

84TH GENERAL ASSEMBLY

REGULAR SESSION

May 15, 1986

PRESIDENT:

The hour of ten having arrived, the Senate will please come to order. Will the members be at their desks and would our guests in the gallery please rise. Prayer this...prayer this morning by Rabbi Steve Moch, Temple B'rith Sholom, Springfield, Illinois. Rabbi.

RABBI MOCH:

(Prayer given by Rabbi Moch)

PRESIDENT:

Thank you, Rabbi. Reading of the Journal, Mr. Secretary.

SECRETARY:

Wednesday, May the 7th, 1986.

PRESIDENT:

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.

PRESIDENT:

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

SENATOR VADALABENE:

...yes, thank you, Mr. President. I move that reading and approval of the Journals of Thursday, May 8th; Tuesday, May 13th and Wednesday, May 14th, in the year 1986, be postponed pending arrival of the printed Journals.

PRESIDENT:

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

tary.

SECRETARY:

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

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

House Joint Resolutions 194 and 195, both congratulatory.

PRESIDENT:

Consent Calendar.

SECRETARY:

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

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

House Bills 45, ...347, 546, 913, 938, 1130, 1155, 1236, 1245, 1302, 1321, 1473, 1865, 2060, 2073, 3178, 3181, 3224, 3266, 3267, 3269, 3276, 3277, 3424, 3477, 3506, 3529, 3532, 3533, 3549, 2093, 2254, 2546, 2552, 2573, 2574, 2576, 2577, 2622, 2630, 2635, 2642, 2648, 2687, 2708, 2720 and 2735.

PRESIDENT:

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

SENATOR DAVIDSON:

Point of personal...privilege, Mr. President.

PRESIDENT:

State your point, sir.

SENATOR DAVIDSON:

Mr. President and members of the Senate, I'd like to introduce to you the Springfield Chapter of the Insurance Company...the Insurance Women of Illinois are here today to see the Legislature in operation, and also they have more

than a small interest in what we're going to be dealing with hopefully today. Would they please rise and be recognized by the Senate.

PRESIDENT:

Will our guests please rise and be recognized. Welcome. Senator Smith, for what purpose do you seek recognition?

SENATOR SMITH:

Thank you, Mr. President and I'd ask leave of the Body to be added as a cosponsor to Senate Bill 2042.

PRESIDENT:

Senate Bill 2042, the lady seeks leave to be added as a cosponsor. Without objection, leave is granted. Senator Kelly, for what purpose do you arise?

SENATOR KELLY:

Mr. President, to make a similar request. On House Bill 1467, Senator D'Arco is the principal sponsor and I've discussed the matter with him and I would like to become the principal sponsor and he's consented to that.

PRESIDENT:

1467...

SENATOR KELLY:

1467.

PRESIDENT:

...all right. On House Bill 1467, the gentleman asks leave to be shown as the chief Senate sponsor. Without objection, leave is granted. All right, with leave of the Body, we'll move to page 20 on the Calendar. If any members have been asked to pick up a House bill, please inform the Secretary. All right, Mr. Secretary, on page 20 on the Calendar, on the Order of House Bills 1st Reading.

SECRETARY:

House Bill 564, Senator Geo-Karis is the Senate sponsor.

{Secretary reads title of bill}

House Bill 988, Senators Berman and Maitland.

(Secretary reads title of bill)

2544, Senator Schuneman.

(Secretary reads title of bill)

2562, Senator Etheredge.

(Secretary reads title of bill)

House Bill 2637, Senator Maitland.

(Secretary reads title of bill)

House Bill 2644, Senator Lemke.

(Secretary reads title of bill)

House Bill 2725, Senator Schuneman and Luft.

(Secretary reads title of bill)

House Bill 2775, Senators Kelly and Watson.

(Secretary reads title of bill)

House Bill 2777, Senators Watson and Kelly.

(Secretary reads title of bill)

House Bill 2778, Senators Kelly and Watson.

(Secretary reads title of bill)

House Bill 2873, Senators Luft and Watson.

(Secretary reads title of bill)

House Bill 2889, Senator Etheredge.

(Secretary reads title of bill)

(Machine cutoff)...Bill 3058, Senator Lemke.

(Secretary reads title of bill)

House Bill 3128, Senator Jones.

(Secretary reads title of bill)

(Machine cutoff)...Bill 3230, Senator Carroll.

(Secretary reads title of bill)

House Bill 3378, Senator Vadalabene.

(Secretary reads title of bill)

House Bill 3428, Senators Watson and Kelly.

(Secretary reads title of bill)

House Bill 3474, Senator Geo-Karis.

(Secretary reads title of bill)

House Bill 3573, Senator Etheredge.

(Secretary reads title of bill)

House Bill 3554, Senator Etheredge.

(Secretary reads title of bill)

And House Bill 3632, Senator Rock.

(Secretary reads title of bill)

1st reading of...of the bills.

PRESIDENT:

Rules Committee. Senator Luft, for what purpose do you seek recognition?

SENATOR LUFT:

Thank you, Mr. President. I'd ask leave to have my name removed as a hyphenated sponsor of the fish bill...

PRESIDENT:

All right. Senator...

SENATOR LUFT:

...2725.

PRESIDENT:

...Senator Luft seeks leave of the Body to have his name removed as the hyphenated sponsor on House Bill 2725. Without objection, leave is granted. Senator Welch, for what purpose do you arise?

SENATOR WELCH:

Mr. President, I've been advised somebody took my name and put it on the fish bill too. Can I have...have mine removed as well?

PRESIDENT:

All right. Senator Welch also seeks leave to have his name removed, if indeed he was listed. Senator...without objection, leave is granted. Senator Schuneman, for what purpose do you arise?

SENATOR SCHUNEMAN:

Mr. President, those of us interested in fishing in Illinois have had a meeting this morning and we've decided that the State can do without a State fish, and so I ask that my

name be removed from that bill.

PRESIDENT:

All right. Senator Schuneman seeks leave to have his name removed from 2725. All right, with leave of the Body, the bill then will remain on the...on the Calendar on the Order of House Bills 1st Reading since nobody seems willing to assume the sponsorship. A volunteer rises among us, Senator Geo-Karis, for what purpose do you arise?

SENATOR GEO-KARIS:

Well, since I'm on a diet of fish and chicken, I'll take the fish bill.

PRESIDENT:

All right. Mr. Secretary, Senator Geo-Karis seeks leave to be shown as the sponsor on House Bill 2725. Without objection, leave is granted. Senator Berman, for what purpose do you arise?

SENATOR BERMAN:

I would ask...Mr. President, I would ask for leave to be shown as the hyphenated cosponsor on House Bill 3230.

PRESIDENT:

All right. The gentleman seeks leave to be shown as the hyphenated cosponsor on House Bill 3230. Without objection, leave is granted. Senator Karpiel, for what purpose do you arise?

SENATOR KARPIEL:

Yes, thank you, Mr. President. I would like leave to be shown as a hyphenated cosponsor on House Bill 2528.

PRESIDENT:

The lady seeks leave to be shown as the hyphenated sponsor on House Bill 2528. Without objection, leave is granted. Senator Carroll, for what purpose do you arise?

SENATOR CARROLL:

Thank you, Mr. President. The same type of motion on House Bill...Senate Bill 2006 to be the hyphenated joint

SB 1522  
2nd Reading

sponsor, with leave of the sponsor, Senator Marovitz.

PRESIDENT:

All right. Senator Carroll seeks leave to be shown as a hyphenated cosponsor on Senate Bill 2006, 2-0-0-6. Without objection, leave is granted. If I can have the attention of the membership, Senator Philip and I have agreed that the Session will conclude at one o'clock. We will begin on the Order of Senate Bills 2nd Reading and go through the Calendar. Those sponsors who wish to call their bills, obviously, will have another opportunity on Tuesday. The appropriation bills will be held until Tuesday and the recalls. There are a number of members who have filed amendments for Senate bills that have already been moved to 3rd reading, we will do the entire recall list also on Tuesday. So today we will go through the Order of Senate Bills 2nd Reading and then move right into 3rd reading and we'll work till one o'clock at which time we'll all try to get back where we belong. On the Order of Senate Bills 2nd Reading, Senate Bill 1486, Senator Dawson. Senate Bill 1488, Senator Barkhausen...1522, Senator Marovitz. Top of page 2 on the Calendar, on the Order of Senate Bills 2nd Reading is Senate Bill 1522. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1522.

(Secretary reads title of bill)

2nd reading of the bill. The...Committee on Elementary and Secondary Education offers two amendments.

PRESIDENT:

All right. Senator Marovitz on Committee Amendment No. 1.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. I would move that Committee Amendment No. 1 and No. 2 to Senate Bill 1522 be Tabled. They will be substituted by

the next amendment by the agreement of the chairman who I have spoken to on the committee.

PRESIDENT:

All right. Senator Marovitz has moved to Table Committee Amendment No. 1 to Senate Bill 1522. Is there any discussion? If not, all in favor of the motion to Table indicate by saying Aye. All opposed. The Ayes have it. Amendment No. 1 is Tabled. Amendment No...further amendments, Mr. Secretary?

SECRETARY:

Committee Amendment No. 2.

PRESIDENT:

Senator Marovitz moves to Table Committee Amendment No. 2. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries. Committee Amendment No. 2 is Tabled. Further amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Are there amendments from the Floor?

SECRETARY:

Amendment No. 3 offered by Senator Marovitz.

PRESIDENT:

Senator Marovitz on Amendment No. 3.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. Amendment No. 3 fulfills a commitment that I made in the Elementary and Education Committee, number one, to eliminate the fourth year of English requirement which will no longer be part of this bill; number two, to delay the effective date to July 1, 1987 from July 1, 1986. It also reduces the time that an athlete cannot play in sports from four weeks to two weeks which is what I originally introduced it...brought it in to the...to the committee with, so it



reduces that time from four weeks to two weeks; and, finally, it fulfills a request of ED-RED, the administrators and the school boards to add the word "competitive" so that only...only those interscholastic activities which are competitive would be involved in this legislation. I know of no opposition. If...this fulfills several requests and I would ask for adoption of Amendment No. 3 to Senate Bill 1522.

PRESIDENT:

All right. Senator Marovitz has moved the adoption of Amendment No. 3 to Senate Bill 1522. Discussion? Senator Maitland.

SENATOR MAITLAND:

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

PRESIDENT:

Sponsor indicates he'll yield, Senator Maitland.

SENATOR MAITLAND:

Senator Marovitz, you've...you've met some of the suggestions that were made in committee. I'm...I'm curious to know whether the other changes you've made and you've indicated you have complete agreement, where is the Illinois High School Association on this? Have you...have you shared these thoughts with them?

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

The Illinois High School Association is supportive of this amendment that we are putting on. They wanted to see the time reduced from four weeks to two weeks and a limitation on...on activities to those which are competitive activities in the school interscholastic competition.

PRESIDENT:

Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President. Were they a part of the negotiation? Were they in your meetings, I mean...

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

I've been meeting with the Illinois High School Association since January or February and they were part of the...the meetings on all these subject matters.

PRESIDENT:

Further discussion? Further discussion? If not, Senator Marovitz has moved the adoption of Amendment No. 3 to Senate Bill 1522. All in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and Amendment No. 3 is adopted. Are there further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. 1529, Senator Collins. On the Order of Senate Bills 2nd Reading, the middle of page 2, Senate Bill 1529. Read the bill, Mr. Secretary.

SECRETARY:

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

Senate Bill 1529.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Are there amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 1551, Senator Zito...1552, Senator Lechowicz. 1608, Senator Etheredge. Top of page 3, on the Order of Senate Bills 2nd Reading is Senate Bill 1608. Read

*AB 1612  
2nd Reading  
(bring with floor?)  
AB 1608  
2nd reading*

the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1608.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Are there amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Etheredge.

PRESIDENT:

Senator Etheredge on Amendment No. 1.

SENATOR ETHEREDGE:

Thank you, Mr. President. What this amendment does is to reduce the grant level down to the level established in the Senate Appropriations II Committee. I would move for its adoption.

PRESIDENT:

All right. Senator Etheredge has moved the adoption of Amendment No. 1 to Senate Bill 1608. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. 1612, Senator Etheredge. On the Order of Senate Bills 2nd Reading, Senate Bill 1612. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1612.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Are there amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Etheredge.

PRESIDENT:

Senator Etheredge on Amendment No. 1.

SENATOR ETHEREEDGE:

Mr. President, if I could ask the question...there are supposed to be three amendments on this bill, I only have two, one has not been filed, so I'll have to ask you to take it out of the record.

PRESIDENT:

Take it out of the record, Mr. Secretary. 1624, Senator Demuzio. 1714, Senator Donahue. Middle of page 4, okay. 1716, Senator Schuneman. 1728, Senator Etheredge. On the Order of Senate Bills 2nd Reading, the middle of page 4, is Senate Bill 1728. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1728.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Are there amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Etheredge.

PRESIDENT:

Senator Etheredge on Amendment No. 1.

SENATOR ETHEREEDGE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. 1728 is the technical clean-up bill for the math and science academy. What Amendment No. 1 does is to spell out the relationship between the math and science academy and the State Board of Education. The amendment has been drafted in cooperation with the State Board.

PRESIDENT:

All right. Senator Etheredge has moved the adoption of

Amendment No. 1 to Senate Bill 1728. Is there any discussion? If...Senator Demuzio.

SENATOR DEMUZIO:

Yeah, I just have a question. This amendment indicates that the academy now is part of the public school system in Illinois. Does that mean that there's any relationship whatsoever to them sharing in some kind of a School Aid Formula or...or...

PRESIDENT:

Senator Etheredge.

SENATOR ETHEREDGE:

No, it does not. No, it has...it does not...they're entirely separate from the State School Aid Formula and all of that.

PRESIDENT:

All right. Any further discussion? If not, Senator Etheredge has moved the adoption of Amendment No. 1 to Senate Bill 1728. All in favor of the amendment indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. 1814, Senator Poshard. 1832, Senator Holmberg. 1834, Senator Maitland, top of page 8. 1838, Senator Barkhausen. 1848, Senator Berman. 1910, Senator Weaver. 1912, Senator Netsch. 1913. On the Order of Senate Bills 2nd Reading, the middle of page 8, ladies and gentlemen, we're in the middle of page 8, having skipped most of the...virtually all of the appropriation bills. Senate Bill 1913, read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1913.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Are there amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Netsch.

PRESIDENT:

Senator Netsch on Amendment No. 1.

SENATOR NETSCH:

Thank you, Mr. President. Amendment No. 1 was requested by the Auditor General. This is the bill which provides a...a sunset mechanism for the health professions which are to sunset next year. The bill had provided that the Auditor General was to assist in any research and the Auditor General wanted to make clear that it would be done only in accordance with the procedures that bring about his participation in our work to begin with. That, of course, is an acceptable suggestion and that is precisely what Amendment No. 1 does.

PRESIDENT:

All right. Senator Netsch has moved the adoption of Amendment No. 1 to Senate Bill 1913. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

Amendment No. 2, by Senator Netsch.

PRESIDENT:

Senator Netsch on Amendment No. 2.

SENATOR NETSCH:

Thank you, Mr. President. Amendment No. 2 includes basically two points. One is a purely technical reference to the former Illinois...the Research Council to...and it renames it the Research Unit which is its appropriate name now. The second slightly revises the reporting dates. He realize that the...or initial one, December 31, 1986, was,

number one, just a little too compressed and, secondly, not a very good time for the reporting. It should go into the beginning of the Legislative Session. We made that February 15th and abolished the commission as of July 1 which is the end of the Legislative Session. I would move the adoption of Amendment No. 2 to Senate Bill 1913.

PRESIDENT:

All right. Senator Netsch has moved the adoption of Amendment No. 2 to Senate Bill 1913. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. 1915, Senator Maitland. 1917. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1917.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Are there amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 1920, Senator Karpel. 1925, Senator Zito. Top of page 9, 1931, Senator Sangmeister. 1945, Senator DeAngelis. 1946, Senator DeAngelis. 1957, Senator Friedland. 1958. 1961, Senator D'Arco. 1985, Senator O'Daniel. 2000, Senator Marovitz. On the Order of Senate Bills 2nd Reading, the middle of page 9, is Senate Bill 2000. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 2000.

(Secretary reads title of bill)

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

PRESIDENT:

Senator Marovitz on Committee Amendment No. 1.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. Committee Amendment No. 1 adopts a three-year sunset provision. The Act becomes effective...delays the effective date until January 1 of 1987 and the Act would be repealed on January 1, 1990. I...think it's a very good idea and I would ask for adoption of Committee Amendment No. 1 to Senate Bill 2000.

PRESIDENT:

All right. Senator Marovitz has moved the adoption of Committee Amendment No. 1 to Senate Bill 2000. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 2002, Senator Marovitz. On the Order of Senate Bills 2nd Reading, Senate Bill 2002, Mr. Secretary.

SECRETARY:

Senate Bill 2002.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:



Are there amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 2008, Mr. Secretary. On the Order of Senate Bills 2nd Reading, Senate Bill...hold that one, take it out of the record...2019, Senator Geo-Karis. On the Order of Senate Bills 2nd Reading, Senate Bill 2019. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 2019.

(Secretary reads title of bill)

Mr. President, this...this bill was read a second time on the 14th of April of '86 and Amendment No. 1 was adopted and then the bill was held on 2nd reading. So...

PRESIDENT:

Further amendments?

SECRETARY:

Amendment No. 2 offered by Senator Geo-Karis.

PRESIDENT:

Senator Geo-Karis on Amendment No. 2. Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President, Ladies and Gentlemen of the Senate, I would like to move to reconsider the vote by which Amendment No. 1 was accepted.

PRESIDENT:

All right. Senator Geo-Karis having voted on the prevailing side has moved to reconsider the vote by which Amendment No. 1 to Senate Bill 2019 was adopted. All in favor of the motion to reconsider indicate by saying Aye. All opposed. The Ayes have it. The motion carries. Senator Geo-Karis on Amendment No. 1.

SENATOR GEO-KARIS:

I move to reconsider...I move to Table that amendment.

PRESIDENT:

All right. Senator Geo-Karis has moved to Table Amendment No. 1 to Senate Bill 2019. All in favor of the motion to Table indicate by saying Aye. All opposed. The Ayes have it. The motion carries. Amendment No. 1 is Tabled. Further amendments?

SECRETARY:

Amendment No. 2 offered by Senator Geo-Karis.

PRESIDENT:

Senator Geo-Karis on Amendment No. 2.

SENATOR GEO-KARIS:

Amendment No. 2 should have on the LRB number A#02 at the end. Is that correct?

SECRETARY:

O??

SENATOR GEO-KARIS:

Yes. And I move the...the...acceptance of this amendment.

PRESIDENT:

All right. Senator Geo-Karis has moved the adoption of Amendment No. 2 to Senate Bill 2019. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. 2022, Senator Berman. On the Order of Senate Bills 2nd Reading, the bottom of page 9, is Senate Bill 2022. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 2022.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Berman.

PRESIDENT:

Senator Berman on Amendment No. 1.

SENATOR BERMAN:

Thank you, Mr. President. Amendment No. 1 provides a formulary for the reimbursement to certain coterminous township districts that levy at the maximum rate for reimbursement by the State for general assistance payments. We've discussed this with the Department of Public Aid. They still have problems with the cost factor which we will address on 3rd reading, but I move the adoption of Amendment No. 1.

PRESIDENT:

All right. Senator Berman has moved the adoption of Amendment No. 1 to Senate Bill 2022. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. Bottom of page 9, Senator Netsch on 2037. On the Order of Senate Bills 2nd Reading, the bottom of page 9, is Senate Bill 2037. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 2037.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Netsch.

PRESIDENT:

Senator Netsch on Amendment No. 1.

SENATOR NETSCH:

Thank you, Mr. President. Amendment No. 1 was requested by the Department of Revenue. The bill deals with the so-called National Bellas Hess problem and as they have pointed out, it is basically a use tax issue not an ROT issue and so some of the language that we were adding in here and also some of the preexisting language that was part of Senator Donahue's bill last Session is being eliminated from the ROT section but left in the use tax section where it appropriately belongs. I think I may later have another amendment requested by the Department of Revenue but, in the meantime, we can move this bill along. I would move the adoption of Amendment No. 1 to Senate Bill 2037.

PRESIDENT:

All right. Senator Netsch has moved the adoption of Amendment No. 1 to Senate Bill 2037. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. If I could have the attention of the membership and ask that the members please be in their seats. I'd ask the staff to take the conferences off the Floor or just pay attention for a few moments. We have with us today a very special guest. The Chair would like to yield to Senator Arthur Berman for the purpose of an introduction.

SENATOR BERMAN:

Thank you, Mr. President. Ladies and Gentlemen of the Senate, we're very honored today to have with us Ambassador Zvi Brosh who is the Consul General of Israel, stationed in Chicago. Ambassador Brosh has been with us since August of

last year, 1985, when he became the Consul General of Israel in the Chicago Office which serves eleven midwestern states. He has served for three years as Ambassador to Romania, heading up Israel's sole diplomatic mission in the Soviet block. He has also been Ambassador to Burma and Sri Lanka in 1966 to 1970 and served twice as Israel's minister of information for the United States working out of the embassy in Washington between 1970 to '73 and 1978 to 1980. From 1976 to 1978, Mr. Brosh was consul general in Los Angeles representing Israel in the seven southwestern states of the United States. Ambassador and Mrs. Brosh have a married son studying for his Ph.D in international relations at Hebrew University in Jerusalem and daughter who has just completed her B.A. in English Literature at the same university. A number of us had the opportunity by coincidence when we were guests of the Jewish Federation of Chicago last spring...last summer in going to Israel to be on the plane coming back from Israel to the United States and coincidence would have it that Ambassador Brosh was on that plane with his wife coming to Chicago to assume his duties as consul general. Ambassador, on behalf of the Illinois Senate, we're very honored to have you today in memory and commemoration of the thirty-eighth anniversary of the State of Israel. Ladies and Gentlemen of the Senate, Ambassador Brosh.

AMBASSADOR BROSH:

(Remarks given by Ambassador Brosh)

SENATOR BERMAN:

Mr. Ambassador, on behalf of the democratic institution of the Illinois General Assembly, we're very pleased to present to you as the representative of the great democracy in the Middle East, the State of Israel, upon its thirty-eighth anniversary this resolution that has been adopted unanimously by both the House and the Senate commemorating the State of Israel on this wonderful occasion.

Thank you, very much for joining us today.

AMBASSADOR BROSH:

I have to add another thank you for this resolution.  
Thank you, very much.

PRESIDENT:

All right, with leave of the Body, we'll return to the top of page 10 on the Order of Senate Bills 2nd Reading, Senate Bill 2044. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 2044.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. If I can have the attention of the Body, a young lady from Illinois Information Service has requested permission to take some pictures on the Floor. With leave of the Body, so ordered. 2051, Senator Jones. 2052, Senator Berman. 2053. On the Order of Senate Bills 2nd Reading, middle of page 10, is Senate Bill 2053. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 2053.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 2054, Senator Jones. On the Order of

Senate Bills 2nd Reading, Senate Bill 2054, read the bill,  
Mr. Secretary.

SECRETARY:

Senate Bill 2054.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 2074, Senator Marovitz. 2081, Senator  
Watson. 2086, Senator Degnan. On the Order of Senate Bills  
2nd Reading is...Senate Bill 2086, read the bill, Mr. Secre-  
tary.

SECRETARY:

Senate Bill 2086.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Degnan.

PRESIDENT:

Senator Degnan on Amendment No. 1.

SENATOR DEGNAN:

Thank you, Mr. President. Amendment No. 1 to Senate Bill  
2086 deletes everything after the...enacting clause. The  
amendment imposes a maximum interest rate that can be charged  
on credit cards issued by banks or retailers. The ceiling  
would allow banks or retailers to issue...that issue credit  
cards to charge three percent over the prime rate. That rate  
would be imposed each January 1st and July 1st depending on  
the prime rate offered by the largest commercial bank in

Illinois which is the First National Bank of Chicago. I move to adopt Amendment No. 1.

PRESIDENT:

All right. Senator Degnan has moved the adoption of Amendment No. 1 to Senate Bill 2086. Discussion? Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President. I question the germaneness of Senate Amendment No. 1 to Senate Bill 2086. The bill as introduced and read a first time is a bill to amend the Trust and Trustees Act. The amendment deletes the title of the bill and everything after the enacting clause and has nothing to do with trust. The amendment would convert the bill into an amendment to two other Acts, the General Interest Act and the Retail Installments Sales Act. The bill as amended by Senate Amendment No. 1 would then deal only with usury, the legal interest rates that may be charged and not with trust which is the subject of the original bill. I question whether this amendment is germane to this bill.

PRESIDENT:

All right. The gentleman has questioned the germaneness of Amendment No. 1. The Chair will be prepared to rule. Further discussion? Senator Keats.

SENATOR KEATS:

Thank you, Mr. President. I wanted to make a couple of quick points on this amendment. Most of the members of the Senate...most members of the Senate are well aware what the amendment is and I don't know that we'll change a lot of minds, but I think we have to just make sure everyone realizes the amendment is being called at this time and that they may use the knowledge as they have in the past. I want to stress two things though. One is, when you're dealing with credit cards, everyone assumes the only cost of the credit card is the cost of the funds and it is true that most



of the credit card issuers borrow the funds and then relend them. If you take that as the only cost, three percent over prime probably is not an unreasonable number. But that truly is not the real cost because there's several other factors that have to be considered, not the least of which is a number of people who just flat don't pay, so the equivalent to bad loans. You have tremendous personnel cost overheads in terms of overseeing the whole system. You also have the various costs with mailing it back and forth, the advertising and promotional costs, et cetera. So if you were to take only the item of obtaining the funds, the three percent probably is not unreasonable, but when you take into the hat...fact that over half of the cost involved is not getting the funds, it is administering the program, you begin to realize that probably the figure is too low. Those are the two major points I want to make and just really to alert everyone to what the amendment is. I don't think we're going to dramatically change a lot of minds. I think most people know enough about it to know that they should oppose this particularly poor amendment and would appreciate a negative No...or negative vote.

PRESIDENT:

All right. Any further discussion? Senator Degnan.

SENATOR DEGNAN:

I'd like to answer a couple of the items Senator Keats mentioned and that is he talks about cost and they all talk about cost when they fight this bill. No one talks about profits, none of the bankers or the credit card issuers talk about profits. Secondly, Senator Keats, you mentioned this might be an extremely harsh...three percent over prime might be harsh. Is there some number you are willing to negotiate to?

PRESIDENT:

Senator Keats.

SENATOR KEATS:

Senator Degnan, I appreciate your question and I'll give you a very candid answer. I'm a great believer in market forces. When I had a couple of credit cards got too high, you know what I did with them? I cut them in half and I mailed them back. I felt I didn't like the way American Express ran their system and I haven't had an American Express card in a couple of years; only have two gas credit cards, I normally pay cash. So the answer is, I would gladly accept whatever number the market will bear. If you don't like the cost, you cancel the card, which is what I have done.

PRESIDENT:

Senator Degnan.

SENATOR DEGNAN:

I would just have a comment after the Chair rules on the germaneness issue.

PRESIDENT:

Senator Carroll.

SENATOR CARROLL:

Yes, on the amendment, Mr. President. I found the comments of the spokesman from the other side of the aisle interesting; yet, he offered no solution. The issue is the consumer in Illinois who gets inundated with these cards is unaware of what the rate is until it's too late, and that's when the bills come in and these exorbitant rates were allowed. In my opinion, and by my vote, Illinois moved backwards a few years ago in protecting its citizens when we attempted to stop the elimination of this ceiling that was on here. Initially, we had limited the amounts of interest that institutions could charge to the consumers of Illinois and I thought that was appropriate and still do. When you have to read the fine print and find out too late that you're paying twenty-one and twenty-two percent when prime is now down to

single digit, that is absolutely unconscionable. At a time when prime was...encroaching twenty, it...it may have been acceptable that the rates had to grow that high, but we did not find the institutions bringing them back down as prime came down. They're still at twenty-one, twenty-one and a half and they can't justify that. It's just the uneducated consumer, the people of our districts, who are paying this bill. Yes, if they were given a list, which is impossible to do, of what various banks charge when you use VISA or Mastercharge or whatever, they could make an intelligent decision, and I am sure they would pick those institutions that were three or four points over prime. But that's not the case and then once they're on the revolving account, once they are paying that outlandish interest, what do they do? How do they get off? They're not offered a card then by someone else until they clean up their bill and they're paying that interest month in and month out at twenty-one percent, you can't justify that. This amendment should be adopted.

PRESIDENT:

Any further discussion? The Chair is prepared to rule pursuant to Senate Rule 38 which states that no motion or proposition on the subject different from that under consideration shall be admitted under color of amendment. Senate Bill 2086 as introduced deals with the subject of trusts, specifically concerning mergers and consolidations of trustees to land trusts and trusts created prior to October 1, 1973. Amendment No. 1 to Senate Bill 2086 deals with the subject of limiting interest rates which may be lawfully charged on bank and retail credit cards. In the opinion of the Chair, not only are the subjects of the bill and amendment not closely related to one another but also the amendment and the bill seek to amend dissimilar statutory provisions. Senate Bill 2086 amends the Trust and Trustees Act

contained in Chapter 17. Amendment No. 1 to Senate Bill 2086 amends not only a distinct Act contained in Chapter 17 but also an entirely separate chapter under the Retail Installment Sales Act. Thus, in the opinion of the Chair, the amendment is not germane to the bill and the Chair is prepared to rule that it's out of order. Senator Degnan.

SENATOR DEGNAN:

Well, thank you, Mr. President. Admittedly, this amendment amends Chapter 17, and all of us have seen countless examples of amendments being put on bills that only amend the chapter. The question here and...and we all know there...there are two things we know and that is the power of the gavel and, secondly, germaneness is used when all else fails. I appeal to your sense of fair play and I appeal to your sense of responsibility. Each one percent decrease in these charges benefits the consumers of this State by 13.6 million dollars. I appeal the ruling of the Chair.

PRESIDENT:

All right. The gentleman has appealed the ruling of the Chair. Any discussion on the gentleman's appeal? The question is, shall the ruling of the Chair be sustained. Those in favor of sustaining the Chair will vote Aye. Those opposed to the Chair will vote Nay. The question is, shall the ruling of the Chair be sustained. Those in favor of sustaining the ruling 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 35, the Nays are 16. Having failed to receive the necessary three-fifths negative vote, the appeal failing...fails and the ruling of the Chair is sustained. Further amendments?

SECRETARY:

No...no further amendments.

PRESIDENT:

3rd reading. 2104, Senator Luft. On the Order of Senate Bills 2nd Reading, in the middle of page 10, is Senate Bill 2104. Read the bill, Mr. Secretary.

SECRETARY:

(Machine cutoff)...Bill 2104. ✓

(Secretary reads title of bill)

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

PRESIDENT:

Senator Luft on Committee Amendment No. 1.

SENATOR LUFT:

Is this a Floor amendment...I'm sorry,...or a committee amendment?

PRESIDENT:

Committee amendment.

SENATOR LUFT:

Would you read the committee amendment, please?

SECRETARY:

"Amends Senate Bill 201 on page 20, line 12 by changing 'after' to 'beginning with tax year ending on/or after December 31st, 1986,' and on line 19 by deleting 'courses.'"

SENATOR LUFT:

I would...I would simply move for the adoption of Committee Amendment No. 1.

PRESIDENT:

Senator Luft has moved the adoption of Committee Amendment No. 1 to Senate Bill 2104...any discussion? Senator Dudycz. All right. Senator Luft has moved the adoption of Committee Amendment No. 1 to Senate Bill 2104. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

Amendment No. 2 offered by Senator Luft.

PRESIDENT:

Senator Luft on Amendment No. 2.

SENATOR LUFT:

Thank you, Mr. President. The bill originally called for a twenty-five percent deduction for job training after the...allocation and apportionment of base income. There were people that disagreed with that procedure, so what we've tried to do now, which everyone is in...agreement, Department of Revenue, is to apply a 1.6 percent deduction of cost incurred in providing job training. It removes the deduction for job training, the twenty-five...percent; permits a five-year carry-forward and the amendment is specifically extended to partners and shareholders of Subchapter S corporations, and I would move for the adoption of Amendment No. 2.

PRESIDENT:

All right. Senator Luft has moved the adoption of Amendment No. 2 to Senate Bill 2104. Discussion? Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. I think there were some serious problems, both in form and substance with the bill as it was in committee. I think the amendment corrects most of those problems. As I recall, there may still be a slight cost to it but it will be relatively slight, and at least it does not disturb the symmetry and beauty of the income tax which was what the Department of Revenue was extremely concerned about and rightfully so. So I would support the amendment as an improvement of a bill that needed a lot of improvement.

PRESIDENT:

All right. Senator Luft has moved the adoption of Amendment No. 2 to Senate Bill 2104. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. 2135. Read the bill, Mr. Secretary.

END OF REEL

REEL #2

SECRETARY:

...Senate Bill 2135.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. Top of page 11, 2151, Senator Savickas. 2158, Senator Hall. On the Order of Senate Bills 2nd Reading, top of page 11, is Senate Bill 2158. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 2158.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 2169, Senator Luft. 2180, Senator Collins. On the Order of Senate Bills 2nd...2nd Reading, middle of page 11, is Senate Bill 2180. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 2180.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Senator Collins. I mean...

SECRETARY:

No committee amendments.

PRESIDENT:

No committee...any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Collins.

PRESIDENT:

Senator Collins.

SENATOR COLLINS:

Yes, thank you, Mr...Mr...President and members of the Senate. Amendment No. 1 is to clear up some of the problems and concerns that several people had raised in reference to the bill. What it does, it eliminates the whole section dealing with creating the Central Corps Centers. It takes that whole provision out of the bill. It also...lowers the threshold of the age eligibility from eighteen to seventeen. It corrects some technical errors and I would move for the adoption of the amendment.

PRESIDENT:

Senator Collins has moved the adoption of Amendment No. 1 to Senate Bill 2180. Any discussion? If not, all in favor of the adoption of the amendment indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?



SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. 2190, Senator Barkhausen. 2194, Senator Dawson. 2202, Senator Topinka. 2231, Senator Berman. Bottom of page 11, on the Order of Senate Bills 2nd Reading is Senate Bill 2231. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 2231.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 2132, Senator Berman. On the Order of Senate Bills 2nd Reading is Senate Bill 2232. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 2232.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 2233. On the Order of Senate Bills 2nd Reading, bottom of page 11, Senate Bill 2233. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 2233.

(Secretary reads title of bill)

SB 2281  
2nd Reading

3rd reading...or 2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. Top of page 12, 2255, Senator Poshard. 2260, Senator Luft. 2263, 65. 2273, Senator Schuneman. Middle of page 12, Senate...on the Order of Senate Bills 2nd Reading, Senate Bill 2273. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 2273.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 2281, Senator Weaver. On the Order of Senate Bills 2nd Reading, Senate Bill 2281. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 2281.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Weaver.

PRESIDENT:

Senator Weaver on Amendment No. 1.

SENATOR WEAVER:

Thank you, Mr. President. This amendment deletes the authorization for fingerprints from school districts to be submitted to the FBI, and I'd move its adoption.

PRESIDENT:

Senator Weaver has moved the adoption of Amendment No. 1 to Senate Bill 2281. Discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Well, Mr. President, I guess we have some questions about...about the amendment. I don't know whether Senator Weaver would want to hold this and talk to us about it or if you want to go ahead with it.

PRESIDENT:

Well, my suggestion is why don't we move it. I'm sure Senator would agree to call it back if necessary.

SENATOR SCHUNEMAN:

Well, in...in that case then, Mr. President, I'd like to simply point out to the Body that in the last few years there have been attempts to give school districts the necessary mechanism to check on the backgrounds of teachers, primarily to find out whether or not there have been cases of sexual abuse in the work history of that teacher either in this State or some other state. What the effect of this amendment would be is to say that in Illinois...such records can be checked only if the teacher has been employed in Illinois. And the...the effect of this amendment would be to bar a school district from doing a check on a teacher who may have worked in another state. I'd suggest to you that that's precisely probably the people that the school district ought to be checking on. And while the amendment would leave intact the ability of other local governments to do such checks, it would remove the ability of a school district to check those records. And I think the amendment should not be adopted.

PRESIDENT:

All right. Senator Weaver has moved the adoption of

Amendment No. 1 to Senate Bill 2281. All in favor of the amendment indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further amendments?

PRESIDENT:

3rd reading. We've had two requests, ladies and gentlemen, to get back to bills that were previously skipped over. Senator Etheredge on 1612. If you'll turn to the middle of page 3, on the Order of Senate Bills 2nd Reading, Senator Etheredge previously called the bill and indicated an...an amendment was missing. I'm told Senator Carroll has now filed the amendment on 1612. Mr. Secretary, with leave of the Body, we'll move to page 3 on the Calendar, on the Order of Senate Bills 2nd Reading, Senate Bill 1612. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1612.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Etheredge.

PRESIDENT:

Senator Etheredge on Amendment No. 1.

SENATOR ETHEREDGE:

Yes, Mr. President, Ladies and Gentlemen of the Senate, this bill reduces the credit hour grant rates from the level established by the Board of Higher Education to the Governor's level. I would move for its adoption.

PRESIDENT:

Senator Etheredge has moved the adoption of Amendment No.

SB 1612  
2nd Reading

1 to Senate Bill 1612. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

Amendment No. 2 offered by Senator Carroll.

PRESIDENT:

Senator Carroll on Amendment No. 2.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Amendment No. 2 is to take the credit hour rates down to the level that the appropriation bill will be in line with the guidelines established by the committee, and I would move its adoption.

PRESIDENT:

All right. Senator Carroll has moved the adoption of Amendment No. 2 to Senate Bill 1612. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

Amendment No. 3 offered by Senator Etheredge.

PRESIDENT:

Senator Etheredge on Amendment No. 3.

SENATOR ETHEREDGE:

Yes, Amendment No. 3 is a technical amendment filed at the request of the Community College Board. What it does is to clarify the fact that adverse court decisions can be paid out of current appropriations. I would move for its adoption.

PRESIDENT:

All right. Senator Etheredge moves the adoption of Amendment No. 3 to Senate Bill 1612. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further

amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. All right, continuing on, we have a request for...if I can have your attention, the middle of page 8, Senate Bill 1848. On the Order of Senate Bills 2nd reading, Senate Bill 1848. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1848.

(Secretary reads title of bill)

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

PRESIDENT:

Senator Berman on Committee Amendment No. 1.

SENATOR BERMAN:

Well, thank you. The amendment that was adopted in the...committee struck out the words that dealt with political subdivisions of the State so that this bill applied only to agencies of the State of Illinois itself. I move the adoption of Committee Amendment No. 1.

PRESIDENT:

Senator Berman has moved the adoption of Committee Amendment No. 1 to Senate Bill 1848. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. Middle of page 8, on the Order of Senate

Bills 2nd Reading, Senate Bill 1912. Mr. Secretary.

SECRETARY:

Senate Bill 1912.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Netsch.

PRESIDENT:

Senator Netsch on Amendment No. 1.

SENATOR NETSCH:

Thank you, Mr. President. The bill is the tobacco tax bill, that is, the...the tax on tobacco products other than cigarettes. The amendment does not have to do with the substantive provisions of that tax and its enforcement provisions. What it does have to do with is the use of the money once it's collected. And the bill at the current time provides that the money will be paid into the General Revenue Fund, that provision remains absolutely intact. But the amendment would...would specify that sixty percent of the money that is collected and placed in the General Revenue Fund would subsequently be transferred to the Domestic Violence Shelter and Service Fund in the State Treasury. I want to just make one point about this which is I think important for the record. As members of the Legislature know, there are two court decisions which have invalidated previous attempts to fund the domestic shelter program on a permanent basis. One was a special fee on the filing of divorce petitions, the other was a surcharge on marriage license fees; both were invalidated by the Illinois Supreme Court. This is entirely different. This is...the tax stands separate and alone, all we are saying is that we have...would like to suggest that once the money is collected, that it be used as a

revenue source, a revenue stream, if you will, to fund the extremely important domestic shelter program. It is not subject to any of the constitutional infirmities that the two previous attempts to fund that program were. It is very much like what we did, for example, last year in Senate Bill 730 when we increased the cigarette tax, put it in the General Revenue Fund and then provided that parts of it would be transferred out to fund schools. So, it's similar to things that we have done many times in the past but I think it is...a good way to try to provide what we have always told the domestic violence shelter people they must have and that is assured revenue stream to assure that they will, indeed, be able to continue their important programs. With that, I would move the adoption of Amendment No. 1 to Senate Bill 1912.

PRESIDENT:

Senator Netsch has moved the adoption of Amendment No. 1 to Senate Bill 1912. Discussion? Senator Rigney.

SENATOR RIGNEY:

Question of the sponsor.

PRESIDENT:

Indicates she'll yield, Senator Rigney.

SENATOR RIGNEY:

How much money are we talking about here to earmark for this Domestic Violence Fund compared to what they were getting under the old tax system?

PRESIDENT:

Senator Netsch.

SENATOR NETSCH:

We estimate that the annualized income from this tax would be in the range of ten million dollars. There is a variety of estimates, as you know, but that is probably the best one, at least as the Department of Revenue has informed us. Sixty percent would be approximately...eventually would



be six million dollars, you know, once the program got fully funded. I think, as I recall, the marriage license was already bringing in two and a half million and with the increase, I think, was...was expected to be a larger sum than that in addition to which they get some money out of general revenue funds. So, I think the...the five million dollars is a part of what, over a period of time, they would be getting from one source or another.

PRESIDENT:

Further discussion? If not, Senator Netsch has moved the adoption of Amendment No. 1...Senator Schuneman.

SENATOR SCHUNEMAN:

Question of the sponsor.

PRESIDENT:

Indicates she'll yield, Senator Schuneman.

SENATOR SCHUNEMAN:

Senator, this apparently simply allocates the money to the domestic violence and I don't really have any problem with that, but I guess I do have a problem with the tax that seems to be coming down the line again. Last year or the year before when this bill...when the original marriage license bill was adopted I made the argument on the Floor...in fact, offered an amendment to the bill at that time changing the source of the tax from the marriage tax to a minimal alcohol tax, trying to make the connection, and I think we did, that...that abusive alcohol probably is more closely related to domestic violence than is the act of...of marriage or the act of...taking snuff for that matter or any of these other things that we're considering. Why...why do we so scrupulously avoid the alcohol tax? At that particular time that I'm referring to, the Senate, in fact, adopted that amendment and the next day there was a motion made to reconsider the action, but why don't we fund this out of the...out of some kind of an alcohol tax rather than adding more and

more taxes to just one particular industry? If you could respond.

PRESIDENT:

Senator Netsch.

SENATOR NETSCH:

Hell, I would not have objected to that, and I have for a...a number of years, I think, supported increases from time to time in the alcohol tax. I think the problem is that, to the best of my knowledge, there is nothing like that pending at the present time and I had introduced this bill quite apart from the funding of domestic violence because I felt that it was really a matter of fairness as well as a matter of revenue. We tax cigarettes...to, let's see, the tune I think in Chicago of fifty-nine cents a pack now, but we do not tax the other tobacco products and have not since 1969, so I just think it ought to be done in any event, and...because there was no other available source. The people who run these programs, who do us, I think, a major service, and they are all over the State, had said, we have been told over and over we were to have a dedicated and assured revenue stream, this is the only thing available, are you agreeable to allowing this to be done, and...and because I am highly supportive of what they do for all of us, I said yes.

PRESIDENT:

Further discussion? Any further discussion? All right. Senator Netsch has moved the adoption of Amendment No. 1 to Senate Bill 1912. All in favor of the adoption of the amendment indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?&tf ✓

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. Top of page 10, on the Order of Senate

Bills 2nd Reading, Senate Bill 2052. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 2052.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 2081. On the Order of Senate Bills 2nd Reading, Senator Watson, on Senate Bill 2081. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 2081.

(Secretary reads title of bill)

2nd reading of the bill. No...no...the Committee on Insurance offers one amendment.

PRESIDENT:

Senator Watson on Committee Amendment No. 1.

SENATOR WATSON:

Thank you, Mr. President. Committee Amendment No. 1 was drafted by the request of the Department of Insurance and it also allows the Illinois Banking Association to form a similar trust that we are setting up primarily for the community banks of Illinois. I move for its adoption.

PRESIDENT:

Senator Watson has moved the adoption of Amendment No. 1 to Senate Bill 2081. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further committee amendments.

SB 1552  
2nd Reading

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. Top of page 2...or the middle of page 2, on the Order of Senate Bills 2nd Reading is Senate Bill 1552, 1-5-5-2, middle of page 2. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1552.

(Secretary reads title of bill)

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

PRESIDENT:

Senator Lechowicz, on Committee Amendment No. 1.

SENATOR LECHOWICZ:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 1552, the amendment revises the bill to put it in conformity with the testimony presented at the Senate hearings which were conducted by the Judiciary I Committee. And may I just point out and put into the record the number of hours that were...Judiciary II that were spent by not only the members of that committee but the staffs of both parties in trying to put together a very worthwhile piece of legislation known as charitable gaming. And, Mr. President, to both staffs and to the chairman and the minority spokesman of Judiciary II, I want to extend my sincere thanks. The amendment incorporates certain suggestions made by the Department of Revenue that provide for a more effective administration of the Act. It provides an updated list of permitted games that can be offered by the charities in an authorized charitable games night. It also provides the licensing organization pay two percent of gross proceeds to the Department of Revenue. Gross proceeds are determined by

the amount of chips initially purchased plus any admission fees, one-half of such fees shall be distributed by the Department of Revenue to local governments. It also provides...auxiliary organizations of eligible organizations are precluded from...obtaining a license. Basically what that means that any 501C charitable organization would be eligible to get a license. It establishes a procedure so licensed providers for premises fifty-dollar fee, sponsoring organizations are exempt if they have...they use their own premises, provides more astringent control over suppliers of charitable games, products and equipment. Only volunteers, employees or members of the organization may participate in the management or operation of the games. It also provides that an opt in...an opt-out provision as far as if any organization does not care to participate within this Charitable Gaming Act, they have an...they have an opportunity to opt out of these provisions. I move the adoption of Committee Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Lechowicz has moved the adoption of Committee Amendment No. 1 to Senate Bill 1552. Discussion? Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President, members of the Senate. We held a Judiciary II Committee...meeting, several hearings regarding this legislation, had many, many meetings with all interested parties, law enforcement officials, the Department of Revenue, the charities, the parishes, the...the archdiocese regarding this legislation, and came to this agreement which is embodied in Amendment No. 1 which most everyone concurs with. Regarding the opt-out provision, that would mean that any municipality in the State of Illinois which does not want to participate in charitable...in the Charitable Gaming Act could do so by merely opting out and

that...therefore the provisions of this Act would not pertain to that municipality. This would prevent any professionals from coming in and running the games; only volunteers of the religious or charitable organizations would be able to participate in the running of the games. Any organization would only be able to have a maximum of four charitable gaming nights a year in any facility, be it a hotel...or building would only be able to have a charitable gaming night four times a year. That would...that would prevent the existence of...of what we have now in terms of bingo palaces, that would prevent gaming palaces. Senator Lechowicz mentioned the 501C3 organizations. This is limited to 501C3, that's even more restrictive than the bingo law. We...we...we also allow an audit so that...that was at the request of the Department of Revenue, they would like to be able to request an audit from the organization, and if they do so request an audit, it must be forthcoming. There's also a two-year sunset provision in here...so that after two years we'd be able to take a look at this legislation, see what effect it's had and if it's...if the effect has been positive to be able to continue this, if not, after two years, this would be...there would no longer be legal charitable gaming nights in the State of Illinois. The two percent gross receipts would go half to the State of Illinois, half to the local municipality for enforcement of this...legislation. I think the...the...the amendment embodies just about everything that the committee and members of the House and law enforcement and everybody else has requested to make this a very tight...piece of legislation that will benefit legitimate charities in the State of Illinois, those that do an awful lot of good, help fund research for things like...like diabetes, heart disease, muscular dystrophy...multiple sclerosis, we had the City of Hope come in, and it will also benefit the parishes and the archdiocese around the State of

Illinois. I think this is a very good piece of legislation embodied in this amendment and I would solicit your Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

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

PRESIDING OFFICER: (SENATOR DEMUZZIO)

He indicates he will yield. Senator DeAngelis.

SENATOR DeANGELIS:

Are labor unions included in this?

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Lechowicz.

SENATOR LECHOWICZ:

Only if they have a 501C ruling from the...Federal Government, 501C charitable ruling. And I don't believe...I...I would believe most of them would not qualify but they could apply for a 501C.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

Does this...limit any raffles that are conducted by not-for-profit organizations?

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Lechowicz.

SENATOR LECHOWICZ:

It does not affect raffles at all.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

All right. Further discussion? Senator Lechowicz has moved the adoption of Committee Amendment No. 1 to Senate Bill 1552. 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 Lechowicz.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. Amendment No. 2 corrects two typographical errors that were contained in Amendment No. 1. On page 8...I'm sorry, page 6, line 31, by deleting "are" and inserting "area," and on page 8, line 24, by deleting "games, games" and inserting in lieu thereof, "games." So it's a correctional amendment, I move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Lechowicz has moved the adoption of Amendment No. 2 to Senate Bill 1552. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

Amendment No. 3 offered by Senator Rock.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 1552 as it was introduced and as it was subject to gubernatorial approval at the time he made his public announcement said that at the conclusion of the event, which is a casino night event, well regulated, I might add, under this proposal, or when the participant leaves he may cash in his chips, script or play money in exchange for currency not to exceed five hundred dollars or noncash prizes. We are dealing in Amendment No. 3 with the question of cash or noncash prizes. As the bill sits before us with Amendment



No. 1 having been adopted, it only allows noncash prizes. Now any of you who have attended casino night events, and I have attended, frankly, many of them on behalf of most of the major charitable organizations in the City of Chicago and the County of Cook, understand well, I hope, that there is a much more intense incentive to participate if, indeed, the possibility of cash prizes is alive and well. Amendment No. 3 does one thing and one thing only. It inserts in lieu of noncash, it says, "currency not to exceed two hundred and fifty dollars," as opposed to five hundred, "or noncash prizes." This amendment, I suggest, is extremely important. If we are truly serious about benefiting the private sector, the charitable sector in affording them the opportunity to raise much needed money, it just seems to me to make sense that cash prizes ought to be available. And we have specifically limited it to two hundred and fifty dollars. I don't think that's an outrageous number but I think it's one that will make this whole exercise worthwhile and I would move the adoption of Amendment No. 3.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Rock has moved the adoption of Amendment No. 3. Discussion? Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I, too, concur with the President of the Senate that this is a very important provision, that this matter be considered and adopted. When this matter was being discussed in the Judiciary II Committee there were certain reservations as far as a dollar amount that was requested. The dollar amount at that time that was being discussed and evaluated was five hundred dollars and there was a question whether there could be a proper tracking mechanism as far as on cash, and there was a question by the law enforcement people whether they wanted to assume that type of responsibility.

This provision I think is a workable solution as far as reducing it to two hundred and fifty dollars because every parish and school that I am familiar with that have Las Vegas Nights, this is a very important provision in attracting people to come in and participate in the Charitable Gaming Act or Las Vegas Nights. I believe this is a workable solution at a reasonable dollar amount, and I would hope you would concur and move the adoption of this amendment.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. I apologize for rising a second time on this but I have been advised that labor might be included without being a 501C3, and I have absolutely no objection to that. But in the event that that is true, I would like to ask the sponsors if I might be permitted to allow business organizations to be included, if, in fact, labor is included without being a 501C3.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

All right. Further discussion? Senator Marovitz.

SENATOR MAROVITZ:

Well, on...on that point...on that point, which is not germane really to this amendment, labor organizations would not be included if they're not 501C3 organizations qualified under the Internal Revenue Code. I don't know who told you that but they would not be included. It is our intent that they not be included, clearly, if they are not 501C3 organizations.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

All right. Senator Lechowicz.

SENATOR LECHOWICZ:

I just would like to probably address any further questions along that line after the amendment has been adopted or any discussion on the amendment, just the proper procedure.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right....further discussion on...on the amendment?  
Senator Sangmeister.

SENATOR SANGMEISTER:

Well, thank you, Mr. President, and I think at this point we are now clearly seeing what's going to start to happen with this legislation. It was my understanding that the reason we wanted to do this is obviously we want to help our charitable organizations, in particular our churches and schools. I think if you want to do that, this is going to allow you to go in and have a legal event that you can participate in. But when you start talking about there's a greater incentive to come in and...and play because there's going to be cash, then the people that want to support the schools and the organizations are not supporting these organizations because they want to participate on that evening and be able to take home some kind of a gift outside of cash; they now want to go there and participate for one simple reason, they want to gamble. So anyway you cut it, if you put this amendment on, what you are doing is opening up pure unadulterated gambling for charitable institutions in the State of Illinois. I don't think we want to do that.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Rock has...Senator Rock may close.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the....of the Senate. Amendment No. 3 clearly says, "currency not to exceed two hundred and fifty dollars or noncash prizes." We're not foreclosing the utilization of noncash prizes, obviously, where you win television sets and radios and appliances and all that, all we're suggesting is that for some of these organizations the...the opportunity to participate and have at the end of the evening the opportunity for a

cash prize is extremely important, and I would move the adoption of Amendment No. 3.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Rock has moved the adoption of Amendment No. 3 to Senate Bill 1552. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 3 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz, did you have some comment to make now before 3rd...Senator Lechowicz?

SENATOR LECHOWICZ:

Just on the point of order that Senator DeAngelis raised. In the bill in order to participate has to be 501C organization, whether it's labor, business, church, has to have a 501C3 ruling from the Federal Government.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Okay, this...this is not the ordinary procedure because we have not yet moved this bill to 3rd reading, but...Senator DeAngelis, do you have a comment?

SENATOR DeANGELIS:

Well...I'm not saying...I'm not suggesting that Senator Lechowicz is not correct. What I'm trying to do, I'm trying to cover that in the event it is not correct that we be given the opportunity either to limit it the way he says or in fact include other organizations of a similar type to be permitted to do the same thing.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. 3rd reading. Senator Philip. Senator Philip, for what purpose do you arise?

SENATOR PHILIP:

I...I'm sorry, Mr. President, a purpose of a question. Trying to understand what Senator Rock has just done. Am I

jumping to the...conclusion you have a cap on a cash prize of two hundred and fifty dollars but on door prizes there is no cap what so...other...in other words, you could give a Cadillac car for a door prize as long as it wasn't cash?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator Philip, we've...we've...we've already adopted the amendments, we've moved this bill to...to...to 3rd reading, perhaps...Senator Rock.

SENATOR ROCK:

The...the answer is yes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Philip.

SENATOR PHILIP:

Well, I...I just think that...everybody ought to remember that. You could give away ten Cadillac cars, you could give away a home, you could give a trip around the world, it's a little more than two hundred and fifty dollars.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. On the Order...we will now...Senator Rock.

SENATOR ROCK:

Well, I...I...I denote, I hope, no sinister overtone by that remark. This...this is exactly the bill as the Governor introduced it and you and I are certainly with the Governor, are we not?

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. With leave of the Body, we will now proceed to page 12, Senate bills 3rd reading. Senator Vadalabene, for what purpose do you arise?

SENATOR VADALABENE:

Thank you, Mr. President. Before you get to that order of business and since we're going to adjourn at one o'clock, I do have the suggested Memorial Day addresses here and I thought maybe you would like to take them with you, and they are going like hot cakes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senate bills 3rd reading, page 12, Senate Bill 233. Senator Topinka is ready, all right. Senate bills 3rd reading, Senate Bill 233, Mr. Secretary.

SECRETARY:

Senate Bill 233.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka.

SENATOR TOPINKA:

Yes, Mr. President and Ladies and Gentlemen of the Senate. First off, if Senator Jones has not been added as a joint sponsor to this bill, I would like to add him as such...

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, with leave of the Body, we will add Senator Jones to...as a hyphenated cosponsor of Senate Bill 233. Is leave granted? Leave is granted. Senator Topinka.

SENATOR TOPINKA:

What Senate Bill 233 does is that it allows hospitals now to designate a person on the hospital staff or outside of the hospital staff to make the option available to the family of a deceased person in order of...of kinship which is already defined by the Anatomical Gifts Act that organ transplantation is an option in this situation. Basically, this is being done so it can be brought forward to the public in a delicate way but still get the point across. Because of organ transplantation having a time limitation on just when it can occur, it's...it's figured that we can raise the rate of available organs for people who are waiting for these organs in the State of Illinois twenty-five to fifty percent just by a process such as this. It has been worked out through extreme negotiations and has been signed off

through...through the negotiations with the following associations which include the Chicago Rabbinate, the Illinois Catholic Council, the Illinois Hospital Association, Illinois Department of Public Health, Illinois State Medical Society, Illinois Transplant Society, the Kidney Foundation and about ten others. And I...you know, I'm free to answer any questions. I think we discussed this pretty fully the other day, but if not, I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not...discussion? Senator Hudson.

SENATOR HUDSON:

Would the sponsor yield?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Hudson.

SENATOR HUDSON:

Senator, is this the...same piece of legislation that I talked to you briefly about the other day regards to the option on the license?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka.

SENATOR TOPINKA:

Yes, it is.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hudson.

SENATOR HUDSON:

And I think it was your feeling at that time that it was not necessary to have the option of...let's say somebody does not care to...to donate for some reason or other, they do not have the option to so state as they apply?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka.

SENATOR TOPINKA:

Your question to me was whether or not I would amend the bill to make available on an Illinois driver's license at

AB 1320  
3rd Reading

this time something to say I do not wish to donate. I feel the situation is already taken care of because if a person does not wish to sign their card, there is nothing mandatory that says they have to fill out the back of a driver's license making them an organ donor.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Hudson.

SENATOR HUDSON:

There's no possibility, in your opinion, that some other party could make a decision that perhaps the...the victim might not want. Do you feel that that situation is protected?

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Topinka.

SENATOR TOPINKA:

After long, involved discussions with all of the groups that I mentioned, plus others, which included the Illinois State Bar Association, by the way, who has very nicely coordinated this bill, the feeling was that because of the kinship situation which is already in the Anatomical Gift Act at this moment in time this would not affect what is already in the law.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Hudson. All right. Further discussion? Further discussion? If not, the question is, shall Senate Bill 233 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, 1 voting Present. Senate Bill 233 having received the required constitutional majority is declared passed. Senator Lemke, 916 I understand is on the recall list. 1320, Senator Barkhausen. Senate bills 3rd reading is Senate Bill 1320...just hold on a second. Senate bills 3rd reading is



Senate Bill 1320, Mr. Secretary.

SECRETARY:

Senate Bill 1320.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, Senate Bill 1320 is the revised Illinois Not-For-Profit Corporation Act. It's the work product of an advisory committee on the subject in the Secretary of State's Office that has labored over the last year or two to produce this piece of legislation. We had extensive hearings on it in committee and the subcommittee entertained amendments to it. I know of no objection to the bill. It...it...part of the rationale for it is to try to follow some of the amendments that were adopted to the Business Corporation Act two or three years ago. I'd be happy to answer any other questions, otherwise, would ask for its passage.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Discussion? If not, the question is, shall Senate Bill 1320 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are none, none voting Present. Senate Bill...1320 having received the required constitutional majority is declared passed. 1475. Senate bills 3rd reading is Senate Bill 1475, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1475.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

Thank you, Mr. President, members of the Senate. Senate Bill 1475 amends the Minority and Female Business Act to include those entities of higher education under the Act and the Act as proposed by the Governor is that ten percent of...of the contracts will be set aside for minority and female and that is the goal as set forth by the Governor. I know no objections to the bill and I ask for its approval.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Discussion? Senator Watson.

SENATOR WATSON:

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield. Senator Watson.

SENATOR WATSON:

Our analysis mentions that the fiscal impact could be large. What...do you have any more specific fiscal impact than that...what...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

I received a fiscal note from the...the Department of...I forget which one it is...but the fiscal impact is about fifty thousand dollars they indicate for...the Minority and Female Business Department to enforce this Act, about fifty thousand dollars.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Well, Mr. President, I think that the...I have a copy of the fiscal note and what the fiscal note says is that it's



SB 1516  
2nd reading

question, the Ayes are 29, the Nays are 25, none voting Present. Senate Bill 1475 having failed to receive the required constitutional majority is declared lost. Sponsor requests postponed consideration. Postponed consideration. The Chair would like to recognize Blake Rodderick and the members of the FFA from Pike County who are in the gallery from my district. Welcome to Springfield. All right. Senate bills 3rd reading is Senate Bill 1516, Mr. Secretary. ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1516.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. I would like to point out first that the Calendar reflecting the bill is in error. The Calendar...misstates the amendment that was added to the bill yesterday. This requires, this bill, that anyone who teaches a class in a college university be able to fluently speak the English language and be able to answer questions from students and be able to participate...allow students to participate in the discussion in the English language. The amendment which was added put an exemption in there for classes in which foreign languages are taught. The purpose of this bill is that many students have contacted my office and many parents as well stating that their students have been denied their rightful education because many of the teachers that they had at some point in time in their career were not able to speak the language fluently so that they understood or could ask questions and get adequate responses. For that reason, this bill was introduced to encourage the universities to set up programs to self-police their ranks. Some universities such as the University of Illinois already have

an excellent program in effect; unfortunately, other schools have not followed suit. That is the purpose of this bill. I'd be glad to answer any questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President, Ladies and Gentlemen of the Senate. Senator Welch, I, too, have received those calls from...from students and parents who have indicated that there are instructors in the universities who, for whatever reason, can't communicate too well with...with the students and creates a burden and I understand that. I guess my concern with respect to the bill is the same as it was as I addressed the issue in committee. There are...there is at least one institution in the State that's already attempting to address this. As I recall the bill, I believe, with the...with the exception of the amendment that was put on yesterday, before someone is hired by that university who speaks with some sort of foreign dialect they will, in fact, have to take a course in oral proficiency. Is that not correct?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

It's...it's not a course of oral proficiency required. What we are requiring is a test to see if they are orally proficient. There's no specific remedial nature to it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland.

SENATOR MAITLAND:

Senator Welch, is there some kind of a...a...a test now available to determine oral proficiency then?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

To try to write into law a test for oral proficiency would be impossible. The University of Illinois has a structure set up in which they feel, and I feel as well, that they are able to adequately determine before an individual is put into a classroom situation whether they will be able to communicate with students.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland.

SENATOR MAITLAND:

So the university will...will then make a determination whether or not the individual has successfully...met those standards. Is that correct?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

That is correct.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland.

SENATOR MAITLAND:

Again, I...I understand the problem, but as we discussed in committee, many of the very highly motivated individuals who come here from another country have more than likely been here for some time. And...and some people come over here and very quickly learn to speak the English language in a very fluent way and...and...and lose much of their dialect and do a fine job. Another person, simply for whatever reason, just does not have the skills to do that, they may well though be a person very proficient in their field and might add much to the university. I think the university then is going to be...if they've got such a talented person here on board, they're going to look the other way probably and go ahead and hire that person. So, we're back, I think, to square one. I think you call attention to a very serious

problem, and I...I agree with that, but I think this is another area where we simply cannot legislate every single thing that we do in this State; and I think for the very reasons discussed here, I think it's going to be very...very difficult to implement, very difficult to enforce, and I am going to vote No, Senator Welch.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Dunn.

SENATOR DUNN:

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Dunn.

SENATOR DUNN:

...Senator, who wants this bill? Did you say students, is that...I...I notice on our...our Digest or our...poop sheet it says that all the universities are opposed to it and the support is none. Did you have any testimony for it...bill or did you think this up?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Well, Senator, I happen to have had that problem of having a teacher that could not be understood actually when I was at Southern Illinois University in your district. The...the bill came from students at Northern Illinois University. They're the ones who are complaining to me. But after they came up with the idea, I've heard the same reiteration of the problem from many other students who have graduated over the past twenty years and even from parents whose children have had those problems.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dunn.

SENATOR DUNN:

...Senator Welch, I...I think that probably...you're

trying to throw the bath water out...baby out with the bath water in this thing. There are some professors who don't speak well, they come over from foreign countries perhaps in physicist or scientist or something and I think we'd be losing some top-notch people. I...I imagine they'd be insulted if they say you can't speak at our university unless you demonstrate that you can speak fluently. Some of us from southern Illinois don't speak too fluent English, we might even get...I think...I think perhaps the...the people that you couldn't understand when you were at Southern, and I understand you had a lot of trouble down there understanding...understanding the professors, but...but I...I think maybe they were teaching assistants. If this were amended to apply to teaching assistants...lot of foreign students come over here and after they've gotten their Bachelor's or working on it, they're hired as teaching assistants and they're the ones I think that have trouble, as I understand, coping with the English language in classes. I...I would urge a No vote on this bill too.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Schaffer.

SENATOR SCHAFFER:

Frankly, if you could amend this bill to also eliminate the teachers who spoke perfect English but had nothing to say, I might be inclined to support you. I have a couple of problems. One, I know my community college was interested in, in fact did hire a refugee from Poland who at the time they hired that person really did not have much English proficiency. Within a semester that person had picked up an amazing amount of efficiency, I was extremely impressed with how much he'd learned in one year, one semester. As I understand your bill, this would prohibit that type of person from...being given a chance. I recall one time hearing a tape recording of Albert Einstein in his later years. I had



a hard time understanding that man because of his rather heavy Germanic accent. Your bill would prohibit Albert Einstein from teaching in the Universities of Illinois. I don't think I want to support that.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President...thank you, Mr. President and members of the Senate. I try not to make it my habit to support Senator Welch's bills this year but this is one I guess I just have to get up and say something on. I spent fifteen years in university classrooms across the State and I'm now teaching in two of them, and I've got those students you're talking about, and whether they come from my district or not, I can tell you that if those students are enrolled in a public university or college or for that matter even...private but the larger universities is where you really have the problem, and they get sent off to that intro. to chemistry or that intro. to physics or whatever it is, there's a pretty doggone good likelihood that they're going to get stuck with somebody who can't speak English. I'm really kind of astounded, I've heard three people say on the Floor of this Body that that really doesn't make any difference, give them a year or two to get used to it, throw the kids to them as guinea pigs for a year till they get good at it. I think they ought to be good at it when they walk into the classroom on the first day, and every kid ought to be able to understand what that prof. is saying. And I'm telling you, that isn't the case. I think you ought to think that over before you vote too quickly against this bill. This is a good piece of legislation, it's calling for programs. Every university in this State that objects to this bill can go to the University of Illinois, and the University of Illinois can give every other university the program which

they have working right now to bring those instructors up to snuff. I think this is a pro-American bill, we ought to vote for it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further...further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, Mr. President, Ladies and Gentlemen of the Senate, I concur with Senator Kustra because just think of a medical professor who doesn't speak good English, can't express...himself well, and then the students listen to him, get the wrong information and they work on you later as doctors. I think it's a very good bill and I support it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, Senator Welch may close.

SENATOR WELCH:

Well, thank you, and I thank Senator Kustra for his eloquent statement. The question here is what vantage point do you take when you look at this piece of legislation. Most of the opponents have spoken from the vantage point of the teacher who would be hired. I think that we have to look at it from the other direction. We have a lot of students going to these universities and some of them may flunk out and not get an education because they're stuck with some graduate student trying to work his way through college, the university is trying to save a few bucks and they have him teach some major courses that you have to have. That's the main problem that we have. And what this bill tries to do is to say to those students that, hey, you have a voice in State Government, you have the ability and the opportunity to go to college and we're going to try to protect you by giving you teachers that know how to express themselves in the English language. Certainly many teachers can speak a speech written in English for them. The problem that comes in afterwards is asking a follow-up question of that very teacher and they

cannot comprehend the question and give an answer in...in the English language. Many of the teachers that have been hired that will have to be reviewed probably should have been reviewed before for this particular...requirement, being proficient in the English language. I think it's an elementary requirement, I think it's a basic right of students in this State and it's a basic right of teachers. So, when you stand up and say, everybody's against this, well, not everybody is against it, it's just the organized groups that are against it and...and, as usual, they're trying to protect their own turf. But I think it's time that the State Senate stood up and said, we just don't represent groups, we represent people. The people we want to represent today are college students and I think they're entitled to it, and I would urge an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall Senate Bill 1516 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 45, the Nays are 9, 2 voting Present. Senate Bill 1516 having received the required constitutional majority is declared passed. I might have your attention for a moment, we have another special guest with us today, Roger Carrick, who is the British Consul General from here in Illinois and Mrs. Carrick.

ROGER CARRICK:

(Remarks given by Roger Carrick)

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senate bills 3rd reading is Senate Bill 1520, Senator...Senator...Senator Philip, for what purpose do you arise?

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END OF REEL

REEL #3

SENATOR PHILIP:

I would just like to thank the distinguished guest from the Commonwealth and also thank he and his people and his country for supporting our raid on Libya. It was one of the few European countries that had the courage to stand up and be counted, and they certainly haven't forgotten their American friends and we want to thank you on behalf of Illinois and the United States.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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

SENATOR TOPINKA:

Mr. President, before the good consul leaves,...he's about to leave but while he's coming in. I would like to make note that he is a frequent visitor in my district where we have the British and the Scottish home and we're very fortunate to have Prince Philip come out and visit with us two years ago and would welcome you once again and this time please bring Mrs. Thatcher. It just goes to prove that when you put a woman in charge of government everything works well.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schuneman.

SENATOR SCHUNEMAN:

Another subject...another subject.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Rupp, same subject? Senator Rupp.

SENATOR RUPP:

Another subject.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, thank you, very much. I was going to add my

congratulations to the Queen but given recent publicity, I think I should leave that alone. Senate bills 3rd reading, Senate Bill...Senator Schuneman, for what purpose do you arise?

SENATOR SCHUNEMAN:

On a point of inquiry of the Chair, Mr. President. I have had distributed to my desk copies of amendments for Senate Bill 2263 which deals with the tort reform issue that we're all so interested in. My inquiry is whether or not those amendments have been distributed to both sides of the aisle...could you respond to that, Mr. President?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, I'm not sure whether or not they have been...it's my understanding that they've been passed out to both sides of the aisle. I doubt seriously if we will be able to reach that bill today because we are on the Order of 3rd Reading. Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. Only then to point out to our own members that since this is a matter of considerable interest and...and one that's very technical in nature, I would urge the members to take these amendments, study them and...because apparently there will be action on them next week rather than today. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

I'm...I'm sure they'll all take them home and study them. Senator Rupp.

SENATOR RUPP:

My...thank you, Mr. President. Mine was the same thing...except that I do urge you to take these, your desk has been showered with them, but I...I would urge you to look them over over the weekend so when you come back you can...give your usual well-informed vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. A point of personal privilege. It is our good friend and distinguished Senator from Decatur's birthday today, Senator Rupp. He is thirty-nine years of age once again, he's running for reelection and I will guarantee this, he's going to...reelected. Jimmy, happy birthday.

SENATOR RUPP:

A lot more than that around the middle. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senate bills 3rd reading is Senate Bill 1520, Senator Maitland. Page 13, Senate Bill 1548, Senator Poshard. Senate bills 3rd reading, top of page 13, is Senate Bill 1548, Mr...Secretary.

SECRETARY:

Senate Bill 1548.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Poshard.

SENATOR POSHARD:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This bill has been worked out with the cooperation and support of Mr. Al Apa, the superintendent of the Police Training Board, I'd like to say that up-front. Currently, before a person can receive an appointment as a county correction's officer, he must complete a minimum, standard, basic law enforcement course and a county correctional training course as prescribed by the Police Training Board. This necessitates in most instances the person coming to Springfield and going through the regimen here for...approximately a ten-week period of time, that's at the county expense except that the counties are reimbursed for about half of

that training. This person may have already completed a two-year Associate's Degree in law enforcement or a four-year Bachelor's Degree in law enforcement and, yet, the same requirements for those people who have education and training in law enforcement are required, that they come to Springfield and complete the training. This bill would simply allow Mr. Apa or the Police Training Board to evaluate that educational experience to determine if the person can be exempt from either of these courses or if a person can be exempt from any part of the training to save the counties some of the money that they would be required to pay for this additional training. As I said it has been worked out with the Police Training Board and I would ask for a...a positive vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Discussion? Senator Fawell.

SENATOR FAWELL:

Thank you, very much. Just to reiterate, my...I had a daughter who got her degree in administration of criminal justice from Southern and her Masters in legal studies from Sangamon State and, indeed, a lot of these courses that they are offering at this training school are duplicates of what she had already had...I think this is a good bill and I think all of us should be on board. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Kelly.

SENATOR KELLY:

Yes, I just would like to ask Senator Poshard about Al Apa and in committee they were opposed to this legislation. Now there hasn't been any amendatory changes and, yet, at this time, he and Curly...all the others are now in support of the legislation. Is that the...the situation?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Poshard.



SB 1559  
3rd reading

SENATOR POSHARD:

Yes, thank you, Senator Kelly. The bill has been amended on 2nd reading and the amendment was drawn up with the cooperation and support of Mr. Apa. The original bill simply exempted people from training if they had an Associate or a Bachelor's Degree in law enforcement training. This allows the Law Enforcement Board now to assess that training and education to see if any part of the training may be exemptive in nature.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, Senator Poshard may close.

SENATOR POSHARD:

Well, I would simply ask for a positive vote, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall Senate Bill 1548 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 1548 having received the required constitutional majority is declared passed. Senate Bill 1559, Mr. Secretary.

SECRETARY:

Senate Bill 1559.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. This is the legislation that simply clears up the intent of the seat belt bill that we passed this past year in regard to...to the enforcement of it. And it says that law enforcement officers would be pro-

hibited from stopping or ticketing an individual solely for not wearing a seat belt. We...we put two amendments on...or one...one amendment, I guess, it actually clarified two points that were brought up in the committee and it clarifies, of course, the original intent that should an officer stop and ticket an individual solely for seat belt violation, the charge would be dismissed if the officer had no other probable cause to stop that individual. And, secondly,...currently, the...what is happening the...it requires that a court appearance...if...if an individual is ticketed for two particular violations, a court appearance is required; and this amendment we put on simply says that if one of those violations is a violation of the seat belt law, that a court appearance would not be necessary. I'm sure you all recall the...the debate this past year when...when it came up on the Senate Floor and the intent of the legislation was pretty well spelled out, and I have a copy of the transcript that went on during that time where questions were asked of the sponsor, Senator Chew, concerning stopping an individual just solely for a seat belt violation and Senator Chew's response was, no, that this would not be the case. And this is what's happening in regard to the Illinois State Police. They are following that intent but, unfortunately, some units of local government and other law...enforcement officials are using this as a primary enforcement instead of secondary enforcement. Senator Chew is a cosponsor of this legislation and as you're all aware of, of course, he was the primary sponsor of the mandatory seat belt bill. So if...I'd be glad to answer any questions if there are any, if not, I'd appreciate a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall Senate Bill 1559 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish?

Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the...53, the Nays are none, none voting Present. Senate Bill 1559 having received the required constitutional majority is declared passed. 1565 is on the recall list. 1575. Senate bills 3rd reading is Senate Bill 1575, Mr...Mr. Secretary.

SECRETARY:

Senate Bill 1575.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

Yeah, thank you, Mr. President and members of the...of the Senate. Senate Bill 1575 allows those individuals who only sell legal expense insurance to be included in the category of limited insurance representatives and to be licensed by the Department of Insurance to sell that...one product and that is legal expense insurance. There are several categories, this would be another category that is included and I know of no opposition, and I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Discussion? If not, the question is, shall Senate Bill 1575 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. Senate Bill 1575 having received the required constitutional majority is declared passed. Senate bills 3rd reading. 1577. 1581, Senator Fawell. Senator Fawell on the Floor? Senate bills 3rd...all right. Senate Bill...Senator Darrow, 1588. Senate bills 3rd reading is Senate Bill 1588, Mr. Secretary.

SECRETARY:

SB 1588  
3rd reading

Senate Bill 1588.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Darrow.

SENATOR DARROW:

Thank you, Mr. President. Senate Bill 1588 authorizes the EPA to enforce certain violations...present at sanitary landfills by...administrative citations. This is identical to Senator Macdonald's Senate Bill 849 which we passed last year, she is the chief sponsor with me along with Senator Schaffer. This bill is supported by the administration, the EPA and the Illinois Pollution Control Board among others.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Donahue.

SENATOR DONAHUE:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Donahue.

SENATOR DONAHUE:

Senator Darrow, this was sort of controversial in...in committee slightly. Were there not another group...some of the business groups interested in putting on another amendment?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Darrow.

SENATOR DARROW:

The Illinois Manufacturer's Association were to bring me an amendment, they have not done so yet. I spoke...their concern was that this would pertain to on-site landfills. The interpretation from the EPA from going over the bill is that it does not pertain to on-site landfills. If we pass it out of here, once it gets into the House, we will again go over that. I do not want this legislation to apply to on-

site landfills. It's my intention that if that question arises we will amend it in the House.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Further discussion? Senator Schaffer. Further discussion? If not, the question is, shall...Senator Darrow, you wish to close? Senator Darrow.

SENATOR DARROW:

Yes, I...this legislation...oftentimes we receive complaints from our constituents about landfills and the fact that the landfill may be causing quite a nuisance to some neighbors, and the current procedure is to go to the Illinois Pollution Control Board and we involve the Attorney General and the Pollution Control Board, nothing seems to be done and our constituents continually are complaining to us. This bill provides a simple solution to that problem where the EPA issues a citation just like a traffic ticket and the landfill operator then will have to clean up his landfill. The good landfill operators will have no problem with it, some of our more negligent landfill operators will have to correct their procedures a little bit. I would ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

The question is, shall Senate Bill 1588 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 45, the Nays are 1, 2 voting Present. Senate Bill 1588 having received the required constitutional majority is declared passed. 1615, Senator Maitland. 1629, Senator Lemke. 1659, Senator Berman. Page 13, page 14. 1661, Senator...oh, I'm sorry...Senator Rupp, for what purpose do you arise?

SENATOR RUPP:

A point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

...state your point.

SENATOR RUPP:

In the gallery, I don't know whether it's the right or the wrong one, is the...the U.S. history class brought by Lowell Swaringen from Stonington High School. Stonington is two hundred miles south of Chicago, Earlean.

PRESIDING OFFICER: (SENATOR DEMUZIIO)

Would our guests in the gallery please rise. Welcome to Springfield. Top of page 14, Senate bills 3rd reading, Senate Bill 1661, Senator Watson. 1666, Senator Maitland. 1709. 1711. Senate bills 3rd reading is Senate Bill 1711, Mr. Secretary.

SECRETARY:

Senate Bill 1711.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIIO)

Senator Collins.

SENATOR COLLINS:

Yes, thank you, Mr. President and members of the Senate. The bill does exactly what the Digest said. It simply allows for...it amends the Domestic Violent Act and it allows for an order of protection in those cases where persons enters a home under the influence of drugs or alcohol and when that person poses a threat to the petitioner or to the children and that's all it does...the penalties and it also provides for...to opt that the person may enter into a program of treatment and counseling for the...the addiction in lieu of prosecution. I would be happy to answer any questions. I know no opposition and ask...

PRESIDING OFFICER: (SENATOR DEMUZIIO)

Discussion? Discussion? If not, the question is, shall Senate Bill 1711 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 1711 having  
received the required constitutional majority is declared  
passed. 1732, Senator Jones. On the Order of Senate Bills  
3rd Reading is Senate Bill 1732, Mr. Secretary.

SECRETARY:

Senate Bill 1732.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

Yeah, thank you, Mr. President and members of the Senate.  
Senate Bill 1732 is the bill as amended to...to clear up  
a...a technical error when we created the Third Party  
Administrator's Act in...I mean, in 1985. And what it does  
is require those administrators of insurance to...if they  
produce more than fifty percent of their premium in Illinois  
to have funds deposited in financial institutions. This  
amendment was drafted by the Department of Insurance and I  
know of no opposition and ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Discussion? If not, the question is, shall  
Senate Bill...Senator Rupp.

SENATOR RUPP:

Just, if I might, question the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Rupp.

SENATOR RUPP:

If we are waiving the bonding requirement under this  
amendment, my question is, is there any move off the require-  
ment for a premium trust account where the premiums that the  
administrators receive in payment of the premiums they have

to be separate...put in a separate account and kept...and I think this is important whether or not it's an Illinois company or a Texas company.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Jones.

SENATOR JONES:

The bond is removed if the plan is fully insured and that is regulated by the Department of Insurance.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Rupp.

SENATOR RUPP:

Yes, but we've...yeah, thank you, Mr. President. We've had instances where...and United Baldwin was one where there were insurance companies involved and they went bankrupt and folks have lost their money. In Illinois there were many, many citizens in the State of Illinois got caught in that one and all we want to do is to make sure that these administrators really who are sort of a collection source, a spot where the premium was sent in and they in turn forward it, we want to make sure that that is done.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Jones.

SENATOR JONES:

Yes, thank you, in response to that. What you say is true, however,...what the department does is that they track companies in the advance to make sure that this does not happen. Now, again, this...this amendment was drafted by the Department of Insurance to clear up that particular technicality in the Act that we passed last year.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Rupp. All right. Further discussion? If not,...Senator...Senator Jones, you wish to close. Senator Jones.

SENATOR JONES:



I just ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall Senate Bill 1732 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. Senate Bill 1732 having received the required constitutional majority is declared passed. Senate Bill 1733, Senator Jones. Senate Bill 1735, Senator Macdonald. 1783, Senator Joyce. On the Order of Senate Bills 3rd Reading, middle of page 14, is Senate Bill 1783, Mr. Secretary.

SECRETARY:

Senate Bill 1783.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEROME JOYCE:

Thank you, Mr. President. Senate Bill 1783 is...was stated...was...is the Beef Market Development Act and that became law in 1983. In 1985, Congress pass the Beef Promotion Research Act and this bill is necessary to bring the Illinois law into compliance with the Federal law.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...discussion? Discussion? If not, the question is, shall Senate Bill 1783 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 52, the Nays are none, none voting Present. Senate Bill 1783 having received the required constitutional majority is declared passed. 1798, Senator Watson. 1804, Senator Berman. 1805, Senator Lechowicz. On the Order of Senate

Bills 3rd Reading is Senate Bill 1805, Mr. Secretary.

SECRETARY:

Senate Bill 1805.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 1805...the Central...the Central Midwest Interstate Low-level Radioactive Waste Commission is a compact between Illinois and Kentucky for the purpose of storing nuclear waste. The Illinois Governor appoints two commissioners to the...to the commission. Presently, there is no set time for the appointed members of the commission. Senate Bill 1805 sets the term for the commission members to expire the third Monday of...of January in each odd numbered year. That term coincides inside with the term expiration of the Governor's cabinet officers. That was the purpose of Senate Bill 1805. I know of no objection, I move...and ask for your support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall Senate Bill 1805 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. Senate Bill 1805 having received the required constitutional majority is declared passed. Page 15, 1860, Senator Netsch. 1861, Senator Lemke...1871, Senator Mahar. 1873, Senator Joyce. 1875, Senator Rupp. It's not time? 1921 is on the recall. 1929, Senator Mahar. 1930, Senator Macdonald. 1935, Senator Lemke. 1944, Senator Jerome Joyce. On the Order of Senate Bills 3rd Reading,

the bottom of page 15, is Senate Bill 1944, Mr. Secretary.

SECRETARY:

Senate Bill 1944.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEROHE JOYCE:

Thank you, Mr. President. This bill...makes purse supplements available to Illinois conceived horses rather than just Illinois conceived and foaled horses, and it removes the requirement that the mare remain in the State for thirty days after foaling.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Question of the sponsor, Mr. President.

PRESIDENT:

Sponsor indicates he'll yield, Senator Schuneman.

SENATOR SCHUNEMAN:

Senator Joyce, as you recall, in committee there was a great deal of discussion about what this bill would seek to do and so...just for the information of the members, a number of years ago in Illinois we established a program which was intended to encourage the development in Illinois of breeding farms for standardbred horses; and in effect what this bill does is say that from now on the offspring of horses which are conceived in Illinois but not foaled in Illinois will still be able to participate in those special purses for Illinois colts. The concern is on the part of some of the small horse breeders around this State who maintain that...that this bill will tend to hurt them badly, and the last I knew, Senator, there were still some discussions going on between that group of small horse breeders and the large

breeders in the State. Did they come to any conclusion? It appears to me that they didn't because you're proceeding with this bill and...but could you tell me what the...the status of that is?

PRESIDENT:

Senator Joyce.

SENATOR JEROME JOYCE:

Well, I...I don't believe they came to a conclusion and they still have until the bill passes the House to try and reach one. But, you know, we're at the stage of the game where I feel that this would improve the standardbred horses in this State and we're the only State around here that doesn't do this, and I...I think one of the...the...the things that is...that is rather ironic about this, if...if you bring your mare from Kentucky to have it bred to a...a stud in Illinois, then you take your mare back to Kentucky and then you bring your mare back to Illinois so she can drop the foal in Illinois and then you take the mare and the foal back to Kentucky doesn't seem to make a lot of sense to me. And I...I think that...that by opening this up we would indeed improve the quality of...of...of standardbreds that...that would be racing in Illinois.

PRESIDENT:

Senator Schuneman.

SENATOR SCHUNEMAN:

Well, okay, I simply want to make a...well, first of all, I think the...the...the case that you cite, Senator, is a rather extreme case. I don't think that's the...the norm for this kind of operation, but what I think we're going to have under this law is the artificial insemination of animals where there...probably won't have any connection to the State of Illinois, and they're still going to be entitled to the special Illinois purses and I think that's the concern of the small horse breeders around the State. I just want to bring

it to the attention of the Body and that we ought to know what we're doing here before we vote on it.

PRESIDENT:

All right. Further discussion? Senator Darrow.

SENATOR DARROW:

Thank you, Mr. President. I would just like to reiterate what Senator Schuneman said, we are attempting to improve our standard breeding program in Illinois and encourage a new industry in Illinois which has...become quite profitable. What we're doing by this legislation is weakening that program and we're weakening it where it applies to a number of breeders who are just starting out. The rich and the powerful are in favor of this Act. The others that are just starting out, getting their feet on the ground are opposed to it. I'd merely ask my colleagues if they know nothing about the Standard Breeder's Program in Illinois that they refrain from voting Yes for this legislation and learn more about it. It...this is not a partisan issue, it's just an issue whether you're for the fellows that are starting out in Illinois or Illinois businessmen who are starting standardbred programs or...or you're not, and I'd solicit a No vote. Thank you.

PRESIDENT:

Further discussion? Any further discussion? Senator Joyce, you wish to close?

SENATOR JEROME JOYCE:

Thank you, Mr. President. I...I suggest that some of these people are not just starting out, that they have been in this business for a long, long time. The fact that we're going to improve the quality of horses that are racing in Illinois, I think overrides the other issue and I think that that's really what this is about. We are an island now in the State of Illinois by prohibiting this, and I think that this would...would open that up, make a better quality of...of horse that will be racing in the State of Illinois

and I would solicit an Aye vote.

PRESIDENT:

The question is, shall Senate Bill 1944 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 30, the Nays are 14, 7 voting Present. Senate Bill 1944 having received the required constitutional majority is declared passed. Senator Darrow, for what purpose do you arise?

SENATOR DARROW:

I would reluctantly ask for a verification.

PRESIDENT:

Senator Darrow has requested a verification. Will the members please be in their seats. Mr. Secretary, please read the affirmative roll call.

SECRETARY:

The following voted in the affirmative: Barkhausen. Berman. Carroll. Collins. DeAngelis. Degnan. Demuzio. Dunn. Fawell. Friedland. Holmberg. Jones. Jeremiah Joyce. Jerome Joyce. Keats. Kelly. Lemke. Luft. Marovitz. Netsch. Newhouse. O'Daniel. Philip. Poshard. Sangmeister. Vadalabene. Weaver. Welch. Zito. Mr. President.

PRESIDENT:

Senator Darrow.

SENATOR DARROW:

Senator Joyce.

PRESIDENT:

Senator Joyce on the Floor? (Machine cutoff)...Joyce is in the Well.

SENATOR DARROW:

Keats.

PRESIDENT:

Senator Keats is in his seat.

SENATOR DARROW:

Thank you.

PRESIDENT:

All right. The roll has been verified. The Ayes are 30, the Nays are 14, 7 voting Present. Senate Bill 1944 having received the required constitutional majority is declared passed. Ladies and gentlemen, the hour of one is a minute away. We have some housekeeping details, our friends on the Republican side have an event to which they are all cordially invited I'm sure, and we will go to the Order of the Adjournment Resolution, Mr. Secretary, resolutions. We're going to return to Springfield next Tuesday at the hour of noon, and I would urge all members, next week is the deadline week for consideration of Senate bills. We will begin with Senate bills on 2nd reading, specifically the appropriation bills, and attempt to handle those and the recall and then we will begin at the top on the Calendar and go right through the Calendar and, hopefully, conclude our business in three days, Tuesday, Wednesday and Thursday. So it's important that everybody be here Tuesday at noon. Resolutions, Mr. Secretary.

SECRETARY:

Senate Resolution 156 offered by Senator Demuzio.

(Secretary reads SR 156)

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

Thank you, Mr. President...this is the adjournment resolution. I would move to suspend the rules for the immediate consideration and adoption of the...of the Senate Joint Resolution 156 which calls for us to come back Tuesday, May the 20th, at the hour of noon.

PRESIDENT:

All right. Senator Demuzio has moved to suspend the rules for the immediate consideration and adoption of Senate Joint Resolution 156. All in favor of the motion to suspend indicate by saying Aye. All opposed. The Ayes have it. The rules are suspended. Senator Demuzio now moves the adoption of Senate Joint Resolution 156. All in favor of the adoption of the resolution indicate by saying Aye. All opposed. The Ayes have it. The resolution is adopted. Resolutions, Mr. Secretary.

SECRETARY:

Senate Resolution 900 offered by Senator Jerome Joyce, it's congratulatory.

PRESIDENT:

Consent Calendar.

SECRETARY:

Senate Resolution 901 offered by Senator Keats.

PRESIDENT:

Executive. All right, Mr. Secretary, have any objections been filed to the Resolutions Consent Calendar?

SECRETARY:

No objections have been filed, Mr. President.

PRESIDENT:

All right. If not, Senator Demuzio moves that the Resolutions Consent Calendar be adopted, Senate Resolution 884, Senate Resolution 885, 886, 887, 888, 889, 890, 891, 892, 893, Senate Resolution 895, 896, 897, 898, 899, Senate Joint Resolution 151, House Joint Resolution 194 and 195 and Senate Resolution 900. No objections having been filed, Senator Demuzio moves the adoption of the Resolutions Consent Calendar. All in favor of the adoption indicate by saying Aye. All opposed. The Ayes have it. The resolutions are adopted. All right, with leave of the Body, there's been a request to read for a second time the Constitutional Amendment on page 25 on the Calendar. Mr. Secretary, on the Order of Constitu-



tional Amendments 2nd Reading, House Joint Resolution Constitutional Amendment No. 8.

SECRETARY:

House...House Joint Resolution No. 8 Constitutional Amendment.

(Secretary reads HJR No. 8 CA)

2nd reading of House Joint Resolution 8 Constitutional Amendment.

PRESIDENT:

Any further business to come before the Senate? If not, Senator Vadalabene moves that pursuant to the adjournment resolution, the Senate stand adjourned until Tuesday, May 20, at the hour of noon. Tuesday, at noon, ladies and gentlemen, have a good weekend. The Senate stands adjourned.

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