

Yes, Amendment...Committee Amendment...I mean, Floor Amendment No. 2 removes the minimum wage exemption for recreational program employees and further clarifies that persons hired under this Act shall not be used...in any way displace full-time workers. This changes the...is at the request of the AF of L-CIO and the Urban League and...and others and it was promised in committee.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

All right. Senator O'Daniel has moved the adoption of...Amendment No. 2 to Senate Bill 2166. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

*AB 2185
2nd reading*

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 2169, Senator Luft. I'm sorry, I skipped 2168, Senator Poshard. On the Order of Senate Bills 2nd Reading, bottom of page 15, is Senate Bill 2168, Mr. Secretary.

SECRETARY:

Senate Bill 2168.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 2169, Senator Luft. Page 16...top of page 16, 2180, Senator Collins. Senator Collins on the Floor? 2185, Senator Lemke. Page 16, Senate bills 2nd reading is Senate Bill 2180, Mr. Secretary. I beg your...2185, 2-1-8-5.

SECRETARY:

Senate Bill 2185.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

Just a statement for the record. This is the annual revisory bill. We're moving it to 3rd on the suggestion from the Reference Bureau. It's the same thing we're doing with

Criminal Code and we'll keep it on 3rd until the amendment is prepared and is reviewed by staff and then we will pass the bill. So just to make a record of it, this is only a reference...bill and will not be used for anything else and should not be used for anything else.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. 3rd reading. Senate Bill 2190, Senator Barkhausen. 2192, Senator Watson. Senate bills 2nd reading is Senate Bill 2192, Mr. Secretary.

SECRETARY:

Senate Bill 2192.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Watson.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. Senate Amendment No. 1 to Senate Bill 2192 adds "knowingly," so that the individual must knowingly violate. It strikes some language that was the major concern of both the medical society and other providers. It strikes language that said that denial of judicial review should be consistent to third parties. It also says that an individual has to be found guilty by a court of law instead of just simply guilty. It also says that the individual would be responsible for only court costs and not necessarily investigation costs, and it also adds language that the Department of Public Aid would notify providers of other providers that have been...accused and convicted of such a felony. I move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

AB 2271
2nd Reading

All right. Senator Watson has moved the adoption of Amendment No. 1 to Senate Bill 2192. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 2193. Senate bills 2nd reading is Senate Bill 2193, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 2193.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 2194. 2202. 2231, Senator Berman. 2231, middle of page 16. 2232. 2233. 2255, Senator Poshard...page...all right, page 17...page 17 on your Calendar. Senator Savickas, 2271. On the Order of Senate Bills 2nd Reading is...Senate Bill 2271, Mr. Secretary.

SECRETARY:

Senate Bill 2271.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas.

SENATOR SAVICKAS:

Yes...

PRESIDING OFFICER: (SENATOR DEMUZIO)

...break up conferences.

SENATOR SAVICKAS:

...Mr. President, the amendment just adds the year of approval date. It adds the year, I think, 1974 after August 27th. It was a technical amendment, it was an error in drafting.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas has moved the adoption of Committee Amendment No. 1 to Senate Bill 2271. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 2273, Senator Schuneman. 2276, Senator Barkhausen. Senate bills 2nd reading is Senate Bill 2276, Mr. Secretary.

SECRETARY:

Senate Bill 2276.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No...no Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 2279. I am told that earlier in the day that Senator Topinka had sought leave of the Body to have Senator Jones handle that and was granted leave. On

the Order of Senate Bills 2nd Reading is Senate Bill 2279,
Mr. Secretary.

SECRETARY:

Senate Bill 2279.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Jones.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

Thank you, Mr. President and members of the Senate.
Amendment...Amendment No. 1 to Senate Bill 2279 deletes that
portion as it relate to vision care services with the
requirement in there of fifty percent or more, and it gives
the director the power to...to set the limits as to what is
necessary for one turning in to the vision care service. I
move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones has moved the adoption of Amendment No. 1
to Senate Bill 2279. Discussion? If not, those in favor
indicate by saying Aye. Opposed Nay. The Ayes have it.
Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 2281. 2289, Senator Kustra. Senate bills
2nd reading is Senate Bill 2289, Mr. Secretary.

SECRETARY:

Senate Bill 2289.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

*8:29 AM
2nd Reading*

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Kustra.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President and members of the Senate. Amendment No. 1 is a clarifying amendment. It's been offered by the Department of Revenue and approved by all parties. I move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Kustra has moved the adoption of Amendment No. 1 to Senate Bill 2289. Those in favor indicate by...discussion? Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 2294, Senator Karpziel. Senate bills 2nd reading is Senate Bill 2294, Mr. Secretary.

SECRETARY:

Senate Bill 2294.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Karpziel.

SENATOR KARPIEL:

Thank you, Mr. President. The committee amendment simply adds in that a notice has to be given of a means of how to contact a child in those circumstances where the notice of a child's whereabouts is required.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Karpel has moved the adoption of Committee Amendment No. 1 to Senate Bill 2294. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 2301. Mr. Secretary, Senate bills 2nd reading is Senate Bill 2301. Read the bill.

SECRETARY:

Senate Bill 2301.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Carroll.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce, you want to handle that for Senator Carroll? Senator Joyce.

SENATOR JEREMIAH JOYCE:

I'll...I'll handle the amendment for him but I must tell you that I am opposed to the amendment, but I will tell you what the amendment does. The amendment provides that...this is that...this is the program that Senator...that former Senator...Commissioner Harris is setting up with the banking education...foundation, and...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Why don't we...

SENATOR JEREMIAH JOYCE:

...Senator Carroll's amendment provides that the appropriation...that the expenses shall be funded by an annual corporation rather than a...on a continuing basis as Commissioner Harris requested.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator Joyce, Senator...Senator Carroll is not on the floor.

SENATOR JEREMIAH JOYCE:

Well, you know, let's...let's have a vote on it up or down...I kept it out yesterday to talk to Commissioner Harris because there were some...I was left with the impression that Commissioner Harris and Senator Carroll or someone from Senator Carroll's staff had come to some type of an agreement on this; that, in fact, is not necessarily the case. You know,...

PRESIDING OFFICER: (SENATOR DEMUZIO)

First of all, Senator Joyce, I...I asked if leave was granted to have you handle this...amendment for Senator Carroll and...and not put that question. Senator Joyce.

SENATOR JEREMIAH JOYCE:

Well, I...I am...I am just telling you what I think the...the...I'm telling you what I think the amendment does. Basically, the...the...the sentiment of the Body is whether we're going to adopt it or not. I mean, it's simply do you want to have a continuing funding or do you want to have an annual appropriation with respect to this?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well,...

SENATOR JEREMIAH JOYCE:

...Commissioner Harris wants to continue funding, how...Senator Carroll wants an annual appropriation, and if Senator Carroll was concerned about it, he could be here,

and I suppose if he's really concerned about it, he can take a pound of flesh somewhere along in the appropriation process against the...the commissioner. But, you know, the...I think I presented the views of both sides before the Body and I tell you where I am on it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, let me suggest to you that, you know, when we start talking about members' amendments that have been filed to bills and we begin to handle them when they are not present on the Floor, I think we establish a very dangerous precedent. Now, we have...we have done that...awhile...awhile ago with...with...well, I guess the issue becomes moot now. All right. The...Senate Joyce has moved...wait a minute...wait a minute...amendments. Amendment No. 1 offered by Senator Carroll. Senator Carroll.

SENATOR CARROLL:

Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

We're delighted that you've rejoined us and got us out of this controversy.

SENATOR CARROLL:

Sorry...as you know, our elevators are not working. The issue before the Body is whether or not the commissioner of banks is subject to the appropriation's process. The bill would create a million dollar a year fund that would be absent from appropriation. We had discussed this in the Appropriation's Committee and it was my understanding that there was no objection to making it subject to appropriation. It would be a trust type fund created by assessment to the institutions similar to the other ones that the commissioner now enjoys, but like his other operating budget would then have to be annually appropriated. The bill as introduced did not contain that caveat and...and called it, as I recall, a perpetual fund outside the State Treasury and the

appropriation's process. We had discussed it in the committee. It was...I had apologized yesterday to Senator Joyce that I had thought initially was Senator Weaver's bill...since he had handled the appropriation for the commissioner, and that I was unaware of any objection from the commissioner on it. I'm...I apologize also for not having heard the debate. When I heard the discussion, I tried to get down here and ran down. It..I don't know of any objection. It should be subject to appropriation, I...nothing inconsistent with that. We did allow the commissioner a few years ago to be able to take his budget out of general revenue even though the fees the banks had paid in the past had been general revenue, so he could have segregated funds in order to try and spend more, in order to try and appropriately audit the banks. I don't think there was ever an intent to have these funds outside of the treasury or outside of the appropriation's process and to provide for a million dollars a year of unwatched funds and the amendment was merely to make it subject to appropriation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Discussion? Senator Keats.

SENATOR KEATS:

Thank you, Mr. President. I rise in support of Senator Joyce, the chairman of the committee's position on the amendment. This is money that is voluntarily contributed by the banks. It is a national program that it will be established in basically all fifty states. We, with a little luck, will be the regional training center for all these various bank examiners not just Illinois, and to have a program that far exceeds Illinois' limits controlled on an annually basis, I think we know could become extremely difficult. And for that reason, I would support Senator Joyce's position, saying please oppose the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Joyce.

SENATOR JEREMIAH JOYCE:

Well, very briefly, I'm in...in somewhat of an awkward position because I agreed to handle this bill for the...persons...that wanted the...the legislation enacted and on that...on their terms. The...there...the administrative expenses and those costs will be subject to an annual appropriation. So I think while...you know, Senator Carroll makes a...a good point with respect to keeping these things before the...subject to the appropriation process, the...in fact, the administrative costs will be subjected to that. So, I'd also resist the amendment.

PRESIDING OFFICER: (SENATOR DEHUZIO)

Further discussion? If not, Senator Carroll may close.

SENATOR CARROLL:

Thank you. I saw nowhere in there where the administrative costs were so subject, it's not the issue of the program. The issue is whether or not funds are responsible that are spent by State officials to the State control. Are they or are they not treasury of a State monies? Should they therefore not be subject to appropriation of the General Assembly? Nobody is denying the fact that these are like fees that the banks now pay for the operations of a commissioner of bank and trusts, separately raised funds that we now earmark and no problem with that. The issue is, as I see it, just a simple one of the responsibility for State funds being in the State Treasury and being subject to annual appropriation...by the commissioner as part of his budget as a separate line, not an issue of the fact that it'll be spent for this program. We saw recently a director do the same thing; now a former director who raised a hundred and forty-four thousand dollars outside the State Treasury to spend at his own whim. I don't believe that we should be putting ourselves in the posture of doing that. Nothing to do with the

program, I think it's a very important program for us to continue on, but I think it is our responsibility as elected officials to say that State funds run through the State fund process with an audit trail that is subject to appropriation of the General Assembly regardless of...you know, any particular agency involved. I think that's the only safeguard we've ever had as identified by that other director...former director in that other department, and I think this is just a very logical amendment that protects the members of the General Assembly as well as the Executive Branch and I would urge its adoption. I'm surprised by any opposition.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll has moved the adoption of...Amendment No. 1 to Senate Bill 2301. Those in favor indicate by saying Aye. Opposed Nay. In the opinion of the Chair, the motion is lost. Senator...all right. Motion fails. There are two...further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. With leave of the Body, there...there are two additional...I think noncontroversial bills that we'd like to return to to pick up off of 2nd reading. Page 12 is Senate Bill 2019, Senator Geo-Karis and...is there leave to return to page 12, Senate Bill 2019? Leave is granted...as we get the bill, Senate Bill 2019. All right. Let's...let's take it out of the record for the time being, it went upstairs. Well, as I recall correctly, you were Tabling one amendment and you were going to adopt another...another...well, we're...we're going to have to wait, the bill is not physically here, so...all right. Senate Bill 2044 on page 13...Senate Bill 2-0-4-4 on page 13, Weaver-Rock, Senate Bill 2-0-4-4, Mr. Secretary.

SECRETARY:

Senate Bill 2044.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Amendments from the Floor?

SECRETARY:

No.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...Senator Weaver.

SENATOR WEAVER:

Mr. Chairman...Mr...Mr...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Whatever.

SENATOR WEAVER:

...Secretary, it is a lengthy amendment, so you should have...it was filed a couple of days ago.

SECRETARY:

Senator Weaver, would this possibly have been the one that you picked up and didn't leave with us? Okay? All right.

PRESIDING OFFICER: (SENATOR DEMUZIO)

As soon as we...procedurally as soon as we finish the 2nd readings, we will go to the Order of 3rd Reading now. On the Order of Senate Bill 2044...

SECRETARY:

Amendment No. 1 offered by Senator Weaver.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. This is a rather lengthy amendment but, basically, it adds the definition to clarify the difference between wagering conducted at a track and wagering conducted at an off-track location. Secondly, it changes the distribution of the privilege tax and allows for

two new categories, basically, the grants to public museums and grants to public radio and television. If anyone has any questions, I'll be happy to try to answer them.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Weaver has moved the adoption of Amendment No. 1 to Senate Bill 2044. Discussion? If not, those in...Senator...I beg your pardon, there are two lights on. Senator Netsch.

SENATOR NETSCH:

I'm sorry, Senator Weaver, did you say this is a committee amendment or it is not?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Weaver.

SENATOR HEAVER:

No, this is Floor amendment that Senator Rock gave.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

Do we have a copy of the amendment?

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Weaver, there...there are not copies distributed. Why don't we take it out of the record? Take it out of the record. Let's go to the Order of...all right, Senator Geo-Karis, we don't have your bill down here and procedurally we're going to move on to the Order of Senate Bills 3rd Reading...Senate Bills 3rd Reading, page 17, is Senate Bill 1520. Page 18, Senate Bill 1563, Senator Darrow. On the Order of Senate Bills 3rd Reading, top of page 18, is Senate Bill 1563, Mr. Secretary.

SECRETARY:

(Machine cutoff)...Bill 1563.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Darrow.

SENATOR DARROW:

Thank you, Mr. President. Senate Bill 1563 originated from Senator Ralph Dunn's area, one of the judges down there suggested this legislation and I'm handling it with Senator Dunn. What this does is authorizes a judge to impose a term of home confinement as a condition of probation or discharge of a juvenile. So if...in appropriate cases, a judge could sentence a juvenile to home confinement...and as a form of control or punishment. I know of no opposition.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall Senate Bill 1563 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. Senate Bill 1563 having received the required constitutional majority is declared passed. 1564. Senator Darrow, you prepared? All right. Senate bills 3rd reading is Senate Bill 1564, Mr. Secretary.

SECRETARY:

Senate Bill 1564.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Darrow.

SENATOR DARROW:

Again, this bill is sponsored by Senator Dunn and Darrow. What this does is it allows a judge to assign a juvenile to perform public service work outside his home, municipality or township as a condition of probation. It gives the judge more flexibility in assigning work to a juvenile so that the...the work may be more appropriate...again, I know...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion...discussion? If not, the question is, shall Senate Bill 1564 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, none voting Present. Senate Bill 1564 having received the required constitutional majority is declared passed. 1565, Senator Lemke. Senate bills 3rd reading is Senate Bill 1565, Mr. Secretary.

SECRETARY:

Senate Bill...

PRESIDING OFFICER: (SENATOR DEMUZIO)

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

SENATOR LEMKE:

Wasn't there a Floor amendment filed on that?...to bring it back.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Oh, it's on recall, I beg your pardon. All right, take it out of the record. 1581, Senator Fawell. 1589, Senator Barkhausen...1659, Senator Berman. 1735, Senator Macdonald. 1804, Senator Berman. 1815, Senator Etheredge. It's on recall. 1861, Senator Lemke...Senator Lemke.

SENATOR LEMKE:

Is that a recall list too? Art, did you file your...

PRESIDING OFFICER: (SENATOR DEMUZIO)

1875, Senator Rupp. 1921, Senator Philip. Page 19, Senate Bill 1929, Senator Mahar. Well, we're looking for that...first courageous soul here. 1930, Senator Macdonald. 1944, Senator Joyce...1972, Senator Welch. Senator Welch on the Floor? 1992, Senator Macdonald...2006, Senator Marovitz. 2057, Senator Nedza. 2084, Senator D'Arco. 2154, Senator O'Daniel. 2191, Senator Welch. Page 20,...sponsors indicate that these bills are on recalls. We have no amendments filed for these so...page 20, Senate...Senate Bill 2196, Senator

Geo-Karis. All right, Senate bills 3rd reading, top of page 20, is Senate Bill 2196, Mr. Secretary.

SECRETARY:

Senate Bill 2196.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, this bill simply changes references to...to read neglected minors and makes it instead to neglected or abused minors to reflect changes made by a former Public Act, 82-223, and I ask for a favorable consideration.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

All right. Discussion? If not, the question is, shall Senate Bill 2196 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 48, the Nays are none, none voting Present. Senate Bill 2196 having received the required constitutional majority is declared passed. 2197. Senate bills 3rd reading is Senate Bill 2197, Mr. Secretary.

SECRETARY:

(Machine cutoff)...Bill 2197.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Davidson.

SENATOR DAVIDSON:

Mr. President and members of the Senate, this does...bill the exactly what it says on the Calendar. It...those people who own land in Illinois but don't reside here if they wish

to get a permit to hunt their land which we allow people who own and live in Illinois a right to hunt their land without a fee. Appreciate a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Schaffer.

SENATOR SCHAFFER:

Do other states grant residents of Illinois that privilege?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

I can't answer that. This was a request from the Department of Conservation in relation to complaint they'd had that the people who own the land...these are people who are Illinois landowners who wish to come back to Illinois to hunt their own land, and all they're doing is asking for this same opportunity we allow those who live here.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schaffer.

SENATOR SCHAFFER:

Well, I live up on the border by Wisconsin and occasionally we give them privileges they don't give us. I would suggest...I think...it's a good bill, I have no problem with it, but when it gets to the House you might want to put a request...a requirement in for reciprocal treatment of our citizens. Somebody owns land in Wisconsin and isn't allowed to hunt, seems hardly fair for us to grant that privilege down here if they don't wish to reciprocate. Just a suggestion for the House.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there further discussion? Senator Donahue.

SENATOR DONAHUE:

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

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Indicates he will yield. Senator Donahue.

SENATOR DONAHUE:

...how does this affect corporate owners that would own land in our counties?

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Davidson.

SENATOR DAVIDSON:

Well, the corporate owner would have to be an individual, this applies only to individuals. An individual landowner in a corporation...unless one person is the major owner of that corporation, I would not...say he would not qualify under this. This has to do with an individuals only.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Further discussion? Senator Hall.

SENATOR HALL:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Indicates he will yield. Senator Hall.

SENATOR HALL:

...Senator Davidson, if I own land, on my own land, I can hunt without...I don't have to have a...a license to hunt on...on my land, do I?

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Davidson.

SENATOR DAVIDSON:

Provided you...live in Illinois that's true and what we're asking for is those individuals who own land in Illinois but who would reside in another state for whatever reason, who wish to come back and hunt their own land, this would allow them to do it without a license or without a fee. The same as you and I enjoy. All we're trying to do is accommodate the people who own land in Illinois, the landowner.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Further discussion? Senator Welch.

SENATOR WELCH:

Well, I'm not sure I understand the...the purpose behind it. Is this to encourage out-of-state ownership of land, is that what you're trying to do here?

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Davidson.

SENATOR DAVIDSON:

No, Senator Welch, this is a response from the Department of Conservation in response to complaints or inquiries they've had from Illinois landowners who now reside in some other state who wish to come back and hunt their own land the same same as they would be able to...to do if they lived here in Illinois...without a fee and without getting into the deer hunting permit. As you well know, if you own forty acres or more, you can hunt that...provided you hunt that forty acres only without a permit or without a license. Under the Illinois law, you can hunt your own land without a license.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Further...Senator Welch.

SENATOR WELCH:

Well,...there's a major difference here, Senator. If I own my own land in Illinois, I'm probably paying income tax here in Illinois in addition to my real estate tax. If you're an out-of-state owner, you pay income tax if...if you're in a border state that has the tax to that state. So you're getting the benefits of Illinois roads, benefits of the Department of Conservation, the benefits of all the departments of the State of Illinois and not paying a single cent for doing so. So, it seems to me, that we're being overly generous and if the Department of Conservation is recommending they don't want to collect these fees, you know, we'd be glad to...you know, do something with their budget if

they don't want as much money...as they have. It doesn't seem to me to make much sense to reduce the income to the State of Illinois and not get anything in return.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Joyce.

SENATOR JEROME JOYCE:

Well, you still have to get permit do you not, Senator Davidson?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

The...the same permit you get as a landowner whether you live in Illinois or not.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEROME JOYCE:

Do you have to pay for that?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

If you're a landowner and want to hunt your own land, live in Illinois, no, you do not pay for that permit.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEROME JOYCE:

Well, I...you know, I...this has brought up some questions that I just...I don't know...if...if you want to go pheasant hunting and you own your own land, do you have to have a license?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

If you hunt upon your own land that you own, no, you do not. But if you get off that land that you own, you would

have to have a license.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Further discussion? Senator Friedland.

SENATOR FRIEDLAND:

Thank you, Mr. Speaker. Would the sponsor yield?

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Indicates he will yield. Senator Friedland.

SENATOR FRIEDLAND:

Mr. President, I'm sorry. Would the...Senator, would our fishermen...would they be treated the same way, do you know?

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Davidson.

SENATOR DAVIDSON:

This applies only to the wild law...life part of the code that deals with deer hunting only.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Further discussion? Senator Fawell.

SENATOR FAWELL:

Thank you. Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Indicates he will yield. Senator Fawell.

SENATOR FAWELL:

Aren't...aren't we really talking about people who probably own farm land in...in our...in our State?

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Davidson.

SENATOR DAVIDSON:

I...I...I'm not sure...did you say farm land, was that question you said?

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Fawell.

SENATOR FAWELL:

Aren't...aren't what we talking about mostly are...are people that own farms and hunt on them?

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Davidson.

SENATOR DAVIDSON:

We're speaking about individuals who own farm land but who reside in another state, who wish to come back to Illinois and hunt their own land. Under the present law, they have to buy a...an out-of-state...or an...other state resident and get a permit. If they live in a state...a county, own that land where the deer permits are already been taken up, they cannot come back and hunt their own land. If they would live in Illinois, you can go hunt...providing you own forty acres or more, you can hunt that land without a permit and...and hunt it for free 'cause it's your land, but you cannot get off of your land.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Fawell.

SENATOR FAWELL:

My...my point is that this land is probably income producing which we do tax and, therefore, in effect what we are saying is...is these people probably do pay taxes, do help pay for the Department of Conservation and therefore we're not extending them any privileges that, frankly, I don't understand why the...there's any question about.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

All right. Further discussion? Senator Lemke.

SENATOR LEMKE:

Senator Davidson, people from my area don't own farm land, so...but we usually apply for deer permits. Now does everybody that applies for a deer permit in Illinois get one?

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Davidson.

SENATOR DAVIDSON:

No, they do not and I've been one of those that's been denied.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...Senator Lemke.

SENATOR LEMKE:

So I look at this bill as allowing people that own land here but live in another state, foreign residents...nonresidents giving preference to permits over residents that are...rejected permits. I think this is a bad bill. I think we should just vote it down and...and forget about it. I mean,...what...I mean, there's not enough deer to go around for the people that are citizens of Illinois and, yet, we're going to give noncitizens right to kill deer without going through permits.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Weaver.

SENATOR WEAVER:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Weaver.

SENATOR WEAVER:

Senator Davidson, does this illegal alien have to have a FOID card?

PRESIDING OFFICER: (SENATOR DEMUZIO)

...Senator Davidson.

SENATOR DAVIDSON:

Your guess is as good as mine.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Netsch.

SENATOR NETSCH:

Senator Davidson, was there a fiscal note on this bill and whether or not there was, do you happen to know what revenue is involved?

PRESIDING OFFICER: (SENATOR DEMUZIO)

(Machine cutoff)...Davidson.

SENATOR DAVIDSON:

...there would be no particular increase for conservation as far as fee, but it would increase income in Illinois 'cause you would have it...people coming back to Illinois who are going to be spending their money for gas, motel, food, whatever while they're here to do it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch, there was a indication that a fiscal note was applicable but no one...no one requested one. Senator Netsch.

SENATOR NETSCH:

All right. Why I realize it's...it's too late to insist on the fiscal note now but I...it was a serious question. I really am interested in how much revenue loss there is. I assume there must be some and if I may just comment while you are looking for the answer to that. I don't see that we are going to be gaining any money in Illinois by letting the non-residents who own property here come back to their own land because the chances are they're not going to be using...they might...buy a few gallons of gasoline but the chances are they're going to be going back to their own land and not using hotels and motels and everything else under the sun. I...I really don't see that as a serious response.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson. Senator Davidson.

SENATOR DAVIDSON:

Well, two things; one, there would be no loss of income 'cause you're not getting any income anyway under the present thing. I was partly in error when I said about...the people who own land and live out-of-state. The most important thing, in response to Senator Lemke, is if you have a person resides in your district who owns three hundred acres in Sangamon County, he can't hunt his own land that he owns because he's from another county. You've got to reside on that land. All we're trying to do is help your people and my

people and anybody else who own farm land in Illinois, who...who pay taxes, real estate taxes; who pay income tax off of that, but the most important thing you forgot, ladies and gentlemen, it's their land that's feeding the deer herd. It's their land the deer is residing on. All we're trying to do is give that person who owns that land the same opportunity to hunt for free as you do for the individual who owns the land and is out there farming it, he hunts it for free. We're just trying to make it an equal opportunity to give more people a chance to hunt.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Well, Senator Netsch, your time has almost expired. Senator Netsch.

SENATOR NETSCH:

Then why don't they come home and live on their land if they want to...I don't...really...a serious point though. I...I don't think they're paying income taxes if they are nonresident. If...and...I've just been reminded, the deer don't pay at all, we'll get them the next time around but...but, seriously, I don't think they do pay income taxes unless they live here at least six months of the year. There...there might be property taxes due but as we read...as I read the Statute, they are now having to pay a license fee on...for hunting on their property even though nonresidents. So while it may not be a staggering sum of money, there is a loss of license fee revenue from this bill and it does not seem to make any sense.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

All right. Further discussion? Senator Poshard.

END OF REEL

REEL #4

SENATOR POSHARD:

Yes, Senator Davidson, I have a question. In terms of the competition...hold on a second, I need some clarification. In terms of the competition for deer permits, in answer to Senator Lemke's question a moment ago, if a person lives on his own land in this State and applies for a permit he has to pay a fee but he...he automatically gets that permit, right, he's not in competition with everybody else?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR POSHARD:

He doesn't have to pay the fee but he automatically gets a permit for his own land, so he's not in competition with everybody else from all over the State who's applying for that permit.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

You're right, he's not in competition. The most important thing though he does not pay a fee.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Poshard.

SENATOR POSHARD:

I stand corrected on that, but the point I want to make is that he is...people who own their own land and live there are not competing for the deer permits with everybody else. Good. That's...that...I think that's an important thing to resolve before we vote on this.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Davidson may

close.

SENATOR DAVIDSON:

Well, Ladies and Gentlemen of the Senate, this is a bill trying to make some equality, an equal opportunity for those people who own the land and who are paying their real estate taxes, who do have an opportunity or want to come back and hunt their land the same as those who own it and live on it, and we now let you hunt your land if you own it. Now if you want to hunt other than your own property, then you got to go through the process like everybody else, but this was allowed...you...which we allow under the Illinois State Statute, to hunt your own land without any fee and without any license, and that's all it is, all it's...it's trying to make some equitable opportunity for those people who own the land. I'd appreciate a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall Senate Bill 2197 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 36, the Nays are 10, 2 voting Present. Senate Bill 2197 having received the required constitutional majority is declared passed. 2198, Senator Dunn. Senate bills 3rd reading is Senate Bill 2198, Mr. Secretary.

SECRETARY:

Senate Bill 2198.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dunn.

SENATOR DUNN:

Thank you, Mr...Senator...Mr. President and members of the Senate. This is an administration bill supported by the Department of Conservation and the project concept was a

component in the 1984 tourism, park and conservation proposal. It would allow a...a fund not to exceed four hundred thousand dollars, excluding the land value to a qualified bidder for development, construction and supervision of a concession complex, including a water recreational park at Fort Massac State Park. Contracts will utilize the cash incentive plan and is subject to public bidding and...have to have the written approval of the Governor following public notices. This is not an appropriation bill, it's an authorization bill. I'll be glad to answer any questions and urge its passage.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

All right, discussion? Senator Welch.

SENATOR WELCH:

Could you explain how a four hundred thousand dollar incentive is given to the bidder?

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Dunn.

SENATOR DUNN:

It's...it's my understanding, Senator Welch,...this bill passed out of committee 13 to zip and you're a member of the committee...also it says that they'll accept bids at the water development complex at Fort Massac State Park for anyone who wants to enter into the bidding and it will allow the State to pay up to four hundred thousand dollars to the successful bidder for the construction and development of that...of that facility.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Welch.

SENATOR WELCH:

It...it's then a State owned facility and we're contributing four hundred thousand dollars towards the building of the facility, is that basically it?

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Dunn.

SENATOR DUNN:

...right...it's my understanding though it'll be about a two and a half million dollar development that the...the developer will have to put in...three-fourths or so of the money.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Dunn, do you wish to close?
Senator Dunn.

SENATOR DUNN:

Thank you. I...I would urge an Aye vote on passage of...of Senate Bill 2198.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall Senate Bill 2198 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, none voting Present...Senate Bill 2198 having received the required constitutional majority is declared passed. 2199, Senator Topinka. 2204, Senator Dudycz. Senate bills 3rd reading is Senate Bill 2204, Mr. Secretary.

SECRETARY:

Senate Bill 2204.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dudycz.

SENATOR DUDY CZ:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate Bill 2204 amends the Criminal Code and Private Detective Act. It revises the schedule fees within the Act. It makes administrative changes. It was requested by the Department of Registration and Education. As you know,

the Private Detective Act was rewritten in 1983 and this bill is attempting to solve some of the administrative problems that have arisen then. Now there were some questions raised by the Detective Association. We believe that they were all addressed in Committee Amendment No. 1 which is quite lengthy, nineteen points; and as far as I know, there is no opposition to the bill as is and I ask for your favorable consideration.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Discussion? Senator Darrow.

SENATOR DARROW:

Would the sponsor yield?

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Indicates he will yield. Senator Darrow.

SENATOR DARROW:

According to our analysis, this removes service of process from...definition of private detectives and agencies.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Darrow.

SENATOR DARROW:

Is that correct and will this...a year or two ago we allowed private detectives to serve process, are we taking that out now?

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Dudycz.

SENATOR DUDYCZ:

I'm...I'm unfamiliar with that part.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Darrow.

SENATOR DARROW:

Well, we were lobbied quite strongly by private detectives to allow them to serve process and we just enacted that legislation last year, that's why I bring that up. Also, is the liability insurance requirement deleted?

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Dudycz.

SENATOR DUDYCZ:

It's my understanding that's correct.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Darrow.

SENATOR DARROW:

And it also deletes the specific training requirements that we put in for private detectives?

PRESIDING OFFICER: (SENATOR DEMUZZIO)

SENATOR DUDYCZ:

I'm sorry, could you repeat the question? I...

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Darrow.

SENATOR DARROW:

Well,...what I'm getting at is a...a year or two ago we allowed private detectives to serve process but we were very careful to make sure they had liability insurance and that they were qualified, and now it looks like we're changing all of that, and my question is, does this delete specific training requirements for private detectives?

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Dudycz.

SENATOR DUDYCZ:

In Amendment No. 1 there were nineteen points that were brought out. This represented the changes which have addressed all the questions brought out originally by the Detective Association and they are in complete agreement with the Department of Registration and Education. I understand that all those questions have been answered in the amendment.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Darrow.

SENATOR DARROW:

Well,...but if I was a detective, I'd love to have the

requirements taken out, my training requirements removed, I'd be for that, and that was my question, if we are taking out the training requirements for detectives.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Dudycz.

SENATOR DUDYCZ:

The first twenty hours are...on the employer does not delete the training requirements.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Darrow.

SENATOR DARROW:

With regard to the waiver of the firearm training requirement, it's my understanding that you waive it for former law enforcement personnel. Would this include auxiliary police officers?

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Dudycz.

SENATOR DUDYCZ:

Yes, that's correct.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Darrow.

SENATOR DARROW:

You mean if you're a auxiliary...police officer in a small hick town, you don't have to take any firearm training for that position, you're exempted here?

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Dudycz.

SENATOR DUDYCZ:

The auxiliary police officers do have to complete the training.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Darrow.

SENATOR DARROW:

Well,...and we are still doubling most of the license

fees?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dudycz.

SENATOR DUDYCYZ:

That's correct.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Darrow.

SENATOR DARROW:

And my last question, we're requiring the clerk of courts to report to registration and education any felony conviction for one of the licensees?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dudycz.

SENATOR DUDYCYZ:

Yes, it is.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Darrow.

SENATOR DARROW:

I would say this is probably one of the worst bills that we've had in a while. I...I'm sure Senator Dudycz didn't think this up himself, but it's probably part of that Registration and Education Department that we all have trouble with. We've tried to beef up detectives and make...allow them to have some standards and liability insurance and a number of other things when we allowed them to serve process. We're going backwards on all that. Furthermore, we're putting a burden on our clerk of courts to report felony convictions of any of the licensees. I don't know...that would mean every clerk of court will have to keep a list of who's a licensed detective and...double-check it, things like that. I...I'm very opposed to this legislation. I think we ought to take a careful look at it. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Marovitz.

SENATOR MAROVITZ:

I have some more questions on this bill. What...what is the point, number one, of deleting the insurance requirement for licensees? We had these requirements on there and it was a very important purpose. Now this bill deletes those insurance requirements for licensees in a very sensitive area which is aimed at protecting the public. Why are we doing that?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dudycz.

SENATOR DUDYCZ:

They are the only ones that currently are required to have insurance prior to licensure. No other occupation or profession regulated by the department has that requirement at this time.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Well, we're talking about private detectives here who have guns. I mean,...and...and who deal with the public in a very sensitive area. I mean, I don't...I don't understand why we're...we've already...we've already...we already have that requirement. Why are we lowering the requirements, lessening the requirements, removing some protections for the public that we have? That's what this bill does, removes protections for the public. I don't understand the rationale for that. It...it allows...the bill also allows for a temporary permit upon loss of a license. If somebody's lost their license, why are we allowing them to have a temporary permit at the same time?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dudycz.

SENATOR DUDYCZ:

The death of the licensee will allow the firm to continue

the license...maintain that license and that business for sixty days.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Marovitz.

SENATOR MAROVITZ:

But what about if the licensee's permit is removed by the Department of Registration and Education? It says, "The loss of a license will allow a temporary permit to be issued." Is that just only for death?

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Dudycz.

SENATOR DUDYCZ:

That's correct.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Where is that in the bill or in the amendment?

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Dudycz.

SENATOR DUDYCZ:

Page 11 states, "Upon written request by a representative of an agency within ten days after the loss of a license private alarm contractor in charge of an agency, the department shall issue a temporary permit allowing the continuing operation of a previously licensed agency."

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Well, I...I don't...I...I don't see where that section at all refers to the death of the licensee. I think you ought to take this bill out of the record. You've got an awful lot of problems with this bill. It...it...you...there...there are some fingerprinting requirements here, you don't even have to notify the...the certificate holder of the finger-

print record. There's...there's a reason that we...we take fingerprints to see if there's a criminal record, and if you don't have to even notify the individuals regarding the record and the...the results of that fingerprint search, what's the point of having a fingerprint requirement? I think there's a lot of problems with this bill and I think you'd probably be better off to take it out of the record.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hall.

SENATOR HALL:

Would the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will.

SENATOR HALL:

Senator, I see this...the Department of Registration and Education is the one's that wants this bill. Is that correct?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Dudycz.

SENATOR DUDYCZ:

And the industry...and...and the industry.

PRESIDING OFFICER: (SENATOR SAVICKAS)

...Senator Hall.

SENATOR HALL:

What industry?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Dudycz.

SENATOR DUDYCZ:

The alarm contracting industry.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hall.

SENATOR HALL:

You know, we've done...in the last Session, R and E looks like they're trying to get out of everything they ought to be

doing. Now we need to cut their appropriation. If they don't want to do the job, if we have people over there...and every time I look we had sunset...provisions came in effect, there were a lot of things...if they don't have to go through, I am for cutting their appropriation. If...if they continually come in here and want to not do the job they're assigned to, we need to cut their appropriation.

PRESIDING OFFICER: (SENATOR SAVICKAS)

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

SENATOR DUDYCZ:

Let's take it out of the record.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Take it out of the record. Senate Bill 2205, Senator Dunn. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 2205.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Dunn.

SENATOR DUNN:

Thank you, Mr. President. This bill would do away with the sunset provision of the free fishing days...given in...I believe in 1984. We issued a...a sunset provision saying that we'd have free...four free...four free fishing days...hard to say and...and...and now we're going to eliminate the sunset provision and allow it every year. I'd move for passage and be glad to answer any questions.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall Senate Bill 2205 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

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2nd Reading

question, the Ayes are 53, the...53, the...the Nays are none, none voting Present. Senate Bill 2205 having received the constitutional majority is declared passed. Senate Bill 2207, Senator Macdonald. Senator Macdonald. 2211, Senator Macdonald. For what...for what purpose Senator Etheredge arise?

SENATOR ETHEREDGE:

Mr. President, on a point of personal privilege.

PRESIDING OFFICER: (SENATOR SAVICKAS)

State your point.

SENATOR ETHEREDGE:

Mr. President and Ladies and Gentlemen of the Senate, seated over in the President's Gallery, we have a group from Enunciation School in Aurora. I would ask that they stand in order to be recognized.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Would they please rise and be recognized. Senator...2212, Senator Watson. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 2212.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. Senate Bill 2212 amends the Unified Code of Corrections and it provides that recommendations of the Prisoner Review Board to the Governor be made confidential, and it further allows the board to subpoena witnesses from anywhere in the State and strikes the board review requirement of those prisoners on mandatory supervised release. It does make some other certain clarifications. I know of no opposition. It passed out of committee with 11 to nothing vote. I would appreciate your positive support.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall Senate Bill 2212 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 54, the Nays are none, none voting Present. Senate Bill 2212 having received the constitutional majority is declared passed. Senate Bill 2274, Senator Donahue. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 2274.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This bill just simply states that if you have been a member of the armed forces and have been honorably discharged that you can...are eligible to go into the two veterans' facilities that are now located in Illinois. Right now, under current law, there is a discrepancy between the number of days service that you...need to be required to get into the Quincy home and it's different than that at Manteno. This is just simply to make it uniform and I would move for its favorable adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall Senate Bill 2274 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. Senate Bill 2274 having received the constitutional majority is declared passed. Senate Bill 2275, Senator Rupp.

2277, Senator Rupp. 2278, Senator Rupp. 2280, Senator Schuneman. 2282, Senator Weaver. 2283, Senator Geo-Karis. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 2283.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, this bill amends the Cannabis Control Act and it places production of cannabis within the gradation of penalties based upon the amount, and I move for its favorable consideration.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall Senate Bill...Senator Netsch.

SENATOR NETSCH:

Senator Geo-Karis, is this a bill proposed by the Department of Alcoholism and Substance Abuse?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

It's an administration bill, ma'am. Administration bill and...let's see...I believe it...I believe it was. I'm not sure, but the...it may have been with the jointure of the Department of...Alcoholism...also the Department of State Police.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch.

SENATOR NETSCH:

All right, the...the only reason why I ask that question is that normally Senator Etheredge and I are aware of bills that come out of the department because they go through our

advisory council first and this one is just sort of a surprise. There's nothing wrong with it, as far as I know, but it's just...we had not had a chance to see it. Could I...would it be permissible to...to direct a question to Senator Etheredge? Do you...were you aware of this?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Etheredge.

SENATOR ETHEREDGE:

This snuck up on me too, Senator. I am informed that it's a State police bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator D'Arco.

SENATOR D'ARCO:

Well,...Adeline,...in the Calendar it talks about the production of cannabis. Adeline, are you listening to me or not?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

I apologize. I always try to listen to you, Senator D'Arco.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator D'Arco.

SENATOR D'ARCO:

Now, if...if...if you find some cannabis growing in your backyard, is...is...does...does this bill make that a crime?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

I...I can answer you. It says, "knowingly"...the bill says "knowingly produce..."

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator D'Arco.

SENATOR D'ARCO:

SB 2285
3rd Reading

Yeah, but, Adeline, the cannabis doesn't know or doesn't...you know, it just grows.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

My name is not cannabis. I'm the one who has to know it. You understand that, Senator?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator...Senator Fawell. Is there further discussion? If not, Senator Geo-Karis may close.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, I ask for favorable consideration on this bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Question is, shall Senate Bill 2283 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. Senate Bill 2283 having received the constitutional majority is declared passed. Senate Bill 2285, Senator DeAngelis. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 2285.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. Senate Bill 2285 is the Corridors of Opportunity and Development Act, it's a new Act, and what it does do, it allows for the formation of these councils in order to enhance and develop the very strategies necessary to develop the various segments of the Illinois economy. As we all know, the State of Illinois is a very

diverse State. In the bill, the Department of Commerce and Community Affairs is allowed to designate these corridors who make request upon the department. There is a...accompanying appropriation bills. There is an amendment on it that forces some accountability back from the department to report back to the Governor and the General Assembly who these corridors are, what they're doing, what allocation they have and what marketing and feasibility studies they've conducted. Be happy to answer any questions.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Lechowicz.

SENATOR LECHOWICZ:

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

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will.

SENATOR LECHOWICZ:

Senator, how many corridors of opportunity are contained in this bill?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

There's no number designated, Senator Lechowicz.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lechowicz.

SENATOR LECHOWICZ:

If my memory serves me correctly, the Governor made this statement when he had the...both Bodies...earlier in the year in the House Chambers in reference to his State of the State Message, and he mentioned the corridors of...of opportunity in the Bloomington area with the possibility of Mitsubishi coming in and having a...maybe what you would call an automobile corridor designated for that type of industry and then we have another corridor of opportunity located on the

East-West Tollway which is a high-tech corridor; and I was wondering, since you have the person from the Department of Commerce and Community Affairs standing to your left, if you could tell us what the...where the corridors of opportunity are within the Chicagoland area.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

Well, Senator Lechowicz, I can't tell you because the area itself would have to designate itself as such and apply for a grant. It does have to have some characteristics in that corridor, but I can't define them. I know you brought up the issue of Milwaukee Avenue in committee. If it had some...some characteristics that could be defined in terms of economic development, I don't see where it would not qualify as a corridor of opportunity.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lechowicz.

SENATOR LECHOWICZ:

That's my whole point, Mr. President. It is a rather vague interpretation of corridors of...of opportunity, and...and I can understand the necessity of trying to promote new industry coming into Illinois and I'm all for that, but there...there are other areas in this State who should have an accessibility to this funding mechanism, eliminating the gimmickry of a possibly public relations concept coming up with the corridors of opportunity and tying it in for monetary grants. I'm for the purpose as stated by the Governor some time ago, but I would just, for the record, state that there are other areas in this State that should be considered corridors of opportunity located within metropolitan areas of...not only the City of Chicago but other metropolitan areas as well. And I want the department to be well aware of the fact that it's my intent...whether it be Milwaukee Ave-

nue, Western Avenue, North Avenue or any other area in...within the City of Chicago, they should have the availability if they have a worthwhile program to be funded.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

Have a question of the sponsor. Senator DeAngelis, let me see if I understand this program correctly. The Department of Commerce and Community Affairs is going to designate certain areas in the State of Illinois, we're going to have money available to those areas to help those areas as opposed to nondesignated areas gather business and...other incentives. Is that the program?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

This is a local initiative program. The areas will be designated themselves. If you look across the State you will see there are existing areas; there's some in Senator Poshard's area, there's some downstate, there are some south, there are some west, there are some in the City of Chicago. It's a local initiative program. Now, you're going to have to qualify by setting up what your specific targets are and why you're setting this up as a corridor of opportunity. There's got to be some...some program designated that involves the cooperation of labor, business, et cetera.

PRESIDING OFFICER: (SENATOR SAVICKAS)

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

SENATOR LECHOWICZ:

Point of order.

PRESIDING OFFICER: (SENATOR SAVICKAS)

State your point.

SENATOR LECHOWICZ:

The gentleman mentioned that are corridors of opportunity

in Chicago and it's been designated. Where are they?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

There are local entities, local initiatives that regard themselves as regional economic development groups, that's what I'm referring to. I don't know who they are. I know they are...there are some in Chicago 'cause I've addressed...I've addressed groups in the southside and Senator Dawson's area that are economic development groups.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch...oh, Senator Lechowicz.

SENATOR LECHOWICZ:

Just for the record, those areas have not been designated and there are no areas designated within the City of Chicago, and that was one of my objections for these wonderful Madison Avenue techniques of corridors of opportunity but nobody can tell me exactly where they're at.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

Well, I...I...I don't understand the answer to...Senator DeAngelis, that you gave me. You said that...these areas are self-designated, but yet, you have the assistant director of the Department and Commerce and Community Affairs there. My understanding is that they have to give some approval. I just can't run out to Route 51 and put up a sign saying, "This is a corridor of opportunity." Can I? I can? I can do that?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

No. What you have to do is to turn around and apply to the department and fulfill the requirements that are neces-

sary to be designated as such. It is a local initiative though. We don't come out and say LaSalle-Peru is a corridor of opportunity. What you do say is that the LaSalle-Peru area has combined together, formed the local initiative and applied to DCCA to be designated as such.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

But the point is, somebody has to say to a particular area, you are officially a corridor of opportunity; otherwise, it becomes...it's like the enterprise zone, you apply...an area gets together, applies to be an enterprise zone and DCCA says you can be one, is that...that the scenario? That is true. Well, then...then let me say this, Senator, I am shocked that you would sponsor this bill. I am just shocked, because yesterday when I sponsored a bill concerning enterprise zones, you stood up and asked me to defend why we even needed them. You said they weren't necessary and that we had no business expanding the number, and then today, a similar program to help specified areas through the Department of Commerce and Community Affairs and you're here asking us to create one more program because it's a more recent proposal of this Governor. I think this is...this is pretty hypocritical. We had...we had the same...a similar bill yesterday, help from DCCA, you opposed it; today it's your bill, so now you support it. I...I think there's a contradiction here, Senator DeAngelis.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Poshard.

SENATOR POSHARD:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. A question of the sponsor, please.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR POSHARD:

Senator DeAngelis, last year, over about a seventeen county area in our region we formed a regional marketing strategies group which is comprised of the executive directors of the regional planning councils, Southern Illinois Incorporated, Shawnee Development Corporation, the major groups that are responsible for economic development in the area for the purpose of coordinating the efforts of those groups and saving resources and energy in terms of developing a kind of a master...economic development plan for our area. Since those are the people that have the major responsibility for economic development or at least the direction that it goes in in our area...a question in regard to the corridor councils. That's already in place and the people that have been participating in that for a year, are those the people that are going to be designated now as members of a corridor council in...in...in southern Illinois, for instance?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

Senator Poshard, if they apply, probably, yes, because if you read the bill, it sounds that your group is exactly the kind of group that would be one of those corridor of opportunity groups.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Poshard.

SENATOR POSHARD:

Well, the point I'm making is, rather than duplicate in some areas where people are already working on this, rather than duplicate effort, it seems to me that it would be...save a lot of time and energy if the same folks were involved. The second point. In terms of the...corridors of opportunity or whatever the...the jargon is we're using, as I remember in the Governor's speech last year, in my region, for instance,

there was a river-to-river corridor and then there was another high speed corridor from like Carbondale to St. Louis. Now, in terms of the corridor councils, is that all they're going to have responsibility for or are they going to have responsibility for looking at the entire economic development scheme for a region?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

No, they will look at the...Senator Poshard, that's a good question. They're going to look at the entire picture and then try to determine what industries they're going to target and what type of marketing techniques they're going to use and what type of feasibility studies they're going to conduct.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Fawell.

SENATOR FAWELL:

Thank you, very much. We happen to have one of these corridors, so-called, in...in...along I-5. These...this corridor was originally developed by the industry, had nothing to do with OCCA originally. They got together and decided that they would form an association so that they could talk about mutual problems, they could talk about how they could increase their...their membership, how they could attract other industries that would be similar to there's, for...so they can feed off of each other. DCCA, I understand, finally did get involved but it was...initiated originally by the people who own the companies along that I-5. It...it has worked out extremely well for that area. My understanding is that the U of I down at Champaign is talking about a similar thing because they are doing a lot of work with agriculture, with...with microbiology. I would think that Evanston with their new...research park would...would

also be inclined to go into something like this. All DCCA does is...is assist the local industries in what they want to do. They don't come out and say, you know, this is going to be the corridor. If they want assistance, they can assist them with the marketing, with pointing out where they think they may be going wrong, giving some some of the expertise. I think it's a good bill. I...I don't even...you know, I don't understand what the questions are if...all of us have got...a number of us have got this kind of corridor and I think we ought to support the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins. Senator Keats.

SENATOR COLLINS:

Question of the sponsor, please.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Just one moment...for what purpose Senator Keats arise?

SENATOR KEATS:

...move the previous question.

PRESIDING OFFICER: (SENATOR SAVICKAS)

All right, Senator Keats, we do just have one more speaker after Senator Collins, that's Senator Demuzio. Previous question has been moved. Senator Collins.

SENATOR COLLINS:

Senator, I'm looking at a...a synopsis here of...the staff analysis of this corridor council and I'm sincerely trying to understand what...what are you doing, and I'm...I'm concerned and I'm looking here...you said that...okay, this council would convene regional organization meetings to assist in the development of marketing strategies for particular corridors...okay, and I guess I'm a little confused and I need to know...I...I see DCCA's assistant director there. What is...what...what...what DCCA supposed to be doing and what about all of the other groups that are currently being funded out there to provide for assisting potential clients

to...to go into business or to expand the business and what is the need for an additional council? How much money are you talking about being...allowed to one group in order to provide these services? And...and answer the question of how does one determine where the greatest need for the services in the State to exist?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

Well, Senator Collins, I think you asked me about nine questions, but let me just repeat...the bill itself is designed to help those areas develop their own economic plan of action. Now, there are some areas that...in Senator Fawell's case that are opportunely located that really don't need a lot of help, but there are...a lot of other areas who at this particular point do need some help in identifying the type of industries, targeting those industries, doing feasibilities and recognizing the kind of things that can serve their communities. We are not attempting to duplicate any organizations; in fact, if an organization is in place already, we encourage them to apply for the grant. For those areas that are not covered yet but who do need that help, we would hope they would form their own councils and make application.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

But my question is, can these people qualify for a second grant who is already receiving a grant to do basically the same things that you're talking about here and they would be eligible for another grant. Now I'm...I guess the issue I'm concerned about...we're playing a lot of games in this State about money on the people of this State, about what we're doing in terms of economic development and we're not doing

anything, just as we did with the enterprise zones, nothing is happening in those enterprise zones and it doesn't matter whether we say a hundred or two hundred zones; and now we're coming back with basically the same kind of thing talking about corridors of opportunity and spending more money in terms of...all we're really doing is making some money available to some pet people to get some more contracts to do some work. There's a freeze on...hiring in the State and so you go out, you...you contract some more money out and they can hire some people. It's a game being played. Whether or not...I'm not accusing you of doing it and I know this...a lot of this kind of...this...this kind of business is promoted out there by people, special interest groups, good old nice people who are going to save the world and save the State from economic ruin and save all the poor people in this State and they're not doing anything but perpetuating their own self-interest and this is a good example of that. If the Department of Commerce and Community Affairs has some extra money for economic development, I know a hell of a lot of things that we can do with it to get some results. This most certainly is not one of them.

PRESIDING OFFICER: (SENATOR SAVICKAS)

For what purpose Senator Nedza seek recognition?

SENATOR NEDZA:

Point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR SAVICKAS)

State your point.

SENATOR NEDZA:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I would like you to meet the true power of the Savickas household, his lovely wife, Pam Savickas, who has come down here to wish him a very happy birthday. Pam, would you please stand and be recognized.

PRESIDING OFFICER: (SENATOR SAVICKAS)

She had a fifteen minute speech prepared but she'll give it tonight. Senator Joyce, for what purpose do you arise?

SENATOR JEROME JOYCE:

Yes, thank you, Mr. President. As long as we're on the...point of personal privilege, in the gallery behind you in the President's Galley, we have Terry Keer. Terry was chosen from more than four hundred students Statewide as the winner of the Attorney General's First Annual Consumer Awareness Poster Contest. If Terry would...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Would he please rise and be recognized. Senator Demuzio.

SENATOR DEMUZIO:

Mr. President, I...I'd like to ask the sponsor a question, if I may. I understand Senator Fawell has already admitted to us that she has her corridor of opportunity and I was wondering if you could give me some idea as to the other areas that are...are going to be designated by virtue of this...of this new Madison Avenue technology?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Fawell.

SENATOR FAWELL:

Sorry to rise for a second time. On a point of personal privilege, I did not say we were designated. I said the people along that highway got together on their own, paid their own PR person, had nothing to do with DCCA. I was using that as an example of what can be done. We don't have DCCA money involved in our corridor, but I think that the idea works so well that perhaps, Senator, it could be taken down to your district and be used.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

Well, I appreciate that additional explanation although it certainly wasn't called for. Can you tell me, Senator

DeAngelis, how much this is going to cost and where is the appropriation bill?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

It's a...2.5 million dollar appropriation in DCCA's budget which is sitting in the House.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

And can you tell me from what pot this two and a half million or whatever it is is going to be coming from, is this State funds or is this Federal funds or which funds?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator...Senator DeAngelis.

SENATOR DeANGELIS:

General revenue funds.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

It's coming from general revenue so this is additional State dollars that will be increased into the Department of Commerce and Community Affairs' budget. You know, I'm sort of the notion of...along with Dawn Netsch...Senator Netsch and that is that...we ought to create a State-wide...enterprise zone and forget about all this...these little communities having to apply and perhaps we could amend into that a...an amendment that says that the entire State of Illinois is a corridor of opportunity rather than just being selective in certain areas and; frankly, I think perhaps when the selection is over, we will find that rural Illinois will not be as much a corridor of opportunity as are the most metropolitan areas where there are the most votes.

PRESIDING OFFICER: (SENATOR SAVICKAS)

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

SENATOR DeANGELIS:

Well, rather quickly, first of all, Senator Collins, there is no other program like this in DCCA, so it is not a duplication. We are not applying grant upon grant. I want to make that clear. Secondly, the person who made reference to my opposition to the enterprise zone was not listening to my criticism. I was indicating that if we, in fact, authorize that many and there weren't going to be that many applicants, we, in fact, were going to have people applying for enterprise zone status who really didn't need it. But you know, Senator Demuzio, you hit on a very good point. This, in fact, does create...does create an opportunity for the entire State to...to be developing a marketing strategy. I come from the south suburban area, an area that's been devastated quite...quite recently by the loss of automotive and steel making jobs. We are not going to get what Beverly Fawell has in her district. We're probably not going to get what John Maitland has and we're not going to get what Glenn Poshard is going to get. But that doesn't mean we ought to pack up our bag and move our people out of our area and tell them that there's no economic opportunity, 'cause there are economic opportunities for every area in the State of Illinois if they choose...if they choose to combine with all the various people in that area and create the geography that's large enough and develop the plan and the strategy for attracting whatever is the best...the best form of economic development for that area. There's nothing hokey in this bill, there's nothing designating anything; it's for those people who think they want to combine, who see the opportunity through this strength of bringing labor, education, unions, financial institutions together so that they can, in fact, better prepare the area for the economic opportunities that exist for

them. I urge your passage of Senate Bill 2285.

PRESIDING OFFICER: (SENATOR SAVICKAS)

And the question is, shall Senate Bill 2285 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 39, the Nays are 1, 1 voting Present. Senate Bill 2285 having received the constitutional majority is declared passed. Senate Bill 2286, Senator Keats. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 2286.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Keats.

SENATOR KEATS:

Thank you, Mr. President. Looking at the last vote, I say this title looks controversial but let me tell you what...is in the bill. There's really very little in it. It's...there's nothing new or substantive. They're a group of amendments. It deals with Build Illinois. It came out of committee on a 15 to 2...bipartisan vote. It's technical changes in existing DCCA programs. One...involves the technology commercialization program. JCAR recommended a...hold harmless situation that's in it. Another list, Department of...director of the Department of Commerce and Community of Errors...Affairs establish and collect a fee system for their computers that are used to help grant applicants and JPTA programs. Third part, the small business equity revolving loan program. It amends that to clarify our position with it. DCCA's industrial training program to expand it to include job retraining, particularly important for existing Caterpillar's, John Deere's, big for Peoria...Rock Island

area, such as that, and the public infrastructure program is amended to clarify that it's a revolving fund and the Treasurer requested something...it was a reasonable amendment saying any that any securities we hold should be put in the Treasurer's hand rather than director of DCCA's. That's what's in the bill. I'd appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Carroll.

SENATOR CARROLL:

Some questions of the sponsor, if he will yield.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR CARROLL:

I know he doesn't want to, but I'd just like to ask him some questions. One is, why did we go away from the concept of advanced technology so that now investments could be made in anything instead of just that which would promote advanced technology?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Keats.

SENATOR KEATS:

Part of it...I think you're aware we've had a great deal of problem losing some of our blue collar middle-class, whether they are IH, Caterpillar, John Deere people, whether it's Peoria, whether it's Rock Island, areas like that, this allows to retrain some of those people who are still viable employees when helped to be given new skills. So, we're saying instead of simply dealing with new business, we're trying to help some people who are here paying taxes right now.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll.

SENATOR CARROLL:

No, Senator Keats, I...I beg to differ with you. We're

not dealing with the section that deals with job retraining and plant retooling, which is, obviously, an outstanding idea for Illinois to do, but rather to the deletion of advanced technology for that which would be...an equity investment. So, now you're saying, you, who so much abhor the State involvement in private industry, are now suggesting that the State buy into all businesses in Illinois not merely those that are advanced technology but into all business. Is that now the intent that the State should buy into business and what would be the limitation of what businesses they buy into? I thought we wanted to keep the State out of the private sector and this seems to...not seems to, this does actually invite them to now be an equity investor, not merely a loaner but an actual investor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Keats.

SENATOR KEATS:

Okay, first of all, part of what you're referring to would be disagreeing with the Build Illinois bill that passed last year, particularly our role in terms of equity investment. That passed last year. Whether I agree or disagree with you is irrelevant. That isn't what this bill initiates, that's last year, that's Build Illinois. What you're talking about is in reality a semantic change saying that in terms of technology driven industries, we can invest across the board there. It's a semantic change, it is not a substantive change. Now, I kiddingly say as an attorney, you and I know we can play semantic games all day and, of course, as an attorney, you would win. I certainly would never have the kind of knowledge that you have in this area, but it is not a substantive change in the bill. What it says is anyone within that scope, clarifying language saying we can look at more than simply one technology area, it's across the board and it does allow us to make equity investments in businesses

that do have a hard time getting going.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll.

SENATOR CARROLL:

Senator Keats, I will not accuse you of being antisemitic; however, the issue is, I think, something new and that is allowing the State to become a partner, a controlling partner even, in business. May not be a bad idea. Sure is one to be strange coming from other things that you have proposed in the past and that is to keep us out of it; but little issues come up like who will vote at the stockholders meeting, the Governor?, subject to approval of the General Assembly? Who will sit on the board on behalf of the State's investment? Since we are no longer talking about merely loans but an equity posture, what businesses will we go into? Will we buy the U. S. Steel Plant and take it over and operate it as State Government? Will we buy Diamond-Star and say the State will now make automobiles? Where will those decisions be made? By whom? With what type of advice and consent of the legislative process and who will vote the State's stock or pay for the losses, if any?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Sangmeister. No, Senator, that was a statement.

SENATOR SANGMEISTER:

Well, I think Senator Carroll has asked the same questions that we asked in committee concerning this bill and that is whether the State of Illinois wants to become an active participant in purchasing shares and in operating businesses in the State of Illinois, and I...I think that's a concept that is very surprising coming from the other side of the aisle, and we mentioned that in committee too, and I would suggest to those at least on this side that I don't think that's something we want to be doing on behalf of the

State of Illinois and would urge a No vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Zito.

SENATOR ZITO:

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

PRESIDING OFFICER: (SENATOR SAVICKAS)

Indicates he will.

SENATOR ZITO:

Senator Keats, can you explain to me, please...you mentioned in your opening comments a revolving loan program. Can you explain that to the Body?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Keats.

SENATOR KEATS:

It...the public infrastructure program was left out of...Build Illinois. What this amends it to clarify...say it's a revolving fund for public infrastructure so that the money as it comes back in can continue to be used. That was a clarification. It was not correctly stated in Build Illinois so you really couldn't do it without this.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Zito.

SENATOR ZITO:

What kind of...what's the dollar amount we're talking about for the fund?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Keats.

SENATOR KEATS:

You've got a...Senator Zito, the answer is, it depends upon the interest paid back in from the money going out. So the answer is, it is not a specific amount, it's interest coming back in. You've raised a question that my handlers are going to get us an answer on, but it has to do with the

money coming back in from interest that once it comes back in can be used again.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Zito.

SENATOR ZITO:

Well, Senator, that's not quite true and maybe you can convey this to your handlers. If...if, in fact, we're going to have a fund, a revolving fund, then we're going to need start-up money, A; and, B, the reason the fund is a revolving fund is because theoretically the money is going to come back into the fund. I want to know what kind of dollars you're talking about.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Keats.

SENATOR KEATS:

Okay, DCCA will be requesting a five hundred thousand dollar initial appropriation that will cover what you're talking about...but it's five hundred thousand initial appropriation coming through the traditional appropriation process, that is the start-up; more than that, we would still be dealing with as a Legislature.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Zito.

SENATOR ZITO:

Not to ask a rhetorical question, but why then did the Department of Commerce and Community Affairs oppose in Build Illinois the revolving loan fund for...infrastructure that was presented to this Body back...a year ago?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Keats.

SENATOR KEATS:

Senator Zito, I don't remember the sponsor of that bill. It seems to me it was a suburban gentleman who...discussed this subject, but it was a twenty-five million dollar set-up

fund. This is half a million. I think it had something to do with scale and...and I don't know why else they would have opposed a...an excellent concept such as that except it was too much money.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Zito.

SENATOR ZITO:

Well, if it wasn't an excellent concept a year ago, it may not be an excellent today. I would also...I'm going to change gears for a second and ask you about the...the institutions...the higher education institutions that are going to be administering this program. Isn't this vaguely similar or exactly similar to the Prairie State 2000 Package and some of the job retraining and retooling bills that are already law in Prairie State 2000?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Keats.

SENATOR KEATS:

One moment, please. There are some similarities. Now if you remember, in terms of the Prairie State 2000, although initially led by the President of the Senate, through my efforts was made...much of that package was made bipartisan. Some of this gives some specific ways to do that. It is not grossly different. In fact, that portion of Build Illinois, my memory is, I was one of the cosponsors of that specific bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Zito.

SENATOR ZITO:

How then, Senator, is it different from the high impact training services programs that we have in this State, the HITS programs. How will this differ?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Keats.

SENATOR KEATS:

Okay, most of this money is really geared towards a specific job training where HITS is often geared more towards the education for jobs as compared to this as more a specific job, you're trained to do X and that's what the money goes for.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Zito.

SENATOR ZITO:

Well, Mr. President, not to take the time of Body, but to the bill, if I may.

PRESIDING OFFICER: (SENATOR SAVICKAS)

You may.

SENATOR ZITO:

It's...it's...it's quite apparent, Senator, that the question...the answer you just gave me to the question is obvious that you or the handlers don't exactly understand the difference between Senate Bill 2286 and legislation that was enacted in...by this Body and the House of Representatives and that's appearing in the HITS programs in the State of Illinois, that's appearing with Prairie State 2000 and, yes, that was incorporated in the Build Illinois plan with revolving loan funds. We don't need Senate Bill 2286, Ladies and Gentlemen of the Senate. We have that in...in a number of pieces of legislation that this august Body passed through the last two or three years. I think it's redundant. I think it's dilatory and to have the Department of Commerce and Community Affairs come in now and take good ideas that were good two or three years ago and try to redraft them in Senate Bill 2286 is absurd. I would urge a No vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

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

SENATOR KEATS:

There were several questions raised, I'll hit a couple of...then quickly close. As an example, voting shares...we don't have voting shares in this. We do not take shares of voting. They are to protect our investment so that we do have a better ability to reclaim money that the State has put into equity loans. In terms of does the Department of Commerce and Community Affairs sometimes borrow a good idea? What's the matter with improving on a good idea? If you remember with Prairie State 2000, to the credit of the President of the Senate, when I went to him as...in those days as minority spokesman of Labor and Commerce and said, hey, Mr. Pres, there's some good points in here, would you like us to make this bipartisan with a couple of ideas we have? And he said, hey, it's a team effort and we came back with some excellent ideas, most of which were accepted, we worked together. If improving on a decent program is a fault, well, then we ought to shoot DCCA for doing it, but I have to tell you, I don't consider improving on some decent program necessarily a negative. In terms of some of the specifics in the bill, we're doing some things that JCAR recommended to...to protect our position in terms of the training for specific jobs. If you're from an area like Peoria or an area...like Rock Island or an area like Decatur or an area like Danville or certain parts of Chicago, East St. Louis, Belleville, where you've had heavy industry that you've lost and you need those guys retrained, this bill allows us to do that which some of the other things did not allow us to do. So, I plead guilty to making an attempt to improve some of the present standards we already have and would appreciate your affirmative roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Question is, shall Senate Bill 2286 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

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voted who wish? Take the record. On that question, the Ayes are 34, the Nays are 6, 3 voting Present. Senate Bill 2286 having received the constitutional majority is declared passed. Senate Bill 2288, Senator Kustra. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 2288.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President and members of the Senate. This bill addresses the problem which the Department of Employment Security has in tracking unemployment insurance accounts which are delinquent. It gives the director of the Department of Revenue the authority to share information with the director of the Department of Employment Security on the subject of these unemployment insurance accounts thus allowing the State to do a better job in tracking them down and making sure all employers pay their fair share. I know of no opposition to the bill and I would urge a favorable roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall Senate Bill 2288 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. Senate Bill 2288 having received the constitutional majority is declared passed. Senate Bill 2292, Senator Karpziel. Senate Bill...Senate Bill 2293, Senator Geo-Karis. Senate Bill 2295, Senator Kustra. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 2295.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President and members of the Senate. This bill is part of a bipartisan legislative package which is designed to strengthen laws which protect children from abduction, pornography and other forms of abuse. This particular bill is one which streamlines the notification of local birth certificate registrars and schools when the Department of State Police suspects that a missing child is enrolled in an Illinois school. There is in the bill...it's a new...a new Act and there is in the bill a rather detailed procedure for the tracking of this information. It also amends existing language and gives the department access to the Department of Employment Securities records during child abuse, exploitation and kidnapping investigations. Again, it's part of an agreed bill process and I know of no opposition to the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall Senate Bill 2295 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 51, the Nays are none, none voting Present. Senate Bill 2295 having received the constitutional majority is declared passed. Senate Bill 2296, Senator Kustra. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 2296.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President and members of the Senate. This is a bill which deals with the very difficult problem of how a child shall testify in a child abuse case. What this bill does is take the same language which was in last year's House Bill 53 and it basically permits the defendant's attorney to cross-examine the child on tape and thus it avoids the confrontation problem. The bill also guarantees that the child will only have to testify once unless the prosecution determines otherwise. Additionally, the bill permits the use of closed-circuit television and screens the child witness from the defendant. Both provisions are intended to lessen the trauma of testifying for the child while guaranteeing the confrontation rights of the amendment. The bill also provides safeguards by permitting only one taping and prohibiting altering or editing of the tape. I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall Senate Bill 2296 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. Senate Bill 2296 having received the constitutional majority is declared passed. Senate Bill 2300, Senator Joyce. Senate Bill 2302, Senator Watson. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 2302.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. This creates the Southwestern Illinois Development Authority within the...within the boundaries of Madison and St. Clair County only. And the purpose of the authority is going to be to establish and promote commercial, industrial and recreational growth. It authorizes the authority to issue bonds and to finance development projects. It permits the counties and cities to levy taxes in support of the authority. It also gives quick-take provisions to the authority. It's sponsored by Senator Vadalabene and myself. Be glad to answer any questions. We added a amendment which changed the powers of removal of the public members which was the only opposition that I knew. We corrected that and I believe that the bill is in good shape and appreciate their support.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall Senate Bill 2302 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 53, the Nays are none, none voting Present. Senate Bill 2302 having received the constitutional majority is declared passed. Messages from the Governor.

SECRETARY:

Message from the Governor by Kirk Dillard, Director of Legislative Affairs.

Mr. President - The Governor directs me to lay before the Senate the following Message.

To the Honorable members of the Senate, of the 34th General Assembly, I have nominated and appointed the following named person to the office enumerated below and respectfully ask concurrence in and confirmation of this

appointment by your Honorable Body.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Executive Appointments. Resolutions. Senate...Senator
Demuzio. Senator Demuzio. Resolutions.

END OF REEL

REEL #5

SECRETARY:

Senate Resolution 897 offered by Senators Savickas, Lemke, Degnan, Nedza, Jones, Jeremiah Joyce, Kelly and all Senators. It's congratulatory.

Senate Resolution 898, Senator Zito. It's congratulatory.

Senate Resolution 899, by Senator Mahar, and it's congratulatory.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Consent Calendar.

SECRETARY:

Senate Resolution 900 offered by Senators Smith, Chew, Hall, Jones and others.

Senate Joint Resolution 154 offered by Senator Vadalabene.

And Senate Joint Resolution 155 offered by Senators Woodyard, Watson, Davidson, Weaver and others.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Executive. Senator Demuzio.

SENATOR DEMUZIO:

Well, thank you, Mr. President. I think this basically concludes the business of the Senate today. Seems to me that a motion...I will move that the Senate stand adjourned until ten o'clock tomorrow morning.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any further business to come before the Senate? If not, the Senate stands adjourned until 10:00 a.m. Thursday morning.

03/15/88
10:18

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