

84TH GENERAL ASSEMBLY

REGULAR SESSION

MAY 17, 1985

PRESIDING OFFICER: (SENATOR DEMUZIO)

The hour of nine o'clock having arrived, the Senate will come to order. If the members will be at their seats, if our guests in the gallery will please rise. Our prayer this morning will be by the Reverend Dennis Young of the South Fork Church of Christ, Rochester. Reverend Young.

REVEREND YOUNG:

(Prayer given by Reverend Young)

PRESIDING OFFICER: (SENATOR DEMUZIO)

Reading of the Journal. Senator O'Daniel.

SENATOR O'DANIEL:

Mr...Mr. President, I move that reading and approval of the Journals of Tuesday, May the 7th; Wednesday, May the 8th; Thursday, May the 9th; Tuesday, May the 14th; Wednesday, May the 15th and Thursday, May the 16th, in the year 1985, be...be postponed pending arrival of the printed Journals.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, you've heard the motion. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. The motion is carried. Message from the House.

SECRETARY:

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

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

House Bills 497, 799, 880, 895, 899.

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

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

House Joint Resolution 48 is congratulatory and House Joint Resolution 49 is a death resolution.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Consent Calendar. Resolutions.

SECRETARY:

Senate Resolution 238 offered by Senator Demuzio and all Senators, and it's congratulatory.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Consent Calendar.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, with leave of the Body, we'll go to the Order of House Bills 1st Reading. Is leave granted? Leave is granted. On the Order of House Bills 1st Reading, Mr. Secretary.

SECRETARY:

House Bill 48, Senator Luft is the Senate sponsor.

(Secretary reads title of bill)

1st reading of the bill.

House Bill 301, Senator Berman.

(Secretary reads title of bill)

House Bill 302, Senator Berman.

(Secretary reads title of bill)

House Bill 303, Senator Berman.

(Secretary reads title of bill)

House Bill 304, Senator Berman.

(Secretary reads title of bill)

House Bill 305, Senator Berman.

(Secretary reads title of bill)

House Bill 306, Senator Berman.

(Secretary reads title of bill)

House Bill 307, Senator Berman.

(Secretary reads title of bill)

House Bill 601, Senator Vadalabene.

(Secretary reads title of bill)

House Bill 775, Senator Davidson.

(Secretary reads title of bill)

House Bill 964, Senator Etheredge.

(Secretary reads title of bill)

House Bill 957, Senators Lechowicz and Lemke.

(Secretary reads title of bill)

...House Bill 1079, Senator Schaffer.

(Secretary reads title of bill)

House Bill...1299, Senator Darrow.

(Secretary reads title of bill)

House Bill 1638, Senator Luft.

(Secretary reads title of bill)

House Bill 1670...Senator D'Arco.

(Secretary reads title of bill)

House Bill 1947, Senator Hudson.

(Secretary reads title of bill)

1st reading of the foregone bills.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, with leave of the Body, we will go to the Order of...the Recall List. The list has been distributed by the Secretary. All members should have a list of the recalls on their desks. The first bill, Senate Bill 39, Senator Hall. Senator Hall seeks leave of the Body to return Senate Bill 39 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading is Senate Bill 39, Senator Hall.

SECRETARY:

...Amendment No. 2 offered by Senator Hall.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This will be amendment...

SECRETARY:

No. 2.

SENATOR HALL:

...should be Amendment No. 2, shouldn't it?

SECRETARY:

It is.

SENATOR HALL:

Oh, okay, all right, now...this is a technical amendment. It makes minor technical changes and corrects misspellings. There are no substantive changes, only technical changes, and I move for the adoption of Amendment No. 2 to Senate Bill 39.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall moves the adoption of Amendment No. 2 to Senate Bill 39. Is there any discussion? Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Senate...Amendment No. 2 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 169, Senator Savickas. Senator Savickas seeks leave of the Body to return Senate Bill 169 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading is Senate Bill 169, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senators Watson and Welch.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson. Senator Watson on the Floor? Senator Watson. Senator Watson, we are...Senate Bill 169, Senator Savickas has sought leave to bring it back for the purpose of an amendment, and I am told that you are offering an amendment. Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. I believe this amendment expands from seventy-five million to a hundred million money

available for civic centers. I don't believe there's any problem with it. It's similar to...a bill that Senator Welch has and it's...I believe is on the Agreed Bill List.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson has moved the adoption of Amendment No. 1 to Senate Bill 169. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill...195, Senator Geo-Karis. Senator Geo-Karis seeks leave of the Body to return Senate Bill 195 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading is Senate Bill 195, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 195 with Amendment No. 2 offered by Senator Geo-Karis and Lemke.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, this amendment specifies that only those people who are eligible under the circuit breaker would be the ones who could give the benefit of the homestead exemption to the...their children, whoever their descendants are who are taking care of them. I move the passage of this amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis moves the adoption of Amendment No. 2 to Senate Bill 195. Any discussion? Any discussion? If not, the...those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Any

further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill...Senate Bill 371, Senator Lemke seeks leave of the Body to return Senate Bill 371 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading is Senate Bill 371, Mr. Secretary. Senator Lemke, for what purpose do you arise?

SENATOR LEMKE:

We have to make a motion to Table Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, just wait...wait till we get there. Mr. Secretary, read the bill. All right, it's been read a...been read a second time. Senator Lemke.

SENATOR LEMKE:

I'd like to have leave to...reconsider the vote by which Amendment No. 1 was adopted.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke, having voted on the prevailing side, moves to reconsider the vote by which Amendment No. 1 was adopted. Those in favor signify by saying Aye. Those opposed Nay. The Ayes have it. Amendment No. 1 is...is reconsidered. Senator Lemke now moves...

SENATOR LEMKE:

I move to Table.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...Senator Lemke now moves to Table Amendment No. 1 to Senate Bill 371. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is Tabled. Further amendments?

SECRETARY:

Amendment No. 2 offered by Senator Lemke.

SB 1068
Recalled

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

Amendment No. 2 is the same as the previous amendment only it makes a technical change to satisfy the director of insurance.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke moves the adoption of Amendment No. 2 to Senate Bill 371. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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

SENATOR VADALABENE:

Yes, on 742, the amendment that we've been waiting about...for it for two days and when it comes...gets up here, could I have leave to go to that Order of Recall and have it heard?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Why don't we just wait a couple of minutes and we'll come right back to it. Is that all right? Senator Marovitz on the Floor? We're waiting for an amendment for 742. 749. Senator Marovitz is not on the Floor. Senate Bill 1068, Senator Lechowicz. Senator Lechowicz seeks leave of the Body to return Senate Bill 1068 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading is Senate Bill 1068, Mr. Secretary, read the bill.

SECRETARY:

Amendment No. 1 offered by Senators Lechowicz and Fawell.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Amendment No. 1 would allow a judge to award punitive damages. It would eliminate the tier effect. It's based upon discussions I had with many members of this Body. Representative Fawell and...Fawell and I move the adoption of Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz moves the adoption of Amendment No. 1 to Senate Bill 1068. Any discussion? Senator Rupp.

SENATOR RUPP:

Thank you, Mr. President. I have an amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...do wish to talk on this amendment?

SENATOR RUPP:

No. No, I said I have an amendment that...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, let's wait till we get there.

SENATOR RUPP:

Okay.

PRESIDING OFFICER: (SENATOR DEMUZIO)

We are...we are on the adoption of Amendment No. 1, Senator...further discussion? If not, Senator Lechowicz has moved the adoption of Amendment No. 1 to Senate Bill 1068. Those in favor will signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

Amendment No. 2 offered by Senator Rupp.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rupp.

SENATOR RUPP:

Thank you, Mr. President. It was our impression that

from the maneuvers and the conversations about this bill and Senate Bill 60 that this bill was also to have a cap on it...on the punitive damages and that's what this particular amendment does. It says in no event shall punitive damages exceed twenty-five thousand dollars. This...it was my understanding that this was to be done...I'm sorry if I misunderstood, but I would like to have this added to this particular bill. I think it's something that should be on the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Rupp has moved the adoption of Amendment No. 2 to Senate Bill 1068. Any discussion? Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. I strongly oppose this amendment. When this bill was heard in committee, it was without any caps. Senator D'Arco has moved his own bill out with a twenty-five thousand...twenty-five thousand dollar cap. I brought this bill back from 3rd reading to 2nd so the judge would only make the award based upon some of the reservations as far as...the juries and the amount of awards that they have been making in the...in the past couple of years, but this amendment I do not accept and I strongly reject it. I move that it be Tabled.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Lechowicz has moved to Table Amendment No. 2 to Senate Bill 1068. Senator Rupp.

SENATOR RUPP:

I would like a roll call...there is...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rupp has requested a roll call. Senator Lechowicz has moved to Table Senate Bill 1068 to Senate...Amendment No. 2 to Senate Bill 1068. Those in favor of voting to Table signify by saying Aye. Opposed Nay. Senator Rupp has requested a roll call. All right, in

the...in the of the...the opinion of the Chair, the...the Ayes have it. Senator Lechowicz has requested a roll call. On the adoption of Amendment No. 2 to Senate Bill 1068, those in favor of the...those in favor of the motion to Table will vote Aye. Those opposed to the motion to Table 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...the Ayes are 30, the Nays are 25, 1 voting Present. Senator Lechowicz's motion to Table prevails. Senator Rupp.

SENATOR RUPP:

I'd like a verification of the vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rupp has requested a verification, I assume of the affirmative roll call. Is that correct, Senator? Of the affirmative roll call. Senator Rupp has requested a verification of the affirmative roll call. Will all members be in their seats. The Secretary will read those who have...voted in the affirmative.

SECRETARY:

The following voted in the affirmative: Berman, Carroll, Chew, D'Arco, Darrow, Dawson, Degnan, Demuzio, Fawell, Hall, Holmberg, Jeremiah Joyce, Jerome Joyce, Kelly, Lechowicz, Lemke, Luft, Marovitz, Nedza, Netsch, O'Daniel, Poshard, Sangmeister, Savickas, Smith, Vadalabene, Welch, Zito, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rupp, do you question the presence of any member?

SENATOR RUPP:

Senator Jones.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones on the Floor? Senator Jones on the Floor? Strike his name.

SENATOR RUPP:

Senator Newhouse.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Newhouse did not vote.

SENATOR RUPP:

Senator Chew.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Chew on the Floor? Senator Chew on the Floor?

Strike his name.

SENATOR RUPP:

Senator Smith.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Smith on the Floor? Senator Smith is sitting in her chair.

SENATOR RUPP:

Senator Luft.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft is sitting in his seat.

SENATOR RUPP:

Senator Zito.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Zito is sitting in his seat.

SENATOR RUPP:

Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

I'm in the...oh.

SENATOR RUPP:

Our...our real President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

I know. Could you give us a name?

SENATOR RUPP:

I think it was...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR RUPP:

...Philip Rock.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock on the Floor?

SENATOR RUPP:

Jeremiah Joyce.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Rock on the Floor? Strike his name.

SENATOR RUPP:

Jeremiah Joyce.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jeremiah Joyce on the Floor? Senator Jeremiah Joyce on the Floor? Strike his name...Senator Rupp, have you finished questioning the...all right, on the verification of the roll, there is 26 Ayes, 25 Nays, 1 voting Present. Senator Lechowicz's motion to Table prevails. Further amendments?

SECRETARY:

Amendment...Amendment No. 3 offered by Senator Rupp.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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

SENATOR DeANGELIS:

Having voted on the prevailing side, I wish to reconsider the vote by which Senate Amendment No. 1 to 1068 passed.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz, for what purpose do you arise?

SENATOR LECHOWICZ:

Mr. President, I move that motion lie on the Table.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator DeAngelis, having voted on the prevailing side, has moved to reconsider the vote by which Amendment No. 1 to Senate Bill 1068 was adopted. Senator Lechowicz has moved to Table the request for the reconsideration. Senator Fawell, there is no discussion on the motion

to Table. Those in favor of Senator Lechowicz's motion to...to Table the request of Senate...Senator DeAngelis, for what purpose do you arise?

SENATOR DeANGELIS:

Just a parliamentary question. How many votes does it take to Table?

PRESIDING OFFICER: (SENATOR DEMUZIO)

It takes a...a majority of those voting in the affirmative and present...present and voting in the affirmative...takes a majority of those members voting in the affirmative that are in the Chamber, present and voting. All right, Senator Lechowicz has moved to Table the...the request of Senator DeAngelis to reconsider the vote by which Amendment No. 1 was adopted. Those in favor of Senator Lechowicz's motion to Table will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 28, the Nays are 26, none voting Present. Senator Lechowicz's motion to Table prevails. Further amendments?

SECRETARY:

Amendment No. 3 offered by Senator Rupp.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rupp. Well, we've already dispatched with that one. That was a motion to Table. Further amendments? Senator Rupp, you have two motions...you have two amendments that have been filed. Is that correct? All right, we are now...Amendment No. 1 was adopted. Amendment No. 2, there was a motion to Table which prevailed. We are now on further amendments is Amendment No. 3. Senator Rupp.

SENATOR RUPP:

It might surprise you some but I think there are a few of us that listen to you, and I think the way you announced it was that that failed, the Tabling motion.

SB 749
Recalled

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rupp, on a verified roll call, the motion was 26-25, 1 voting Present, the motion of Senator Lechowicz prevailed, prevailed. I think if you will check the...the transcript you will...further amendments? Senator Rupp, you have filed Amendment No. 3. You wish it withdrawn? All right. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. With leave of the Body, we'll return to the Order of Recalls, Senate Bill 749. Is Senator Kustra on the Floor? Senator Kustra on the Floor? Senator Kustra on the Floor? Do you wish to have Senate Bill 749? Senator Kustra seeks leave of the Body to return Senate Bill 749 from the Order of 3rd Reading to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading is Senate Bill 749, Mr. Secretary. And while we're waiting and while there's a lull,...WICS-TV requests permission to tape. Is that...leave granted? Leave is granted. Mr. Secretary, 749.

SECRETARY:

Amendment No. 2 offered by Senator Kustra.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President...my purpose today is to add a new amendment in place of the one that we adopted the other day, so I...what I want to do is move to reconsider the vote by which Amendment No. 1 was adopted.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Kustra has...having voted on the prevailing side, moves to reconsider the vote by which Amendment No. 1 was adopted. Those in favor signify by saying Aye.

Opposed Nay. The Ayes have it. The vote is reconsidered. Senator Kustra now moves to Table Amendment No. 1 to Senate Bill 749. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is Tabled. Further amendments?

SECRETARY:

Amendment No. 2 offered by Senator Kustra.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President and members of the Senate. This is an amendment which has been drafted by Senator Marovitz and committee staff to answer some of the concerns the committee had. I would move for its adoption. Basically what it does is remove a rebuttable presumption in favor of joint custody and establish in the language a...a more clear intent.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Kustra has moved the adoption of Amendment No. 2 to...Senate Bill 749. Any discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, just that a...as minority spokesman, I approve that amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, those in favor signify...on the adoption of Amendment No. 2 to Senate Bill 749, those in favor will signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 761, Senator Marovitz. Senator Marovitz

seeks leave of the Body to return Senate Bill 761 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading is Senate Bill 761. Mr. Secretary, read the bill.

SECRETARY:

Amendment No. 2 offered by Senator Marovitz.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. I would move now to Table Amendment No. 1 to Senate Bill...move to reconsider? Having voted on the prevailing side, I move to reconsider the vote by which Amendment No. 1 to Senate Bill 761...

PRESIDING OFFICER: (SENATOR DEMUZIO)

...Senator Marovitz has moved to reconsider the vote. Having...voted on the prevailing side, moves to reconsider the vote by which...Amendment No. 1 to Senate Bill 761 was adopted. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. The vote is...the vote is reconsidered. Senator Marovitz now moves to Table Amendment No. 1 to Senate Bill 761. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is Tabled. Further amendments?

SECRETARY:

Amendment No. 2 offered by Senator Marovitz.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. After a conference with a member of the banking organizations, Amendment No. 2 was drawn to make it clear that the bill applies only to noncommercial and nonfiduciary

accounts, it adds...certain definitions, it extends the notification periods, it removes all criminal penalties and sets a standard form for disclosure. I would ask for the adoption of Amendment No. 2 to Senate Bill 761.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the...those in favor will indicate by saying Aye. Those opposed. On the adoption of Amendment No. 2 to Senate Bill 761, the Ayes have it. Amendment No. 2 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 910, Senator Marovitz. Read the bill, Mr. Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Marovitz.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. Amendment No. 2 to Senate Bill 910 removes Department of...Financial Institution hearings procedure and removes their jurisdiction over acquisitions...bank acquisitions, but the department can block acquisitions...I'm sorry, cannot block acquisitions...the department can block acquisitions if the hearing shows negligence. I would ask for the adoption of Amendment No. 2.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Marovitz moves the adoption of Amendment No. 2 to Senate Bill 910. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 2 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 1144, Senator Marovitz. Read the bill, Mr. Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Marovitz.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. Having voted on the prevailing side, I would now move to reconsider the vote by which Amendment No. 1 to Senate Bill 1144 was adopted.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Marovitz moves the adoption of Amendment No. 1 to Senate Bill 1144. Those in favor indicate by say Aye. Senator Marovitz, having voted on the prevailing side, moves to reconsider the vote by which Amendment No. 1 was adopted. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. The vote is now reconsidered. Now those...Senator Marovitz moves to Table Amendment No. 1 to Senate Bill 1144. Those in favor will vote Aye...or signify by saying Aye. Those opposed. The Ayes have it. The motion carries. Amendment No. 1 is Tabled. Further amendments?

SECRETARY:

Amendment No. 2 offered by Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. Amendment No. 2 to Senate Bill 1144 makes it clear that the bill applies only to noncommercial accounts, again, adds definitions, extends notification periods, removes all criminal penalties and sets a standard form for disclosure. I would ask for the adoption of Amendment No. 2 to Senate Bill 1144.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Marovitz moves the adoption of Amendment No. 2 to Senate Bill 1144. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 2 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 1153, Senator Barkhausen. Read the bill, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Barkhausen.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President, I would ask that this bill be taken back from 3rd reading to 2nd for purposes of an amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

It is on recall.

SENATOR BARKHAUSEN:

Okay. The amendment is agreed upon by both sides. It's to take out a...an authorization for a small tax to get the operations of a joint municipal water action agency underway. It's our feeling that that tax is not needed and so this deletes the taxing authority. It's been discussed with the other side of the aisle and, as I say, it's agreed upon.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question...Senator Barkhausen moves the adoption of Amendment No. 1 to Senate Bill 1153. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill...to satisfy a technical requirement, I would at this time indicate that Senate Bills 1260, 1262, 1276, 1279 and 1286 be brought back to the Order of 2nd Reading for purposes of an amendment. We will remove 1276. Senator Kustra does not want that bill recalled. The other four bills will be recalled to the Order of 2nd Reading for purposes of amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading, Senate Bill 1260, Senator Donahue. Read the bill, Mr. Secretary.

SECRETARY:

Amendment No. 4 offered by Senator Donahue.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President. This amendment...there was an error made in the first one and we are deleting the number twenty-five thousand dollars to twenty-five hundred dollars. I would move for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Donahue moves the adoption of Amendment No. 4 to Senate Bill 1260. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 4 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 1262, Senator Rock. Senator Keats. Senate Bill 1279, Senator Kustra. Read the bill, Mr. Secretary.

SECRETARY:

Amendment No. 3 offered by Senator Kustra.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President. Amendment No. 3 was requested by the Secretary of State upon the advice of the auditor...the Audit Commission, and basically it adds one member...citizen to the State Library Advisory Committee. I would move for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Kustra moves the adoption of Amendment No. 3 to Senate Bill 1279. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 3 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 1268, Senator Barkhausen. So at this time, we have concluded our recall Calendar...I'm sorry, Senator Barkhausen. Read the bill, Mr. Secretary, on 1286.

SECRETARY:

Amendment No. 1 offered by Senator Marovitz.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. Amendment No. 1 to Senate Bill 1286 corrects a problem that was brought out in committee...in the Judiciary Committee regarding these very important bills and that is the knowledge of the individual who possesses...child pornography or something that is alleged to be child pornography, and we are putting in a standard term in here that the individual knows or reasonably should know that it's child pornography; and this is...this is because of the age question in regards to the paraphernalia, and I would ask the adoption of Amendment No. 1 to Senate Bill 1286.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Marovitz moves the adoption of Amendment No. 1 to Senate Bill 1286. Those in favor will indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments? Any further amendments, Mr. Secretary?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

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

SENATOR VADALABENE:

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

PRESIDING OFFICER: (SENATOR SAVICKAS)

State your point.

SENATOR VADALABENE:

Bev, this is Sam. About three days ago I noticed that you were absent and...when you returned, I walked past your desk several times and I seen a red carnation and a white ribbon. Now, I've been loyal to you and I want to know...I think this body and I need an explanation of what happened.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Fawell.

SENATOR FAWELL:

Sam, I ain't talking.

PRESIDING OFFICER: (SENATOR SAVICKAS)

There's your explanation. On the Order of Senate Bills 2nd Reading, on the recall sheet, Senate Bill 1262, Senator Keats. Read the bill, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senators Rock and Keats.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Keats.

SENATOR KEATS:

Thank you, Mr. President. This is the amendment that I forgot to have on the bill yesterday. It's an agreed...amendment and we'd appreciate...vote Aye.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Keats moves the adoption of Amendment No. 1 to Senate Bill 1262. Those in favor will indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. That concludes our recall sheet...our first recall sheet of today. We will now go to the Order of Senate Bills 2nd Reading. We will proceed to the Order of Senate Bills 2nd Reading, starting on page 2. Senator Kustra for what purpose do you arise...I mean, Senator Dudycz.

SENATOR DUDY CZ:

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

PRESIDING OFFICER: (SENATOR SAVICKAS)

State your point.

SENATOR DUDY CZ:

In the gallery above this morning, we have some special guests from my district. We have the students and faculty from the Pennoyer School. I'd like to have our guests stand and be recognized.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Would they stand and be recognized. Ladies and gentlemen, we are on Senate bills 2nd reading. If you...can see the stack of amendments that are on the Secretary's Desk, due to the volume of work, if you do not call your bill at this point, there is serious question we will...whether we

will get back to the Order of 2nd Reading. I would suggest at this time that you be in your seats, watch as your bill comes up and be prepared to defend or propose your amendment. Senator Netsch, for what purpose do you arise?

SENATOR NETSCH:

Thank you. To address an inquiry. There are some of us, I am sure, who have bills that we have been leaving on 2nd reading. There are amendments which are not yet worked out. Is it better than you are suggesting to move the bill to 3rd, and...and early next week when the amendments are done to put them on the recall list rather than leaving them on 2nd reading? I was prepared to do that with several bills of my own today.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Technically, I would suggest that would be the best procedure because we do go to recalls at any time.

SENATOR NETSCH:

Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

I would suggest...and we do have...Senators, we do have a problem. We have bills on 2nd reading that the amendments have not been drafted yet. I think it would be to our interest to announce, that if that is your intention to amend the bill when the bill is called. Senator Schuneman, for what purpose do you arise?

SENATOR SCHUNEMAN:

A...a question on that same point, Mr. President. I have a bill on the recall list this morning. The amendment was supposed to be here. It hasn't materialized...okay, the clerk...or the Secretary says, wait till the next day? Is that...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Yes.

SENATOR SCHUNEMAN:

Okay. All right...

PRESIDING OFFICER: (SENATOR SAVICKAS)

We have similar problems...there's quite a few of us. (Machine cutoff)...there any questions at this point? If not, we will proceed to the Order of Senate Bills 2nd Reading, on the top of page 2...on the top of page 2 with Senate Bill 14, Senator D'Arco. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 14.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 15, Senator D'Arco. Read...oh, that's an appropriation, Senator. Senate Bill 42, Senator Topinka. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 42.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Topinka.

SENATOR TOPINKA:

Yes, the committee amendment, Mr. President and Ladies and Gentlemen of the Senate, basically adds coaches, parents and the affected student into the decision-making process for outside sports.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Discussion? If not, Senator

Topinka moves the adoption of Committee Amendment No. 1?

SECRETARY:

Umum.

PRESIDING OFFICER: (SENATOR SAVICKAS)

...to Senate Bill 42. Those in favor indicate by saying Aye. Those opposed? The Ayes have it. Amendment No. 1 is adopted. Any further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 57, Senator Marovitz. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 57.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Marovitz.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. Amendment No. 1 to Senate Bill 57 clarifies the salary structure for which pension contributions will be allowed, and I would ask for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Marovitz moves the adoption of Amendment No. 1 to Senate Bill 57. Those in

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

SECRETARY:

Amendment No. 2 offered by Senator Collins and Chew.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins. Amendment No. 2 to Senate Bill 57.

SENATOR COLLINS:

Yes, thank you, Mr. President and members of the Senate. Amendment No. 2...I circulated it yesterday, I think, or day before, and...and what it simply does...I'm sure that all of you know about the problems that...that we're having in reference to this country supporting and investment...investing in South Africa, and what this amendment does...it is a prospective amendment and it just simply says that, "Notwithstanding any other provisions of the law, any increase in contributions of pension funds or retirement system resulting from this amendatory Act may not be invested in any firm...form, corporation, agency, association, bank or financial institution or any stocks, security or any other obligations which invest in any ownership, interest, property or have an outstanding loan to the Republic of South Africa," and I would move for a favorable adoption of Amendment No. 2.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Keats.

SENATOR KEATS:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I'd...I'm not really rising in opposition to the amendment. I mean, you put enough of these amendments on all these pension bills, we could kill all these goofy pension bills that have been expanding pension things. This may solve a problem, let's put this on all the expanding pension bills.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Rupp.

SENATOR RUPP:

Thank you...thank you, Mr. President. I want to make sure...this is the divestiture procedure that we have talked about?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

I...I'm sorry, I was detained...the...the strike did what...what was the question?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rupp.

SENATOR RUPP:

Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Could we have a little order here. Break up these conferences on the Floor. Senator Rupp.

SENATOR RUPP:

Thank you. Is this the divestiture movement that we're talking about?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

Senator, there are some divestiture bills here, but this is prospective. This is for any future.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rupp.

SENATOR RUPP:

You know, but this is a divestiture amendment, and because of that, I do rise in opposition to it. There's no...there isn't a soul on this Floor, Senator Collins, who does not feel for the problem in South Africa. Every one of us does. Every one of us has that feeling for it. I just happen to oppose this particular procedure for getting the job done...and then one other question, if I might, Mr.

President. Is this for the Chicago Teachers' System only?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

No.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rupp.

SENATOR RUPP:

...thank you. I would like to just reaffirm the opposition to this particular amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Marovitz.

SENATOR MAROVITZ:

A point of order.

PRESIDING OFFICER: (SENATOR SAVICKAS)

State your point.

SENATOR MAROVITZ:

...I think I'd like to correct something. The bill amends the Chicago Teachers' Retirement Article, so if the amendment would either have to be amending that specific article, in answer to Senator Rupp's question, it does not amend all teacher pensions. It only applies to the Chicago Teacher Pension Article because that is what the bill applies to.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Jones.

SENATOR JONES:

Thank you, Mr. President. I rise in support of the amendment of Senator Collins and as it relates to all...to pension funds. We are not...this...even though this amendment only deals with the Chicago Teachers' Pension Fund, it is the intent to deal with all pension funds as it relates to their investments and corporations that's doing business in South Africa. I...my esteemed colleague, the minority

spokesman on the Insurance Committee, I respect his opinion; however, we do have a situation in that country wherein people are constantly being harassed, killed, they're not even considered a citizen...citizens; and for this General Assembly to continue to use our tax dollars to help support a racists regime, I think every member in this Body who will...who...who...who is concerned about the rights of the people would support this amendment. We've seen what has happened far as the holocaust was concerned. We, in this country or in the State of Illinois, should not be part and parcel to that happening again. If we continue to support with our dollars a regime...the only regime on the face of this earth today that does not even grant citizenship to all its people, then we are just as guilty as the apartheid government in South Africa. Every member in this Body should stand up and stand not only to say you sympathize but being in strong support. We don't want our dollars in South Africa and if you are really concerned...don't just be concerned that...saying that I sympathize with you, but we going to continue to prop the government up. I...I wonder what happened when this country...was in the Second World War and when we had to fight Germany and all the atrocities that took place there. Did we continue to support those companies? No, we did not. So, stand up and support this amendment as good Illinois citizens and let's get our money out of South Africa because it shouldn't be there.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Well, thank you, Mr. President. We heard testimony on...on this bill in committee and the testimony was quite complete, and I think if there ever was a case of cutting off your nose to spite your face, this is it. Nobody in this General Assembly condones the apartheid practices of South

Africa. The fact of the matter is that most of the companies, many of the major companies that...whose investments have been made in South Africa, that is the pension funds have been invested in those companies, many of those major companies subscribe to the Sullivan Principles which are a set of principles in...in...South Africa which are intended to bring about some of the reforms that the sponsors of this amendment want. It seems to me that what we're doing by means of this amendment is trying to attack the very companies that are trying to do something about solving the problem. The other issue you have to look at is what we have done in other ways, in our own lives, about boycotting some of the companies who are involved in South Africa. Do we...really want to take a crack at Caterpillar Tractor Company? Do we really want to take a crack at General Motors? What kind of cars do we drive? There are a lot of points that should be made on this bill. I think...I think the amendment is a bad idea. I think most everybody understands what it is. We sympathize with...with the reasons that it has been brought forward. I happen to think that this action is wrong, and I urge defeat of the amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Before we go to the speakers for the second time, we have Senator Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I support this and I'll just tell you why. We cannot stand in good conscience to sanction any of the things that's going on...what did we do against Nicaragua? What are we doing elsewhere? The thing...the principle of the thing...if this is the government of the people, by the people and for the people, this is America, we should live up to our philosophy that we teach. Now, it's...fine to say that you sympathize, but the point is, when you cut off that

long green with a short future, it brings people to the realization that you mean business. This simply says that we should not be condoning...I realize that you sympathize, this is like sympathizing with anyone, sympathizing with a person who's hungry. I sympathize with you but I will not give you any bread. The point is that this country should be treated and dealt with, and I would hope that we would see an adoption of this amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch.

SENATOR NETSCH:

...thank you, Mr. President. I rise in support of the amendment. I think this is an issue that has troubled a great many of us on a variety of grounds. One is the abhorrence at what is happening in South Africa and the deep feeling that we must do something to make a statement and to help bring about pressure in one way or another. There obviously can be a dispute about what is the most appropriate way to do that, and I'm aware of the Sullivan Agreement and the fact that in the past, I think, a number of...even of South Africans have said that we...this was not the appropriate way to...express our protest. I think that probably is beginning to change even among the South Africans, and I would have to say, I am more concerned what they think will be effective and helpful in terms of ending apartheid than what we, sitting over here, may think is so. But I would point out to everyone, I think that it has been said but it needs to be said again, that if you believe that it is appropriate to make a statement, a moral statement, about the apartheid in South Africa, this amendment is a much more desirable way to do it than some of the other bills that are pending. This does not require divestment of...of those investments that are already in the pension funds, which I know is the other side of the equation and which troubles some of you in terms

of the financial health of those pension systems. What this says is that from this day forward, those systems...or in this case, one system and I assume the same amendment will be made with respect to others, will...the investment will not be made in those companies that are, in fact, have a strong presence in South Africa. It seems to me that it is an appropriate way to make that statement and in a much more...or a much less troublesome way of making it than perhaps the divestment bills themselves.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Before we go back to those that's sought recognition for the second time, we do have Senator Berman and Senator Rock yet for the first time. Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. When these bills or similar bills were debated in the Insurance and Pensions Committee, there were a lot of pensioners that had come down as well as representatives of organizations that were in support of this amendment; the pensioners, of course, were in opposition to it. It is a very troublesome issue, troublesome from the point of protecting what...what pensioners perceived to be a threat to the security of their funds. I think, however, I have come down on the side of what Senator Netsch has talked about, that a statement must be made regarding our position. You can't always turn the other cheek. You can't always look the other way. This is not as dramatic as the bills introduced by Senator Jones or the bills being handled by Representative Braun which go substantially further, but I think it's important for this Body to take a position in support of the people that are being grossly discriminated. To use the word discrimination just doesn't even do...isn't a fair description of what I perceive is going on in the country of South Africa. It is...it verges on these headlines where we see every day, deaths,...abductions,...total denial of...of

anything that even resembles human rights as we perceive it, and I think that it's important for us to make a statement. On the financial point of view, I think this is a mild statement. It certainly is nothing that I think should cause any pensioner any sleepless nights at all. We're talking about prospective...application only and only of funds that are put into this pension fund pursuant to this particular bill, and I will ask on the record, Senator Collins, you can just nod your head and I'll record it accordingly, is that the way this amendment would work, prospective only and only for the funds added pursuant to this amendment?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Just nod your head, Senator.

SENATOR BERNAN:

She's indicated, for the record, yes. I think that that's something that does not undercut the pension by any means, but it does speak for us who are concerned about what's going on in South Africa. I intend to support the amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

For what purpose Senator Rupp arise?

SENATOR RUPP:

Thank you, Mr. President. I would like to have a copy of the amendment distributed. We have not received it. We're talking about it and I'm...I would think that it would be appropriate that everyone...since it is this question, everyone have a chance to look at it. I suggest that the bill be held or pulled off the record for a few minutes.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Are you joined by four other Senators? Senator Collins, for what purpose do you arise?

SENATOR COLLINS:

This amendment was distributed yesterday and...and similar amendments to other pension bills.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator, there are...Senator Rupp is within his rights. He has been joined by four other Senators and I would suggest that we take it out of the record at this point. Senator Collins. Senator Marovitz.

SENATOR MAROVITZ:

I mean, it's nice that you would give Senator Collins leave, but it happens to be my...

PRESIDING OFFICER: (SENATOR SAVICKAS)

No, she wasn't granted leave, she was granted recognition. She was talking over there.

SENATOR MAROVITZ:

Okay. I'd like to know what the posture will be if you...it's okay with me if we take it out of the record and get back to it, that's fine. If you want to move it to 3rd and bring it back to 2nd since the...my amendment, Amendment No. 1, was adopted, that's fine too, as long as...if we're...if we're going to take it out of the record, we will get back to it today.

PRESIDING OFFICER: (SENATOR SAVICKAS)

I would...I would suggest to expedite it that we adopt...your amendment has been adopted, we move it to 3rd, you can put it on the recall sheet for purpose of further amendments.

SENATOR MAROVITZ:

Fine. Fine.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Otherwise, we may not get back to it.

SENATOR MAROVITZ:

Fine, I'll move it to 3rd reading then and we'll move it back when the amendment is distributed.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins, for what purpose do you arise?

SENATOR COLLINS:

AB 91
2nd Reading

And I do have a commitment from the sponsor that he will take the bill back to 2nd reading for the purpose of this amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

Well, I...I said that and I'll put it on the recall list and bring it back to 2nd reading so this amendment can be considered.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further amendments? 3rd reading. Senate Bill 62, Senator Dawson. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 62.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 91, Senator Marovitz. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 91.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

This bill has had probably as many meetings as...as I've been in...involved with. There are...there is another amendment, Amendment No. 2, which is going to be coming down the

pike which is the result of agreement, I hope, of all parties and which should be done by...by Monday and prepared by Monday. So at this time, what I would like to do since Amendment No. 1 will not be on the bill and will not be the...the legislation, having voted on the prevailing side, I would now move to reconsider the vote by which Amendment No. 1 to Senate Bill 91 was adopted.

PRESIDING OFFICER: (SENATOR SAVICKAS)

You don't...Senator, you just move to Table it. You don't have to move to reconsider. Senator Marovitz.

SENATOR MAROVITZ:

I will make that motion but I want to state to the Body that this bill is going to be coming back on 2nd reading with an agreed amendment, so anybody who thinks that the bill is moving to 3rd and that's the way the bill is going to be, don't fret yourself, that's not what's going to happen. The bill is coming back to 2nd, on my commitment, and there will be an agreed amendment. I would now move to Table Amendment No. 1 to Senate Bill 91.

PRESIDING OFFICER: (SENATOR SAVICKAS)

You've heard the motion by Senator Marovitz. Any discussion? If not,...is leave granted? Leave is granted. Senate...Senator, on Senate Bill 91, Amendment No. 1 is Tabled. Any further amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 101, Senator Hall. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 101.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senate Bill 103, Senator Bloom. Senate...Senate Bill 101, Senator, we marked it 3rd reading. Senate Bill 103, Senator Bloom. Senate Bill 110, Senator Bloom. Senate Bill 112, Senator Joyce. Read the bill, Mr. Secretary.

END OF REEL

REEL #2

SECRETARY:

(Machine cutoff)...Bill 112.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No...no Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 114, Senator Joyce. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 114.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Joyce.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SECRETARY:

Jerome Joyce.

SENATOR JEROME JOYCE:

Thank you, Mr. President. This amendment brings the program into line with the agreement worked out between the EPA and the State Fire Marshal. It also insures cooperation between these two agencies and makes the EPA responsible for cleanups and exempts tanks used for agricultural purposes which hold motor fuel. And I'd move for its adoption.

SB 110
2nd Reading

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Joyce moves the adoption of Amendment No. 1 to Senate Bill 114. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. With leave of the Body, we'll go back to Senate Bill 103 for Senator Bloom. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 103.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Bloom.

SENATOR BLOOM:

Thank you, Mr. President, fellow Senators. This amendment works out the language on posting requirements of the Health Finance Reform Act. It was achieved basically through some negotiations and the agreement of both the Illinois Hospital Association, and although it did not include Senator DeAngelis, they agreed to it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Bloom moves the adoption of Amendment No. 1 to Senate Bill 103. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 110, Senator Bloom. Read the

bill, Mr. Secretary.

SECRETARY:

(Machine cutoff)...Bill 110.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Bloom.

SENATOR BLOOM:

Thank you, Mr. President, fellow Senators. The committee amendment redefine the nature and extent of the Commerce Commission's jurisdiction. It was worked out in conjunction with the Illinois Manufacturer's Association and some utilities. I move its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Bloom moves the adoption of Amendment No. 1 to Senate Bill 110. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by...or 2 offered by Senator Bloom.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Bloom.

SENATOR BLOOM:

Thank you, Mr. President, fellow Senators. I got this amendment in the context of a natural gas purchasing cooperative which we are attempting to do in central Illinois with...in concert with the Citizens' Utility Board. This

would provide that the State could guarantee...or at least provide for the financial responsibility of such a cooperative. I'll answer any questions; otherwise, seek its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Bloom moves the adoption of Amendment No...2 to Senate Bill 110. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 2 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 119, Senator Lemke. Read the bill, Mr. Secretary.

SECRETARY:

(Machine cutoff)...Bill 119.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 126, Senator Collins. Senator Collins,...read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 126.

(Secretary reads title of bill)

2nd reading of the bill. Committee on Insurance, Pensions and Licensed Activities offers three amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

Yes, thank you, Mr. President. I move to Table Committee

Amendments No. 1, 2 and 3.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins moves to Table Committee Amendments 1, 2 and 3. Is there discussion? If not, those in favor of her motion indicate by saying Aye. Those opposed. The Ayes have it. Committee Amendments 1, 2 and 3 are Tabled. Senator Collins...or further amendments, Mr. Secretary?

SECRETARY:

No...no further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

Amendment No. 4 offered by Senator Schuneman.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman.

SECRETARY:

No, let's...no. Senator Collins. We'll take yours.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

Yes, thank you, Mr. President. Amendment...Floor Amendment No...Amendment No. 4 deletes everything after the enacting clause; however, it does not make any real substantive changes in the bill with the exception...of those objections raised by several of the Senators on the Floor in reference to the Home Repair Act being Statewide. What we've done to respond to those objectives is to make the bill apply to Cook County but allowing other counties to opt in. The other thing we...we...we've done is to provide a...a threshold of five thousand dollars...cumulative five thousand dollars before one is required to register, and I would move for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Collins moves the

adoption of Amendment No. 4 to Senate Bill 126. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 4 is adopted. Any further amendments?

SECRETARY:

Amendment No. 5 offered by Senator Schuneman.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. This is the bill that would require registration of home repair people in Illinois. I made the argument in committee and I have with the sponsor consistently that there's no need for this bill in downstate Illinois, and what I'm...what my amendment does is allow county boards and municipalities to opt out of this law. I would offer Amendment No. 5.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Collins.

SENATOR COLLINS:

Yeah. Senator Schuneman, my floor amendment just did exactly that...I...I responded to...it was...respond to your objections.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman.

SENATOR SCHUNEMAN:

Under those circumstances, I would...withdraw the amendment, Mr. President.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Leave granted? Leave is granted. Senator Demuzio.

SENATOR DEMUZIO:

Well, thank you, Mr. President. I was off the floor but I just handed the copy of the amendment. It only applies to the City of Chicago and does not apply downstate as the sponsor indicated. Is that correct?

PRESIDING OFFICER: (SENATOR SAVICKAS)

SB 171
2nd Reading

She indicates it is.

SENATOR DEMUZIO:

All right. With that, I have no objection to the amendment. I don't intend to support the bill, but I don't have any objections to the amendment either.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 138, Senator Netsch. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 138.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 171, Senator Netsch. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 171.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. There will be an additional amendment to this bill subsequently, but I will take care of the committee amendment at the present time. The committee

amendment deals with the date of the effective applicability of the gubernatorial public partial financing bill and would apply it to...first to the 1990 election. It makes it clear that the money can start accumulating prior to that so that the fund will have ample money available in it by that date. I would move the adoption of Amendment No. 1 to Senate Bill 171.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Any discussion? If not, Senator Netsch has moved the adoption of Amendment No. 1 to Senate Bill 171. Those in favor will signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 179, Senator Karpel. 179. On the Order of Senate Bills 2nd Reading is Senate Bill 179. Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 179.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Karpel.

SENATOR KARPIEL:

I believe Amendment No. 1 was put on in committee.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, we don't adopt amendments in committee...committee

amendment has to be adopted on the Floor. Senator Karpziel.

SENATOR KARPIEL:

...Amendment No. 1 that was, I thought, put out in committee but agreed to in committee rewrote the bill and took out the entire part about closed-circuit television and all that type of thing. And what the Amendment No. 1 does basically it says that, "If a court ordered psychologist and psychiatrist determines that a particular child is too traumatized and intimidated to...to testify in court that a videotape can be made and a videotape is made then in court...in court type of circumstances with the judge, the prosecuting attorneys, the defendant, the defense attorneys cross examining them and that tape then can be shown in court. That was Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Karpziel has moved the adoption of Committee Amendment No. 1 to Senate Bill 179. Is there any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Any further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Amendment No. 2 offered by Senator Karpziel.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Karpziel.

SENATOR KARPIEL:

All right. Amendment No. 2 makes some changes that were requested by the committee. It changes a "shall" to a "may," and it specifies that this videotape shall be sealed after the trial and all appellate proceedings have been concluded, and I ask for your...for adoption of Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Karpziel has moved the adoption of Amendment No. 2 to Senate Bill 179. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 202, Senator Marovitz. Mr. Secretary, Senate Bill 202, read the bill.

SECRETARY:

Senate Bill 202.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Just a correction. This is the Committee on Judiciary, not the Committee on Executive. All these bills were transferred to Judiciary.

SECRETARY:

Went to Executive but you are right, it was rereferred to...

SENATOR MAROVITZ:

No problem.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Amendment No. 1 to Senate Bill 202, this is the first in the gang crime package sponsored by myself and Senator Sangmeister, as well as a host of others from both sides of the aisle. Amendment No. 1 deletes everything after the enacting clause and provides for a Statewide juvenile alcohol

and substance abuse education and prevention program. It requires DASA to assist in the development and support of local prevention programs, and DASA is to provide programs to assist teachers in providing alcohol and substance abuse education, and DASA also must provide technical and financial assistance to local governments and community organizations to establish these programs. I'd ask for the adoption of Amendment No. 1 to Senate Bill 202.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz has moved the adoption of Committee Amendment No. 1 to Senate Bill 202. Is there any discussion? If not, those in favor will signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 204, Senator Marovitz. On the Order of Senate Bills 2nd Reading is Senate Bill 204, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 204.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President, members of the Senate. Committee Amendment No. 1 to Senate Bill 204 clari-

SB 207
3rd Reading

fies that the school zone is one thousand feet beyond the school grounds, as the other gang crime bills, and I would ask for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz has moved the adoption of Committee Amendment No. 1 to Senate Bill 204. Any discussion? If not, those in favor signify 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 Marovitz.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President, members of the Senate. This bill...this is the automatic transfer bill for...sale of controlled substances on school grounds. We have taken possession out of the bill, so it now just applies to manufacture or delivery of controlled substances on school grounds, and I would ask for the adoption of Amendment No. 2 to Senate Bill 204.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz has moved the adoption of Amendment No. 2 to Senate Bill 204. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 207, Senator Marovitz. On the

Order of...Senate Bills 2nd Reading, Senate Bill 207, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 207.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 208, Senator Marovitz. On the...on the Order of Senate Bills 2nd Reading is Senate Bill 208, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 208.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President. I would now move to Table committee...Committee Amendment No. 1 to Senate Bill 208.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Marovitz has moved to Table Committee Amendment No. 1. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is Tabled. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Amendment No. 2 offered by Senator Marovitz.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President, members of the Senate. Amendment No. 2 to Senate Bill 208 puts in the one thousand feet school zone and also eliminates cannabis from the purview of the legislation and makes delivery of firearms or controlled substances a...by an adult a Class X felony.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz has moved the adoption of Amendment No. 2 to Senate Bill...208. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 209. Mr. Secretary, Senate Bill 209, on the Order of 2nd Reading, read the bill.

SECRETARY:

Senate Bill 209.

(Secretary reads title of bill)

2nd reading of the bill. The bill was in Executive, was rereferred to Judiciary II. Amendment No. 1 offered by Judiciary II.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. This is the last of the gang crime bills. Senate Bill 209 provides the programs to help juveniles at the local level. It authorizes income tax deductions...one hundred percent of the cost for local programs that go to help juve-

nile crime and prevent juvenile crime, puts a five million dollar cap on those deductions and authorizes DCCA to make grants of fifty thousand dollars apiece for local...local gang prevention programs. I would ask for the adoption of Amendment No. 1 to Senate Bill 209.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz has moved the adoption of Committee Amendment No. 1 to Senate Bill 209. Any discussion? If not, those in favor will signify 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 Marovitz.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz...Marovitz.

SENATOR MAROVITZ:

Thank you, very much. Amendment No. 2 to Senate Bill 209 is a purely technical amendment correcting a typographical error in the word "include" to "includes."

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz has moved the adoption of Amendment No. 2 to Senate Bill 209. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Top of page 4, Senate Bill 220...Senator Marovitz. Senator Marovitz, on Senate Bill 220 the Secretary has a request for a fiscal note that has not been...has not

been met. Senator Marovitz.

SENATOR MAROVITZ:

I've never...I didn't know about any request for a fiscal note. How...how are we as sponsors to know when someone...requests a fiscal note? It's the first I hear about it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well,...well, we have operated under...is that the person who has made the request for the fiscal note is the person who is responsible for notifying the sponsor of the...of the bill. Senator Marovitz.

SENATOR MAROVITZ:

I...I was never informed about a fiscal note...on this, never informed. What I would like to do is move the...adopt the amendment, move the bill to 3rd and hold the bill on 3rd, and provide a fiscal note to whomever requested it. At this moment, I don't even know who that was.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator Donahue is the person who requested the...the fiscal note. Have you heard the request, Senator Donahue? Senator Rock, for what purpose do you arise?

SENATOR ROCK:

Thank you. We will have another opportunity next week. I think it's important that the...the law be complied with. The Secretary is by...Statute not allowed to move the bill as long as there is a request for a fiscal note been filed. Now, unfortunately, we weren't notified; otherwise, we would of solved the problem. There will be an opportunity next week because I have asked that the malpractice bills be held in an attempt to effect the compromise over the weekend. So we'll get back to 2nd reading.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz, take it out of the record?

SENATOR MAROVITZ:

*SB 242
2nd Reading*

Take it out of the record.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Take it out of the record. Senate Bill 242, Senator Maitland. Mr. Secretary, Senate Bill 242, read the bill.

SECRETARY:

Senate Bill 242.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 253, Senator Karpel. Mr. Secretary, Senate Bill 253, read the bill.

SECRETARY:

Senate Bill 253.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Fawell.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Fawell. Senator Fawell, Amendment No. 1.

SENATOR FAWELL:

Thank you, very much, Mr. President. What this amendment does is add the words "or its equivalent." Basically what we're talking about is in gym classes right now it's mandatory that they have them every single day. I am not talking, by any shade of the imagination, and I want this for the record, that there will be less gym. I am merely saying that instead there should be some flexibility allowed to the school districts so that if they want to offer an hour of gym

on Tuesday and...and...and none on Wednesday, that should be allowed for the simple reason that a better course can be offered in some cases.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Fawell has moved the adoption of Amendment No. 1 to Senate Bill 253. Any discussion? Senator Zito.

SENATOR ZITO:

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Zito has moved to Table Amendment No. 1 to Senate Bill 253. Those in favor will indicate by saying Aye. Opposed Nay. In the opinion of the Chair, the Nays have it. Senator Zito has requested a roll call. Senator Zito has requested a roll call. Senator DeAngelis, for what purpose do you arise?

SENATOR DeANGELIS:

Thank you, Mr...for purposes of edification. Could we please find out what's going on?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator Fawell has made a motion to adopt Amendment No. 1 to Senate Bill 253. Senator Zito has made a motion to Table which is not debatable, and that is the position we are in at the moment. Senator DeAngelis.

SENATOR DeANGELIS:

Well, then, on a point of personal privilege. I've been in the Senate for six years, and until recently we've allowed everybody the courtesy of having their amendment heard. And I would like to ask Senator Zito to withdraw it, because I think that the ability to do whatever you have to do is better accomplished if...if you just go and vote on the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Zito, what purpose do you arise?

SENATOR ZITO:

Mr. President, it's my understanding that a motion to Table is nondebatable.

PRESIDING OFFICER: (SENATOR DEMUZIO)

That is...under our rules, that is correct. Senator DeAngelis.

SENATOR DeANGELIS:

With all due respect to my good friend and colleague, I'm not debating and I'm just asking if you would consider withdrawing it and allow the sponsor the courtesy of going through and...running her amendment.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Zito.

SENATOR ZITO:

I've not seen the amendment. Can we ask the Secretary if it's been distributed?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, we do not...the Secretary does not distribute the amendment, that if you are in fact joined by five...four members, the amendment, in fact, can be distributed. All right. Senator Zito, will you withdraw your motion then until we...all right. Senator Zito...is withdrawing his motion...to Table. We're going to take the bill out of the record and ask that it...the amendment be distributed. Is that correct, Senator Fawell? Senator Fawell.

SENATOR FAWELL:

I ask that the...the amendment be Tabled...I mean, the motion be Tabled right now and I will distribute the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, I think your request is that you...you wish to have the bill taken out of the record.

SENATOR FAWELL:

Thank you. I wish to have the bill taken out of the record.

AB 258
2nd Reading

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, I...I beg your pardon. I...I've been corrected myself. It is not your bill. You wish to have the amendment distributed; therefore, it's up to Senator Karpel. Senator Karpel.

SENATOR KARPIEL:

Yes, I was hoping somebody would get back to me eventually. I would like to take the bill out of the record and have both committee...I mean, both Amendments 1 and 2 distributed.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. With leave of the Body, we'll take it out of the record. Take it out of the record. (Machine cut-off)...Bill 258, Senator Netsch. On the Order of Senate Bills 2nd Reading is Senate Bill 258. Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 258.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senators Netsch and Etheredge.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. The amendment, which is offered jointly by the minority spokesman and myself as chairman of the committee, to this bill which is a committee bill, incorporates the recommendations of the Senior Citizens' Subcommittee and the Committee on Revenue with respect to changes that ought to be made in senior citizen tax relief for this year's Session. It is an amendment to the circuit

breaker bill and what it does is to increase the income limit from twelve thousand to fourteen thousand dollars per year. It is currently twelve thousand, this would make it...I'm sorry, fourteen thousand and it also reduces the...delete...income deletion or subtraction, if you will, that is part of the formula from five percent to four and a half percent. The total cost of this bill is in the neighborhood of ten million dollars which is well within the amount that is already set aside in the Governor's budget for senior citizen tax relief. We discovered that there has been a...a very serious decline in both the number of participants and also in the amount of annual appropriation. We suspect some of that is the effect of the limits which have not been modified for about four or five years now, that it is driving more seniors off of eligibility for the circuit breaker. We think this revised...increase in the...in the standards is absolutely justified and indeed overdue and is quite reasonable and, again, will bring the total amount within the requested appropriation that the Governor's Office had proposed. I would be happy to answer any questions; if not, I would move the adoption of committee...I'm sorry, not of committee, of Amendment No. 1 on behalf of Senator Etheredge and myself to Senate Bill 258.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Any discussion? Senator Netsch has moved the adoption of Amendment No. 1 to Senate Bill 258. Those in favor will signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

Amendment No. 2 offered by Senators Netsch and Etheredge.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SECRETARY:

It's effective date.

SENATOR NETSCH:

Senator Etheredge will explain this one.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch has yielded to Senator Etheredge. Senator Etheredge.

SENATOR ETHEREDGE:

This is the amendment which establishes the effective date of January 1, 1986.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge...you've heard...any discussion? Senator Etheredge has moved the adoption of Amendment No. 2 to Senate Bill 258. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

Amendment No. 3 offered by Senator Sangmeister.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sangmeister.

SENATOR SANGMEISTER:

Thank you, Mr. President, members of the Senate. As long as we're sending out a committee bill on circuit breakers, I have filed this amendment for your consideration. I don't know how many of you, of course...I would presume many of you have received calls from your senior citizens about wanting property tax relief, and then you would indicate to them, well, you know we have the circuit breaker and that's your property tax relief; and the invariable answer is, well, you know, that's a check we're entitled to from the State, that's got nothing to do with property taxes and do not relate to it. What this amendment would do would be to send...instead of the check going to the senior...instead of the check going directly to the senior citizen, it would go to the county treasurer and he would then deduct it from their tax bill. So once and for all, the senior citizen

could see clearly that this State has in fact thought about their problems and their high real estate taxes and deducts it right off of the bill. And the amendment calls for the county treasurer to notify them that that is what he is doing. In addition, I would think it would be maybe a little bit of forced saving for our senior citizens due to the fact that when they do get the check they may spend it on some other item and then when it comes...comes time to pay the tax bill, of course, the funds aren't there. I think it's a good idea and I think once and for all it will show to our seniors that, yes, this is property tax relief and it has been taken off your tax bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Any discussion? Senator...Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President. I think Senator Sangmeister has...has explained this amendment very well, but I think it's...it's worthwhile reiterating one of the points...which he has made. I...I...I think that what is being proposed here is...is a very interesting suggestion and it's perhaps the way that we should have gone from the very beginning, but I want to caution everyone that the implementation of this amendment does...what this means. It means that a check which certain of our senior citizens have been receiving in the past will no longer be received. There...I'm afraid that one of the things that's going to happen here is that you will be getting calls from your constituents saying, where's my check...you've taken that away from me, I used to get it and I don't get it anymore. I think that that may be one of the unfortunate consequences of the implementation of this...this amendment. As I said at the beginning, I think it's...it's not...if...if we had done it this way from the beginning, it's probably the way we should have gone, but...but we didn't do that.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Rock. Senator Rupp, you'll be delighted to know that the President is back. Senator Rock.

SENATOR ROCK:

Thank you, Mr. President. I apologize, I was on the phone with the other House. I'm not enthused about Amendment No. 3, this being the first time I have seen it, because I think it lends itself truly to some real possibility of misunderstanding. For those senior citizens who own their homes as opposed to those who rent, they will after having received a check for some years running all of a sudden not receive a check and the hue and cry will go up, why not. And we will spend a good deal of time, it seems to me, wandering around our respective districts saying, but don't you understand what we did for you, we took it right off your property tax.

Well, the idea probably is a noble one, but I have spent probably ten years of my life explaining to people what happened to the proceeds from the lottery, and they still don't understand it; and I'm just a little apprehensive that if indeed all of a sudden the checks stop, we're going to...find ourselves, irrespective of party, we're going to find ourselves back in the same bowl of soup, and I, for one, don't wish to indulge.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Sangmeister may close.

SENATOR SANGMEISTER:

Well, it's very hard to argue against...the arguments that have been presented against the amendment. Everything that we do here has some difficulty and some change and some adjustment to it. I'm simply saying that when you get calls from your senior citizens that you're not giving any property tax relief, instead of that check for three or four hundred dollars coming, it'll be right on the tax bill and it will be

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taken right off of there, and instead of their tax bill after the homestead exemption being eight hundred dollars, it may be down as low as four hundred dollars, and I think they're going to realize they really got some property tax relief. Senior citizens do not equate the circuit breaker with property tax relief and this would do it. I...you know, I have no big shakes. I just wanted to run this by the Assembly. Vote yourself whatever you feel you ought to do on it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sangmeister has moved the adoption of Amendment No. 3 to Senate Bill 258. Those in favor signify by saying Aye. Opposed Nay. In the opinion of the Chair, the...all right. Senator Sangmeister has moved the adoption of Amendment No. 3 to Senate Bill 258. Those in favor signify by saying Aye. Opposed Nay. The Nays have it. Amendment fails. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 270, Senator Lenke. On the Order of Senate Bills 2nd Reading is Senate Bill 270. Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 270.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 275, Senator DeAngelis. On the Order of Senate Bills 2nd Reading is Senate Bill 275, Mr. Secretary, read the bill.

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SECRETARY:

Senate Bill 275.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 293, Senator D'Arco. Senator D'Arco on the Floor? 325. 334, Senator Etheredge. On the Order of Senate Bills 2nd Reading is Senate Bill 334, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 334.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President. Ladies and Gentlemen of the Senate, the...the purpose of this...this bill is to cap the...put a cap on the...the revenue of the State of Illinois derived from the tax on utilities. The...the bill as originally drafted used the...a consumption base, a per therm, in order to accomplish that. What the amendment does is to shift the basis for the cap from a consumption base, a per therm base, to a...a...an annual reduction in the percentage to be used. The purpose of this...of the amendment, the purpose of making the shift is...so as not to redistribute the tax burden among various classifications of users. I'd be very happy to respond to any questions; if there are none, then I would move for the adoption of the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Any discussion? If not, the...the...if not, the question is shall...Senator Etheredge has moved the adoption of Amendment No. 1 to Senate Bill 334. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted...Committee Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 340, Senator Berman. Mr. Secretary, Senate bills 3rd reading, Senate Bill 340, bottom of page 4, read the bill.

SECRETARY:

(Machine cutoff)...340.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Berman.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

Thank you. This amendment applies to the Illinois Young Minds Program which is Senate Bill 340, and this amendment permits taxpayers who donate equipment to the private and public schools to receive an income tax deduction. Move the adoption of Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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Any discussion? If not, the...Senator Berman has moved the adoption of Amendment No...No. 1 to Senate Bill 340. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Top of page 5, Senate Bill 350, Senator Berman. Senator Berman, the Secretary informs me that there has been a request for a fiscal note that's been filed on both 350 and 351, and Senator Keats was the gentleman who filed the fiscal notes. Take them out of the record. Senate Bill 351, the same...same way. Take it out of the record. Bottom of page 5 is Senate Bill 368, Senator Jerome Joyce. Top of page 6, 380, Senator Kustra. Senator Kustra on the floor? 389, Senator Rock...418, Senator O'Daniel. On the Order of Senate Bills 2nd Reading is Senate Bill 418, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 418.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senators O'Daniel and Maitland.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator O'Daniel.

SENATOR O'DANIEL:

Amendment No. 1 was finally...mostly agreed on after several attempts by DOT and conservation, farmers and...and different groups and everyone seems to be in agreement with this amendment except the municipal league, and...what it

really does, it lets the Division of Waterways still have control of all public and nonpublic waters and...and it...and it also lets the farmers take care of his drainage systems on his land. And I would move for the adoption or I'll attempt to ask...answer any questions anyone might have.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, Senator O'Daniel has moved the adoption of Amendment No. 1 to Senate Bill 418. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading.

PRESIDENT:

All right. As indicated the appropriation bills will be handled on Monday, so we'll move to page 9 on the Calendar. Senator Netsch, page 9 on the Calendar, in the middle of the page. On the Order of Senate Bills 2nd Reading, Senate Bill 489. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 489.

(Secretary reads title of bill)

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

PRESIDENT:

Senator Netsch on Committee Amendment No. 1.

SENATOR NETSCH:

I'm sorry, Mr. President, I had forgotten that there was a committee amendment. It deleted some...this is...has to do with the tax treatment of...of historic property or property that is in an historic district, and the...as introduced, the amendment seemed to require that the property have a benefit to the community as well as meet the other criteria. We

really were not quite sure why that was necessary. It was basically inconsistent with the thrust of the historic preservation benefit, and so we have simply removed this language. I might say that the bill itself came from JCAR. I would move the adoption of Amendment No. 1 to Senate Bill 489.

PRESIDENT:

Senator Netsch has moved the adoption of Amendment No. 1 to Senate Bill 489. 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:

Are there amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 494, Senator Collins. On the Order of Senate Bills 2nd Reading, Senate Bill 494. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 494.

(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. 502, Senator Sangmeister. On the Order of Senate Bills 2nd Reading, Senate Bill 502. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 502.

(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 Sangmeister.

PRESIDENT:

Senator Sangmeister on Amendment No. 1.

SENATOR SANGMEISTER:

Yes, in dealing with the Division of Aeronautics on this, they were concerned about the terminology I had in this bill called "or political subdivision," and have to agree there was no real definition to the Statute as to what that is. So this amendment takes out those words "or political subdivision." Also, they were concerned about the Statewide effect of this bill, and this bill was directed to some real possible situations in Will County, so the amendment further restricts the law to Will County. Move for its adoption.

PRESIDENT:

All right. Senator Sangmeister has moved the adoption of Amendment No. 1 to Senate Bill 502. 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. Top of page 10. On the Order of Senate Bills 2nd Reading, Senate Bill 579. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 579.

(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 Jeremiah Joyce.

PRESIDENT:

Senator Joyce on Amendment No. 1.

SENATOR JEREMIAH JOYCE:

Thank you, Mr. President and members of the Senate. Amendment No. 1 to Senate Bill 579 is a clarifying amendment making...making it clear that the amount which the local municipality or local entity of Government may levy against this is the amount of value that is increased as a result of the zoning change. I ask for its adoption.

PRESIDENT:

Senator Joyce has moved the adoption of Amendment No. 1 to Senate Bill 579. 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, by Senator Jeremiah Joyce.

PRESIDENT:

Senator Joyce on Amendment No. 2.

SENATOR JEREMIAH JOYCE:

Thank you, Mr. President, members of the Senate. I believe that also is a technical...amendment technical in nature, and I ask for its adoption.

PRESIDENT:

Senator Joyce has moved the adoption of Amendment No. 2 to Senate Bill 579. 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. 613, Senator Etheredge. On the Order of Senate Bills 2nd Reading, top of page 10, Senate Bill 613. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 613.

(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. 624, Senator Watson. On the Order of Senate...Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. There's been a mistake in the Calendar. I'm not the sponsor of this particular piece of legislation, I believe it's Senator DeAngelis. So, I...

PRESIDENT:

All right. Senator DeAngelis, you wish to move it? All right. 626, Senator Newhouse. 640, Senator Joyce. On the Order of Senate Bills 2nd Reading, Senate Bill 640. Mr. Secretary.

SECRETARY:

Senate Bill 640.

(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 Maitland.

PRESIDENT:

Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President. Senate Amendment No. 1 actually becomes the bill and removes the original bills four requirements...or requirements for four inspections to be performed every six-month period. It also...the amendment adds a change in the penalty section for violators; it places a thousand dollar cap on fines and changes of violation from a Class A to a Class B misdemeanor. Also adds...adds language to make subsequent violations...and I guess that's the substance of the...of the amendment.

PRESIDENT:

Any discussion? Senator Demuzio.

SENATOR DEHUZIO:

Senator Maitland, I have a dairy in my district. Would you run Amendment No. 1 by me one more time so I understand what we are doing here and perhaps why we are doing it?

PRESIDENT:

Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President. Senator Demuzio, this is...this is the amendment that is agreed to by the Dairy Association. I think Senator Joyce and I have both filed the same...the same amendment, and...each one not knowing that the other one had done that. But this is the agreed to amendment, as I understand it.

PRESIDENT:

Any further discussion? Further discussion? Senator Demuzio.

SENATOR DEMUZIO:

I still don't know what it does. If you would just very briefly and...

PRESIDENT:

Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President, and...and once again, it

removes the...the bill's original requirement for four inspections to be performed every six-month period. It also adds language and the penalty...in the penalty section for violators; it places a thousand dollar cap on fines and changes the violations from a Class A to a Class B misdemeanor.

PRESIDENT:

Any further discussion? Further discussion? If not, Senator Maitland has moved the adoption of Amendment No. 1 to Senate Bill 640. All in favor...all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

Well, I have...I have Senator Joyce's amendment.

PRESIDENT:

That amendment is withdrawn.

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. 644, Senator Barkhausen. On the Order of Senate Bills 2nd Reading, Senate Bill 644. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 644.

(Secretary reads title of bill)

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

PRESIDENT:

Senator Barkhausen on Committee Amendment No. 1.

SENATOR BARKHAUSEN:

Mr. President and members, Committee Amendment No. 1 eliminated from qualification for fees for testifying in court defense witnesses and limits the application to...to victims and witnesses who testify on behalf of the State, and

I would move its adoption.

PRESIDENT:

Senator Barkhausen has moved the adoption of Amendment No. 1 to Senate Bill 644. Any discussion? Senator Demuzio.

SENATOR DEMUZIO:

What's the number?

PRESIDENT:

Your light was on. You don't...

SENATOR DEMUZIO:

It's my halo.

PRESIDENT:

I assumed as much. Senator Barkhausen has moved the adoption of Amendment No. 1 to Senate Bill 644. 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 Barkhausen.

PRESIDENT:

Senator Barkhausen on Amendment No. 2.

SENATOR BARKHAUSEN:

Amendment No. 2 further refines this bill which will, as I indicated, provide fees in certain...certain instances from the Crime Victims Assistance Fund to victims and witnesses testifying in court. For one, it extends for witnesses in certain situations the period...under which they may file a notice of an intent to file a claim for these fees to three months beyond the trial at which they are called to testify. It limits the potential fee from a maximum of eighty dollars down to fifty dollars to try to limit the impact on the fund,

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and it provides that the victim or witness must first exhaust all other possible sources of funds including but not limited to the per diem amount allowed for witnesses who testify in court. I would move the adoption of Amendment 2.

PRESIDENT:

All right. Senator Barkhausen has moved the adoption of Amendment No. 2 to Senate Bill 644. 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. 648, Senator Barkhausen. On the Order of Senate Bills 2nd Reading, Senate Bill 648. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 648.

(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. Senator Lechowicz on 660. Senator Jerome Joyce, 662. On the Order of Senate Bills 2nd Reading, Senate Bill 662. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 662.

(Secretary reads title of bill)

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

PRESIDENT:

Senator Joyce on Committee Amendment No. 1.

SENATOR JEROME JOYCE:

Thank you, Mr. President. This amendment specifies that the Department of Energy and Natural Resources shall operate the refund programs only when it receives State appropriated grants or funds from other sources. This says that simply we will appropriate the money or it will be Federal grants that operate this. I'd move for its adoption.

PRESIDENT:

Senator Joyce has moved the adoption of Amendment No. 1 to Senate Bill 662. 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:

No Floor amendments.

PRESIDENT:

3rd reading. 681, Senator Kelly. On the Order of Senate Bills 2nd Reading, Senate Bill 681. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 681.

(Secretary reads title of bill)

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

PRESIDENT:

Senator Kelly on Committee Election...Committee Amendment No. 1.

SENATOR KELLY:

Thank you, Mr. President. This amendment makes the bill only apply to...municipal and township primaries. There was a problem raised in committee about weighted votes and this

eliminates the...the problem, and I would ask for your adoption...favorable adoption on Committee...of Amendment No. 1 to Senate Bill 681.

PRESIDENT:

All right. Senator...all right. Senator Kelly has moved the adoption of Committee Amendment No. 1 to Senate Bill 681. 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 Kelly.

PRESIDENT:

Senator Kelly, Amendment No. 2.

SENATOR KELLY:

Mr. President, I apologize. The first amendment was a technical amendment and it's the second amendment which dealt with the...the weighted vote. So, I would withdraw...or make a request that we withdraw the Amendment NO. 1 which was adopted previously and then to reconsider Amendment No. 1 which is a...a technical amendment adopted in committee and it just inserted the correct terminology, "local election official."

PRESIDENT:

Senator Kelly.

SENATOR KELLY:

Okay. The...we'll take both amendments and Committee Amendment No. 1 inserts the correct terminology...

PRESIDENT:

That's...that's already been adopted.

SENATOR KELLY:

Okay. Then, I would move for the adoption of Floor Amendment No. 2...Floor Amendment No. 1 which applies to the weighted vote, and I move for the adoption of that amendment.

PRESIDENT:

Senator Kelly has moved the adoption of Amendment No. 2 to Senate Bill 681. Any discussion? Senator Macdonald.

SENATOR MACDONALD:

Mr. President, can I...can I ask the sponsor...are these the amendments, Senator Kelly, that you talked to me about yesterday? I never did get copies of them from either my staff or...

PRESIDENT:

Senator Kelly.

SENATOR KELLY:

...yes, it is, Senator Macdonald. This is the amendment and it's strictly...both sides of our committee...both the...membership on both sides asked for this amendment to be drafted concerning the weighted vote, and this eliminated that...so that...it only applies to municipal and township primaries. And I believe this should meet with your approval.

PRESIDENT:

Senator Macdonald.

SENATOR MACDONALD:

Yes. We did talk about this yesterday and it was agreed in the committee, and I...as far as I recall, that this is all that it does then is...all right. I would like a copy for our files, please. Thank you.

PRESIDENT:

All right. Senator Kelly has moved the adoption of Amendment No. 2 to Senate Bill 681. Further 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. On the Order of Senate Bills 2nd Reading, Senate Bill 660. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 660.

(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. 684, Senator DeAngelis. On the Order of Senate Bills 2nd Reading, Senate Bill 684. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 684.

(Secretary reads title of bill)

2nd reading of the bill. Committee on Judiciary I offers three amendments.

PRESIDENT:

Senator DeAngelis on Committee Amendment No. 1.

SENATOR DeANGELIS:

Yeah. Thank you, Mr. President. Senate Bill 684 is a very comprehensive bill. We have been negotiating with the...various affected interest groups. We have reached a consensus but, unfortunately, have not drafted the amendment yet. What I would like to do is adopt all three committee amendments so they can track with the amendment that will take care of all the problems.

PRESIDENT:

Senator DeAngelis has moved the adoption of Committee Amendment No. 1 to Senate Bill 684. Any discussion? If not,

all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

Committee Amendment No. 2.

PRESIDENT:

Amendment No. 2, Senator DeAngelis.

SENATOR DeANGELIS:

Yeah, I would also like to move to adopt Committee Amendment No. 2.

PRESIDENT:

Senator DeAngelis has moved the adoption of Amendment No. 2 to Senate Bill 684. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

Committee Amendment No. 3.

PRESIDENT:

Committee Amendment No. 3, Senator DeAngelis.

SENATOR DeANGELIS:

I would like to...have that adopted also, Mr. President.

PRESIDENT:

Senator DeAngelis moves the adoption of Committee Amendment No. 3 to Senate Bill 684. 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:

No Floor amendments.

PRESIDENT:

3rd reading...709, Senator Lechowicz. On the Order of Senate Bills 2nd Reading, Senate Bill 709. Read the bill,

Mr. Secretary.

SECRETARY:

Senate Bill 709.

(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, Senator Zito on 712. 13. 720, Senator Darrow. On the Order of Senate Bills 2nd Reading, Senate Bill 720. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 720.

(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. Senator Darrow.

SENATOR DARROW:

Mr. President. I'd like to recommit that bill to the committee from whence it came, that being the Labor Committee.

PRESIDENT:

All right. Senator Darrow has moved to recommit Senate Bill 720 to the Committee on Labor. All in favor of the motion indicate by saying Aye. All opposed. The Ayes have it. The bill is recommitted. 721, Senator Darrow. On the Order of Senate Bills 2nd Reading, Senate Bill 721. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 721.

(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 Senators Darrow and Welch.

PRESIDENT:

Senator Darrow on...on Amendment No. 1.

SENATOR DARROW:

This is a very comprehensive amendment which we received this morning, both the Democrat and Republican staff from Labor Committee are reviewing it. I'd like to adopt the amendment, move it on to 3rd reading and bring it back if we have any problems with it.

PRESIDENT:

Senator Darrow has moved the adoption of Amendment No. 1 to Senate Bill 721. 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. Senator Berman, on the Order of Senate Bills 2nd Reading, Senate Bill 722. Read the bill...not 722. On the Order of Senate Bills 2nd Reading, Senate Bill 723. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 723.

(Secretary reads title of bill)

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

PRESIDENT:

Senator Berman on Committee Amendment No. 1.

SENATOR BERMAN:

Thank you. Committee Amendment No. 1 increased the authorization from fifty million to two hundred million. I move the adoption.

PRESIDENT:

Senator Berman has moved the adoption of Committee Amendment No. 1 to...Senate Bill 723. 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.

SENATOR BERMAN:

Yes. There's a Floor amendment.

SECRETARY:

Oh, I'm sorry, I got a committee amendment. No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

Amendment No...2 offered by Senator Berman.

PRESIDENT:

Senator Berman on Amendment No. 2.

SENATOR BERMAN:

Thank you. This is...is the amendment worked out with the Department of Public Health. It moves back the date for the promulgations of rules and regs. from July 1 to December 1 of '85. Deals...deals with the contractors dealing with the asbestos removal. I move the adoption of Floor Amendment No. 2.

PRESIDENT:

All right. Senator Berman has moved the adoption of Amendment No. 2 to Senate Bill 723. 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. 724, Senator...on the Order of Order of Senate Bills 2nd Reading, Senate Bill 724. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 724.

(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. 725. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 725.

(Secretary reads title of bill)

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

PRESIDENT:

Senator Berman on Committee Amendment No. 1.

SENATOR BERMAN:

Thank you, Mr. President. Committee Amendment No. 1 sets forth in stronger language the requirements of services to be provided before the courts intervene on...for chronic truants. I move the adoption of Amendment No. 1.

PRESIDENT:

Senator Berman has moved the adoption of Committee Amendment No. 1 to Senate Bill 725. 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:

Are there amendments from the Floor?

SECRETARY:

Amendment No. 2 offered by Senator Berman.

PRESIDENT:

Senator Berman on Amendment No. 2.

SENATOR BERMAN:

Thank you. This is technical in nature, we amended the wrong section in...in Amendment No. 1. I move the adoption of Amendment No. 2.

PRESIDENT:

All right. Senator Berman has moved the adoption of Amendment No. 2 to Senate Bill 725. 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. 726. On the Order of Senate Bills 2nd Reading, Senate Bill 726. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 726.

(Secretary reads title of bill)

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

PRESIDENT:

Senator Berman on Committee Amendment No. 1.

SENATOR BERMAN:

Thank you. Both Amendment No. 1 and Amendment No. 2 do substantially the same thing with different wording. In order to keep them tracking, I'll move the adoption of Committee Amendment No. 1 and then Floor Amendment No. 2.

PRESIDENT:

All right. Senator Berman has moved the adoption of Committee Amendment No. 1 to Senate Bill 726. 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:

Are there amendments from the Floor?

SECRETARY:

Amendment No. 2 offered by Senator Berman.

PRESIDENT:

Senator Berman, Amendment No. 2.

SENATOR BERMAN:

Thank you. This is language agreed upon between the sponsor and the health insurance industry regarding determination that certain benefits are...are no longer medically necessary. I move the adoption of Amendment No. 2.

PRESIDENT:

Senator Berman has moved the adoption of Amendment No. 2 to Senate Bill 726. 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. 728. On the Order of Senate Bills 2nd Reading, Senate Bill 728. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 728.

(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...Amendment...Amendment No. 1 is requested by JCAR as...as a result of the...of their discussions with the Secretary of State. I move the adoption of Amendment No. 1.

PRESIDENT:

All right. Senator Berman has moved the adoption of Amendment No. 1 to Senate Bill 728. 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, by Senator Berman.

PRESIDENT:

Senator Berman on Amendment No. 2.

SENATOR BERMAN:

This...this pertains and carries out the agreement entered between JCAR staff and the State Board of Education, I move the adoption of Amendment No. 2.

PRESIDENT:

Senator Berman has moved the adoption of Amendment No. 2 to Senate Bill 728. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. Amendment is adopted. Further amendments?

SECRETARY:

Amendment No. 3 offered by Senator Berman.

PRESIDENT:

Senator Berman on Amendment No. 3.

SENATOR BERMAN:

This amendment, Mr. President, deletes the references to the University of Illinois pursuant to the discussions

regarding the certification of CPA's. Move the adoption of Amendment No. 3.

PRESIDENT:

All right. Senator Berman has moved the adoption of Amendment No. 3 to Senate Bill 729. 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. On the Order of Senate Bills 2nd Reading, Senate Bill 729. Read the bill, Mr. Secretary.

END OF REEL

AB 730
2nd Reading

REEL #3

SECRETARY:

Senate Bill 729.

(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:

The Amendment No. 1 deletes the State Finance Act provision that was...contained in the original bill pursuant to discussion between the staffs of JCAR and the...Department of Public Health. Move the adoption of Amendment No. 1.

PRESIDENT:

Senator Berman has moved the adoption of Amendment No. 1 to Senate Bill 729. 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. On the Order of Senate Bills 2nd Reading, Senate Bill 730. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 730.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

AB 780
2nd Reading

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 750, Senator Kustra. 52. Senator Etheredge on 780.

SECRETARY:

Senate Bill 780.

(Secretary reads title of bill)

2nd reading of the bill. This bill was in Local Government...it was rereferred to Revenue. Revenue offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge. Senator Etheredge.

SENATOR ETHEREDGE:

Yes,...there is a committee amendment that has been filed.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...apparently, there...was an amendment that was adopted.

SENATOR ETHEREDGE:

There is a...there is a committee amendment which I would like to move to Table.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Etheredge moves to Table Committee Amendment No. 1 to Senate Bill 780. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is Tabled. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Amendment No. 2 offered by Senator Sangmeister.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sangmeister.

SENATOR SANGMEISTER:

Table that amendment. I'll withdraw the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sangmeister seeks leave to withdraw the amendment. The amendment is withdrawn. Leave is granted. Further amendments?

SECRETARY:

Amendment No. 2 offered by Senators Etheredge and Rock.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President. This amendment becomes the bill. What the amendment does is to make it possible for all one hundred and one downstate counties by vote of the members of the county board to substitute a one-quarter of one percent sales tax on all items except food and drugs provided they kept their property tax rate at nine cents per hundred dollars of assessed evaluation. I'd be very happy to respond to any questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Any discussion? Senator Sangmeister. Can we have some order, please.

SENATOR SANGMEISTER:

Yeah, will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Sangmeister.

SENATOR SANGMEISTER:

What's the necessity for this legislation? What's the big crisis in the counties all of a sudden that we have to have...give the counties a right to increase taxes?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge.

SENATOR ETHEREDGE:

Well, Senator, what is being proposed by means of this...by this legislation is a...is a tax trade. You...you trade the quarter of one...one percent sales tax for a portion of the...of the property tax. But I think the...the need varies, to respond directly to your question, the...the need varies from county to county. There are some counties, particularly up in...in the northeast corner of the State which you and I both represent, where there is considerable need for additional revenue, a lot of it coming from the...the various additional costs which...which we and also the Federal Government have imposed on the counties in regard to their...to the criminal justice system.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sangmeister.

SENATOR SANGMEISTER:

Well, Senator, you're indicating that this is...comes out to be an even swap by the reduction in the rate on property taxes that a county can levy compared to what the sales tax is going to be. If that's the case, of course, I don't see where the counties are coming out. However, I did see some sheet, and I cannot put my hand on it but I think it came from your side, that showed, for example, for Will County that the net difference is an increase in two and a half million dollars in...in revenue. Can you substantiate that for me?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge.

SENATOR ETHEREDGE:

I cannot...substantiate that figure. I think what...the impact is going to vary from county to county. Now it...it may be in the case of Will County that there...there is that...that much difference. I did not indicate that it was an even swap. I think...as I indicated, I think it...the situation is going to vary from county to county.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sangmeister.

SENATOR SANGMEISTER:

Well, in speaking to the amendment, I would say, particularly to this side of the aisle, you know the Democratic Party is always concerned about how regressive the sales tax is. Why we want to take off, reduce that property tax rate, that infinitesimal amount that I think it's being reduced and then saddle people with another quarter percent on everything that they're going to buy to give the counties the additional money, I think we better take a hard look at what we're doing.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Joyce.

SENATOR JEROME JOYCE:

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Joyce.

SENATOR JEROME JOYCE:

Yes, it seems to me you've indicated that you do not have a list of the effect this would have on various counties. I represent five counties. Before we vote on this, I think we ought to have some idea of what we are doing to those different people. Could...could you get us a list of...what is going up and down in this?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge.

SENATOR ETHEREDGE:

Yes, Senator,...we're not doing anything to the counties. The thing that I wish to...I need to emphasize is that this is permissive. If the county boards wish to...to make this trade, they are free to do so. But they...they do so by...by their own vote after they have investigated whether it would

impact them favorably or unfavorably.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEROME JOYCE:

Yes, but we are the ones that are giving them the option to do that and I think before we do that we ought to know what we're...what option we're giving them. It just seems to me we ought to have some idea of the impact that this is going to have on our constituents. You know, some way, shape or form, the county board, if they do...if this is going to, as George says, give two million more dollars to Will County, the county board is going to somehow or other figure out some way of saying that we, in the General Assembly, told them that we...you probably ought to do this. So, you know, the tax hike, if that's what it's going to be, is going to come back on us and I think we just ought to know if...if that's what, you know, if it's going to be a big hike, I certainly want to know it before I vote on it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. I hope that everyone is aware of what is in this proposed amendment. Although as Senator Etheredge has correctly pointed out it is an authorization to the counties. It is an authorization to increase the sales tax by one-quarter cent admittedly with some trade-off for property taxations. But effectively we are authorizing a Statewide increase in the sales tax and I think that is something that is a matter at least of concern and ought to be very clear to everyone here. I would point out that...that it is very different from what Senator Etheredge proposed in committee in this respect, the committee amendment authorized the one-quarter county sales tax only in those counties that were already part of the so-called ETA area and there are two

reasons why that is significant. For one thing, they are already applying a one-quarter cent sales tax which is required by the RTA Act. This would add a...would at least authorize the addition of a quarter-cent to the sales tax in those counties. As many of us know, the way the breakage occurs on sales taxes the difference between a one-quarter cent and another one-quarter cent is not all that great and sometimes would be really imperceptible. In addition, and I think this was important, at least to me when the bill was offered in committee, Chicago, specifically, and Cook County, generally, are really becoming known as tax islands in the State of Illinois. The sales tax of eight percent within the city and just a little bit...eight percent in Cook County, actually, I'm sorry, less than that in Cook County because Chicago has an extra cent sales tax really isolates that area, and although many of you who are from other parts of the State may say, that's fine, that's our business, it really is not good because that makes a great many decisions about purchases...where...within a metropolitan area where particular business is done turn heavily on the presence of that tax island which is Chicago and Cook County. It struck me that by authorizing the additional quarter cent in the collar counties, which are the RTA counties, that we would at least be offering the possibility of slightly lessening that terrible gap between Chicago and Cook County and the rest of the collar counties and the rest of the State. So I think in that sense there was some fiscal justification for what was proposed initially. This, however, is a very different amendment. This amendment would apply Statewide, and I think for those of you who are outside of my area or even the collar county area, you certainly want to think hard and look closely at what is being proposed here.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Rigney.

SENATOR RIGNEY:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Rigney.

SENATOR RIGNEY:

This extra quarter of a percent that the county will levy, do they only have the levy power in the unincorporated areas they have right now?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge.

SENATOR ETHEREDGE:

No, Senator, this would be countywide, it would be countywide.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Schaffer.

SENATOR SCHAFFER:

Well, I...I think perhaps some of the debate could be saved for final passage since we're on the subject of the amendment, which more or less forces us to debate the bill. I do think it is important to point out, and as Senator Joyce and Senator Sangmeister have correctly pointed out, that this isn't a...a merely bill, this one didn't miss the Agreed Bill List because the staff didn't see it. This is something we ought to consider and think about. And I share Senator Joyce's...shall we say cynicism about county boards accepting the blame for tax increases, but I do...am forced to support it. In the last few years, county government in this State has reeled under one blow after another. I think of the loss of the interest on the money in the Treasurers Office that was a substantial source of income for county government. Property taxes have never been a major source for the county government but they have stabilized or declined. We now stare at a very real chance that revenue sharing will disappear on the Federal level, one that I think all of us

recognize. This gives counties a countywide funding source. At the time the revenues have been declining and they've run into serious financial trouble, at the same time our Department of Correction has been out telling them to build bigger and better jails, we have, in our all-seeing wisdom, forced mandate after mandate after mandate on them and these are countywide mandates for law enforcement and a whole variety of things. We have a very viable form of government in the State level of government that is in serious trouble, this would give them a mechanism to survive and to do their job. And I...I'll say this for my county boards, they are very tight with a dollar. In fact, sometimes I wish they were a little more farseeing, shall we say, but I think the time has come to give them this option. My guess is, if a county did it, they would lower their property tax, at least initially, substantially below this, and for years many of us have beat our chest around the campaign trails saying it's time to find sources to fund government other than the property tax. And while the...the three-cent reduction in itself is not a major thing, my guess is that the counties, by and large who do respond to the electorate, in fact, more frequently than we do, would be prudent with the dollars and it might have an immediate effect of a rather substantial reduction of the county's portion of the property tax.

PRESIDING OFFICER: (SENATOR DENUZIO)

Further discussion? Senator Holmberg.

SENATOR HOLMBERG:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR DENUZIO)

Sponsor indicates he will yield, Senator Holmberg. Senator Etheredge. Senator Holmberg.

SENATOR HOLMBERG:

Clarification on how the amendment reads right now. It is local option, that the county board may choose or not

choose to institute the one-quarter?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge.

SENATOR ETHEREDGE:

Yes, Senator, that is true.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Holmberg.

SENATOR HOLMBERG:

Is it also a part of the amendment that they must then...they're really required to reduce the amount of property tax?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge.

SENATOR ETHEREDGE:

Yes, that is also true.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Holmberg.

SENATOR HOLMBERG:

Does it specify from which fund they may reduce the property tax or is that left up to the county board?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge.

SENATOR ETHEREDGE:

Yes, that is specified as the corporate general fund.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Holmberg.

SENATOR HOLMBERG:

Thank you. I...I really commend Senator Etheredge for searching, as many of us are searching...and there are many bills I know before us connected with county government. Winnebago County in particular has been suffering greatly as more and more of its area is...is subdivided and becomes villages in...in...in other municipalities and the counties must continue to exist, we mandate that they must exist. And I

think this is one of several measures that...we're going to want to take a very close look at and is certainly one that we're all going to want to pay attention to. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Will the sponsor yield?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield, Senator Schuneman.

SENATOR SCHUNEMAN:

I...I apologize, but I tuned in late on this debate and I didn't hear your opening statement. As I understand, what you're proposing is a...is an optional one-quarter of one percent sales tax that can be levied by the county boards on a countywide basis. And there is some kind of property tax relief mandated, if they do that. Would you explain that one...one more time.?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge.

SENATOR ETHEREDGE:

Yes, it would mandate the...the corporate fund is now capped at twelve cents per hundred dollars. If the county board chooses by vote to implement this one-quarter of one cent sales tax, then it must reduce that corporate fund rate to nine cents. It cannot exceed...the maximum that would...for those counties would then become nine cents per hundred dollars.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schuneman.

SENATOR SCHUNEMAN:

So then the next question that we would have to have answered, at least on 3rd reading is, how it will affect every county in the State. I...I don't know whether my counties are all at the cap now or not but...that...would...will

you have that available on 3rd reading? Can that be available to us?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge.

SENATOR ETHEREDGE:

Senator, I don't know if it can be available or not, but I certainly will make that effort.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. As a cosponsor of this amendment, I obviously rise in support of it. I think this is an important...discussion. I think also the gentleman has a right to have his bill in the form in which he wishes to pursue it. Let me point out that it applies to the hundred and one counties in a permissive fashion, they don't have to do this. And I think some of the questions...we will attempt to get some of those figures as to what the net result would be. I think it's safe to assume that there would be no change in the current law unless and until the county board who has to do this would, in fact, be persuaded that at once they can afford a twenty-five percent reduction in the levy and afford some property tax relief while at the same time opposing this quarter cent may well have a net beneficial effect. We have had members of county government down in Springfield for the past six weeks literally scurrying around looking for sources of revenue because the counties, whether you know it or not, are truly hurting. This does not apply to Cook County, but I think, in fact, it affords the opportunity for the other counties to reassess their position and hopefully afford some much needed property tax relief to the people in their respective counties. I urge the adoption of Amendment No. 2.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Further discussion? Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. I'm not so sure...we talked about this in committee, I think. But if you impose this tax under the budgeting system and the way that you levy taxes in the corporate general fund, you have the possibility of two things happening. If it does not generate enough money, which I don't think it would, but you may not want it...does this call for automatically going twenty-five percent or up to twenty-five percent? That's the first question I have.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Etheredge.

SENATOR ETHEREDGE:

What it...it does not speak to...the expression twenty-five percent is...is not used in here, Senator. What it...what it says is the...the corporate general fund is now capped at twelve cents. What the legislation proposes is that if the county board chooses to implement this quarter of one cent sales tax, then that...that corporate general fund cap is lowered from twelve cents to nine cents.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Luft.

SENATOR LUFT:

It is automatically lowered to nine cents. All right.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Etheredge.

SENATOR LUFT:

...then what will happen if the income from the sales tax does not generate enough money that when you subtract your cash balance that you have at the end of a fiscal year from the appropriated...the appropriation that the county board has does not meet...do you know where I'm going? Let me, let me try...first of all, let me tell you how you fund county

government. The county board appropriates x amount of dollars, you then subtract a cash balance that you have in your corporate general fund from that appropriation, then you levy for that amount. Now, what if you have instituted the income tax, that figure plus what you have levied at nine cents which...nine percent or nine cents which you're already taking down does not meet the total appropriation? You've really fouled up the county. Another scenario that could take place is, you could have so much income from the sales tax that you have an appropriation, let's say for a million dollars. You have eliminated a tax levy altogether by this money and, in fact, could have an excess amount of money left over. What do you do with the excess amount?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Etheredge.

SENATOR ETHEREDGE:

Senator, I would assume that under those circumstances the county board would not elect to use this option.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Luft.

SENATOR LUFT:

The only thing that I fear...and let me try to put this into some explanation that everybody understands. If I have a million dollars appropriated in a corporate general fund and through a sales tax option that sales tax brings in a million and a half dollars, then I don't have to levy a tax. I don't have any levy against the...corporate general fund. And, in fact, I have...I have a half a million dollars more than I need to run the general fund for the year. What I'm asking is, what do you do with that half million dollars? And what I would suggest is, that if, in fact, that does happen, you add something to this bill that allows for reduction in another tax levy that is levied against the taxpayers of the county. And that's what I'm trying to point out, you

could bring...be bringing in more money through a sales tax than you would actually need to run the whole corporate general fund in the county.

PRESIDING OFFICER: (SENATOR SAVICKAS)

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

SENATOR ETHEREDGE:

I think the...the discussion or the...the issues as raised by Senator Luft certainly...certainly merit...additional study and I think we will have a little bit of time in...in order to do that. I think the idea has been adequately aired during the course of...of this debate. It's a...relatively simple idea and I think it...I think we...some of the debate has also underscored the need for some such provision as this bill would provide to county government in order to provide the..the services which are...are necessary for the citizens of the State of Illinois. I would urge an Aye vote on this amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Etheredge moves the adoption of Amendment No. 2 to Senate Bill 780. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 2 is adopted. Any further amendments?

SECRETARY:

No further amendment...no, I'm sorry...Amendment No. 3 offered by Senator Sangmeister.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Sangmeister.

SENATOR SANGMEISTER:

Well, I suppose one county should not stand out against all the others, but in light of the discussion that we've had here, I think there's a lot of questions as to what is the bottom line of taking away and lowering one tax and imposing another and just how much money are we going to flood the

county with or not flood the county with. And until I get further clarification I have filed amendment to take Will County out of this and I would ask that those of you that have a portion of wonderful Will County and the outlying areas, specifically maybe Senator DeAngelis and Senator...Mahar and Senator Joyce...Senator Hudson, if you will join me in that, let's take Will County out of here till we at least see what's going on. I move the adoption of Amendment No. 3 to Senate Bill 780.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Sangmeister moves the...Senator Etheredge.

SENATOR ETHEREDGE:

Well,...Senator, I think that, I...I have a question that I would like to ask the sponsor of...of the amendment because I...I'm getting confused signals here as some of the...the people back home in...in Will County, specifically those in county government, have spoken out very strongly in favor of...of this amended Senate Bill 780.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Sangmeister.

SENATOR SANGMEISTER:

I haven't heard from one county official, whether it be a member of the board or the board chairman or anybody as to how much money they need in Will County, what they want. The only one they had call me is the Democratic County Treasurer, and...that's the only person I've heard from and he did urge an Aye. At this point, I am asking that Will County be taken out.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, may I address my comments to Senator Etheredge?

PRESIDING OFFICER: (SENATOR SAVICKAS)

You may.

SENATOR GEO-KARIS:

If...Mr. President, Ladies and Gentlemen of the Senate, if we're going to allow Will County out, I'd like to see Lake County out, and I would ask you to hold this bill on 2nd reading so I can prepare an amendment accordingly.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Further discussion? Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This debate...unfortunately, I think, Senator Sangmeister, you would be better advised to ask those who also represent a part of Will to withhold this amendment until the figures that we have...Senator Etheredge and I have indicated we're going to try to round up, in fact, are rounded up; because the difficulty with this is not unlike that debate we had with respect to the imposition of the...the quarter cent transportation tax in the collar counties and in Madison and St. Clair. And, if indeed, we have a tax that's going to be applicable to a hundred...just a hundred counties now, I'm not so sure we can...we can defend its uniformity. And so this amendment, as well-meaning as I know it is, it seems to me casts a shadow of unconstitutionality over Senate Bill 780 as amended.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Well, thank you, Mr. President. I was going to raise the same question because the Department of Revenue is a big one on uniformity. But I also think that if the concept is not good for Will County, it really isn't good for anybody else either.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Further discussion? Senator Sangmeister.

SENATOR SANGMEISTER:

I'm sorry, I didn't hear his comment, but...but anyway...well, Senator Rock, exactly what you said is one of the problems. You know, some of the other counties don't have that one-quarter percent levy that Will County has for the beloved RTA, and we've got that already and now we're going to give the counties the right to plop another quarter on, and as indicated before, that real regressive tax of sales tax; and at this point I don't think it's going to affect the constitutionality, and, of course this has to go over to the House and let's see what the response of the House is to this. I still move for the adoption of the amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Further discussion? If not, Senator Sangmeister moves the adoption of Amendment No. 3 to Senate Bill 780. Those in favor indicate by saying Aye. Those opposed. Seems the Nos carry. Senator Sangmeister has requested a roll call. Would all the members please be seated. Those wishing to adopt Amendment No. 3 to Senate Bill 780 will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Yeas are 14, the Nays are 31, 5 voting Present. Amendment No. 3 having failed to receive a majority vote is declared lost. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

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

SENATOR COFFEY:

Thank you, Mr. President, members of the Senate. Today we have a...a special occasion, we have one of our colleagues has a birthday today, Senator Rupp is celebrating a birthday today. I'm not sure how old he is. I understand he was mayor for forty years in Decatur and he's...about ten years

in the Senate, so if you can add that up from when he started, you might know how old he is, but I'd like for him to stand up and be recognized.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rupp. Senate Bill 794, Senator Etheredge. Senate Bill 803, Senator Schaffer. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 830.

(Secretary reads title of bill)

2nd reading of the...Senate Bill 803, that is. 2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Schaffer.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schaffer.

SENATOR SCHAFFER:

Members of the Senate, this bill would provide that members of the Council on Aging who...who are volunteers and...and what have you could not serve more than, I believe, two terms...on the council. Apparently some of the existing members thought that the...the idea behind it is to promote turnover. Some of the members felt that we were aiming at them, which we were not, so this amendment simply grandfathers, no pun intended, the members on the Aging Council that are there so that it's clear that we're not trying to evict anyone currently serving. It's just thought down the road we need...a little more turnover.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Donahue.

SENATOR DONAHUE:

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

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR DONAHUE:

Would this mean that someone that is a member of the board right now who has served two years, would this prohibit him from serving a term next time? If he wants to go for one more term, would it keep him from doing that?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schaffer.

SENATOR SCHAFFER:

No...no. The bill with this amendment on would not do that. I think we're starting to find out who we offended. It wasn't aimed at anybody sitting there, it was just the overall policy decision they wanted to do.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Schaffer moves the adoption of Amendment No. 1 to Senate Bill 803. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 848, Senator Dudycz. Senate Bill 868, Senator DeAngelis. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 868.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 870, Senator Bloom. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 870.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 875, Senator Maitland. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 875.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Maitland.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President, Ladies and Gentlemen of the Senate. Amendment No...No. 1 simply deletes the Department of Public Health's authority to charge a permit fee for dairy farms and this makes the bill consistent with House Bill 2515. I would move for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Maitland moves the adoption of Amendment No. 1 to Senate Bill 875. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 911, Senator Demuzio. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 911.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Demuzio.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Amendment No. 1 is a...an amendment that clarifies the intent of Senate Bill 911. It certainly does not change the original concept. It will allow the municipal police departments to charge a five dollar fee for traffic accident reports that are subject to the dissemination to insurance companies pursuant to the Freedom of Information Act. The Vehicle Code allows for a five dollars fee for these reports, but 911 on the amendment will cross-reference the fee assessment to the FOI Act and would clarify the applicability to all law enforcement agencies. There is another amendment that...although this one is technical in nature, there is another amendment that has been suggested to me by the Illinois Press Association, this is not the amendment. I would move for the adoption of this amendment, bring the bill...move the bill to the 3rd reading and perhaps make a run at the...the Press Association amendment next week. So I would move adoption of...Amendment No. 1 to Senate Bill 911.

AB 914
2nd Reading
AB 913
2nd Reading

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Demuzio moves the adoption of Amendment No. 1 to Senate Bill 911. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 913, Senator Demuzio. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 913.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 914, Senator Demuzio. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 914.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Demuzio.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

This amendment was suggested to me by the respective groups involved with...that this applies to. Senate Amend-

ment No. 1 would close a loophole whereby a bank may voluntarily dissolve and be assumed by a financial institution other than a bank which conduct banking business. The commissioner of banks was concerned about the long-term ramifications of this existing loophole, and he has indicated his support for this amendment and it's his request that I...I am moving for the adoption of Amendment No. 1 to Senate Bill 914.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Demuzio moves the adoption of Amendment No. 1 to Senate Bill 914. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 915, Senator Demuzio. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 915.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 931, Senator Demuzio. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 931.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

*S 949
2nd Reading*

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 949, Senator Karpziel. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 949.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 978, Senator Joyce. Jerome Joyce, you want to...read...read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 978.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 986, Senator Marovitz. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 986.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you...thank you, very much. This is...is this the only amendment? Thank you, Mr. President, members of the Senate. Amendment No. 1 to Senate Bill 986 provides for formalities in the execution of lists...which would...be incorporated by reference into a will and specifies which of two conflicting lists would govern in the event that two lists of things that were to be left to someone were to be...were to be given. And I would ask for the adoption of Amendment No. 1 to...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Marovitz moves the adoption of Amendment No. 1 to Senate Bill 986. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 987, Senator Joyce. Senate Bill 989, Senator Kelly. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 989.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President, members of the Senate. Commit-

tee Amendment No. 1 was at the request of the Attorney General's Office. It also is...the purpose of the amendment...it permits voting outside of the polls by persons physically unable to enter the polls. The purpose of the amendment is to comply with a Federal mandate under Public Law 98-435, the Voting Accessibility for the Elderly and Handicapped Act. According to this law all precinct polling places must be accessible to elderly and handicapped voters. And I...move for the adoption of Committee Amendment No. 1, and we do have another amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Schaffer.

SENATOR SCHAFFER:

What about a precinct that doesn't have a...a building in it that's accessible?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Kelly.

SENATOR KELLY:

Okay. We do have a...an amendment which has been...offered...which will be offered, Amendment No. 2. A building being accessible...well, if it's inaccessible, then they have to vote outside. Yes, that's the...that's the purpose of the...of the amendment was to allow them to vote outside, so that's why we need...need the...need the amendment and we need this legislation.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schaffer.

SENATOR SCHAFFER:

Now, when you say vote outside, I assume you mean judges come from a polling place to their vehicle or whatever; I assume you don't mean that judges have the booth set up in a field.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Kelly.

SENATOR KELLY:

Yes, it's as close as...as they can get the...to the polls and it...it would require the judges to...to go outside, but it's they aren't going to be going out in the fields, they don't have time, as you know, with the responsibilities they've got. It would be very close to the polling place.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schaffer.

SENATOR SCHAFFER:

No, what I meant was the whole polling place set out in a vacant lot with the booths out there if there was no accessible building. Cannot the judges already go out to a vehicle for someone who is enable...unable to come into the polling place?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Kelly.

SENATOR KELLY:

No, that's why...why this legislation is being suggested or offered. They under current law cannot do that.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schaffer.

SENATOR SCHAFFER:

So, in essence, what you're trying to do is legalize that practice when...when necessary and when a polling place...who makes the decision that there is no accessible polling place in the precinct?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Kelly.

SENATOR KELLY:

Yes, it would be the determination of the chief judge of that particular polling place and it would be...both judges would be present when the voting takes place. So, that's who makes the determination at the polling place.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Kelly moves the adoption of Amendment No. 1 to Senate Bill 989. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

Amendment No. 2 offered by Senator Kelly.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President. Amendment No. 2 addressed some of the problems that the members had raised about tightening up in this area. We did, in this amendment, get a list of six items here that would cover it. One, it requires the physically disabled voter who requests permission to vote out-side the polls to vote in a portable voter booth. Two, requires the poll watchers to witness the voting process. Three, required a request from disabled voter to...submitted to the county clerk or municipal elections board prior to or on the election day. Four, requires the clerk or board to notify the appropriate polling place of the request. Five, reduced from three to two years the length of the exemption from the Federal polling place accessibility requirements granted by the State Board of Election. And six, identifies the Federal mandate the amendment is complying with, the Voting Accessibility for Elderly and Handicapped Act. Hopefully, this takes care of most of the objections. If there are still some items which we did not cover, the sponsor will be very amenable to having this bill called back from 3rd to 2nd reading to adopt another amendment if it's

necessary. Other than that, I would request your favorable...adoption of...I would move the adoption of Amendment No. 2 to Senate Bill 989.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Mahar.

SENATOR MAHAR:

Will the sponsor yield to a question?

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will.

SENATOR MAHAR:

Senator Kelly, would you run through that one more time on the...that portion of the amendment that deals with the amount of time that a disabled person has to request of, I think it's the clerks or the election authority?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Kelly.

SENATOR KELLY:

Yes, it's the day before or on the day itself.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Mahar.

SENATOR MAHAR:

The clerks are going to be able to tell the judges the same day that there is a handicapped person?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Kelly.

SENATOR KELLY:

Certainly, why not? They got telephones, different ways it can be handled.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Kelly moves the adoption of Amendment No. 2 to Senate Bill 989. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 2 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 997, Senator Collins. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 997.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Collins.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

Yes, thank you...Mr. President and members of the Senate. Amendment...Floor Amendment No. 1 deletes everything after the enacting clause and it is the bill. However, let me say this, that I am going to move this bill to 3rd reading with this amendment because the...our representatives from the Cook County Clerk and the State Board, there was an agreement that we would work out an amendment to try and deal with the problems that they are experiencing with absentee voting, not just with students. This bill deals with student absentee...voting but there...there are a lot of problems in reference to other segments where absentee voting is concerned, and I'm going to move the bill to 3rd, and then...with the permission to move it back once they've had a look at this amendment and added...whatever they would like to add to the bill. So what this particular...amendment does, it simply states that a student who is enrolled in college can go to the county clerk's office in the...in the...in the area which they reside...permanent residence and request that an application for ballot be mailed to them at

that...their residence where they live in a college town, not the ballot, but the...application for ballot. Right now the student have to rely on their parent or friend or...or precinct captain or someone to mail them a ballot and then...an application and then get it back to them. This says that they can go and...to the...to the county clerk's office and register to have an application, I mean, a...application for a ballot sent to them, and then once they fill it out and send it back, they then receive their ballot through certified mail.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Macdonald.

SENATOR MACDONALD:

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

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator, she indicates she'll yield.

SENATOR MACDONALD:

Senator Collins, was this amendment not a bill that you had before the Election Committee and failed in committee?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

If you recall, the...the bill that we had before the Election Committee was a shell and I indicated it...at that time that it was a shell bill, that we were working on the amendment. This is the amendment; however, because we just have not had time to work out all of the kinks with this particular amendment and we do not have the additional things that the Cook County Clerk wishes to add as an amendment, I'm asking that this amendment now, which is the bill, be moved to 3rd reading and then we will move it back for any clarifications that...that need to be.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Macdonald.

SENATOR MACDONALD:

Could we ask that...this amendment be distributed, please?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

...this amendment has definitely been distributed...now...yesterday or day before. Yeah...it...it's on the desk because now we've...I've seen the...the amendment on the desk.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Do we have a copy for Senator Macdonald? Senator Karpel is bringing a copy over. (Machine cutoff)...Macdonald.

SENATOR MACDONALD

Senator Collins, I wonder if we could ask to have this taken out of the record until we have an opportunity to look at it?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins, a request to take it out of the record until they have an opportunity to look at it. Senator Collins.

SENATOR COLLINS:

Why don't we just go on, move the shell bill to 3rd and then move back...

PRESIDING OFFICER: (SENATOR SAVICKAS)

She...Senator Collins moves to withdraw the amendment to Senate Bill 987. Is leave granted? Leave is...997...leave is granted. Now on Senate Bill 997, there are no committee amendments. Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 1004, Senator Jeremiah Joyce.

Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1004.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Thank you, Mr. President, members of the Senate. Committee Amendment No. 1 to Senate Bill 104 is technical in the sense that the bill was originally drafted from the wrong source so the amendment deletes everything after...now identifies the right source and repeats the language of the bill as it passed out of committee. I ask for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Joyce moves the adoption of Amendment No. 1 to Senate Bill 1004. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the floor?

SECRETARY:

No floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 1005, Senator Joyce. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1005.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

SB 1009
2nd Reading

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 1008, Senator Joyce. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1008.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 1009, Senator Donahue. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1009.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Donahue.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President. Amendment No. 1 simply clarifies and tightens up the...the intent of the the original legislation and I would move for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Donahue moves the

AB 1019
2nd Reading

adoption of Amendment No. 1 to Senate Bill 1009. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 1013, Senator Welch. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1013.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 1019, Senator Netsch. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1019.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Rock.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch will handle that.

SENATOR NETSCH:

Thank you. I think this is also my amendment. This is the amendment that...or the amendment reflects what was discussed in committee. This is the IHDA set-aside for helping to finance so-called single-room occupancy facilities. The

amendment has been looked at by IHDA, by all concerned, by Senator Rock, I think by others on the committee, and basically what it does is to...is to authorize the use of...not to exceed one million dollars per year for a five-year period for the purpose of financing single-room occupancy facilities. And it...it does not include any other guarantee, it is just simply that, and they must be determined by the commission to be financially feasible, which I think was something that concerned the committee. I would move the adoption, on behalf of Senator Rock and myself, of Amendment No. 1 to Senate Bill 1019.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Netsch moves the adoption of Amendment No. 1 to Senate Bill 1019. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 1031, Senator Friedland. Senate Bill 1037, Senator Netsch. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1031.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments, and that's Senate Bill 1037.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch, for what purpose do you arise?

SENATOR NETSCH:

If I might,...a number of us have been meeting with

AB 1043
2nd Reading

respect to this bill and I am sure there will be some amendments that we will have resolved by early next year...early next year, I'm sorry, early next week, at which point it will be recalled. But we do want to keep it moving in the meantime. I thank you very much.

PRESIDING OFFICER: (SENATOR SAVICKAS)

You're quite welcome. 3rd reading. Senate Bill 1039, Senator Joyce. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1039.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 1043, Senator Barkhausen. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1043.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 1073, Senator Barkhausen. Read the bill, Mr. Secretary...no, hold that one. 1083, Senator Rupp. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1083.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Geo-Karis.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

...Mr. President, Ladies and Gentleman of the Senate, at the suggestion of the committee...I filed this amendment. The amendment...does not take out good-time credit. So I move the passage of the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis moves the adoption of Amendment No. 1 to Senate Bill 1093. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 1099, Senator Macdonald. Senate bills 2nd reading is Senate Bill 1099, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 1099.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senators Macdonald and Dudycz.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Macdonald.

SENATOR MACDONALD:

SB 1105
2nd Reading

Yes, Mr. President, Ladies and Gentlemen of the Senate, this amendment simply was brought to our attention to make sure that there is a positive identification available. Our bill requires that a thumbprint for irrefutable identification is made, but should a person be handicapped and maybe not have a thumb, certainly any other fingerprint under this amendment would be acceptable, and...the judge of election if...if...if there are no fingerprints available, then they will have to give the information under the same procedure which would allow them to vote by affidavit under any other conditions. So I ask for your approval of this amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Rock.

SENATOR ROCK:

...has copies of this been distributed? It seems to me what's fair for one is fair for all.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Macdonald, have copies of the amendment been distributed? Senator Macdonald.

SENATOR MACDONALD:

I'm...I...I really am not sure whether they have been. I did not instruct that they be.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Apparently they are not. Senator Rock is joined by...the requisite number of individuals...request that the amendment be distributed. So, with leave of the sponsors, we'll take it out of the record. Senator Macdonald.

SENATOR MACDONALD:

...distributed.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Macdonald requests leave to take it out of the record. Take it out of the record. 1105, Senator Sangmeister. On the Order of Senate Bills 2nd Reading is Senate Bill 1105, Mr. Secretary, read the bill.

SB 1136
2nd Reading

SECRETARY:

Senate Bill 1105.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Sangmeister.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sangmeister.

SENATOR SANGMEISTER:

Yes, the bill that came out of the Education Committee in order...the purpose of the bill is to give some protections to doctors who under our Statute be required to give immunization shots that they have some protection where that child gets a reaction. It was brought to my attention that we ought to clarify that, for example, if the physician gives the wrong...vaccine that he ought not be off the hook and I agree with that and, therefore, we're putting language in to make sure that the physician does have to give the child, of course, the right vaccine. There's no questions, I would move the adoption of the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sangmeister has moved the adoption of Amendment No. 1 to Senate Bill 1105. Is there any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 1136, Senator Watson. Mr. Secretary, Senate bills 2nd reading is Senate Bill 1136. Read the bill.

SECRETARY:

Senate Bill 1136.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 1152, Senator Kustra. On the Order of...Senate Bills 2nd Reading is Senate Bill 1152, Mr. Secretary. Read the bill.

SECRETARY:

Senate Bill 1152.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 1160, Senator Welch. On the Order of Senate Bills 2nd Reading is Senate Bill 1160, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 1160.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 1161, Senator Welch. 1163, Senator Joyce. On the Order of Senate Bills 2nd Reading is

Senate Bill 1163, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 1163.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Jerome Joyce.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEROME JOYCE:

Thank you, Mr. President. This amendment lowers the fee increases and is a compromise worked out with the pest control industry. The fees are lowered from fifty dollars to forty dollars for certified renewal and examination and application from a hundred dollars to seventy-five dollars for the late filing charge, and I'd move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce moves the adoption of Amendment No. 1 to Senate Bill 1163. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 1165, Senator Joyce. On the Order of Senate Bills 2nd Reading is Senate Bill 1165, Mr. Secretary. Read the bill. I'm sorry, 1164. Take 1165 out of the record. Senate Bill 1164.

SECRETARY:

Senate Bill 1164.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Jerome Joyce.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEROME JOYCE:

Thank you, Mr. President. This restructures some of the fees in the original bill, and this compromise was agreed to by the Department of Agriculture, the Fertilizer and Chemical Association and the Farm Bureau, and I'd move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Any discussion? If not, Senator Joyce has moved the adoption of Amendment No. 1 to Senate Bill 1164. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from...3rd reading. Senate Bill 1165, Senator Joyce. On the Order of Senate Bills 2nd Reading is Senate Bill 1165, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 1165.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Jerome Joyce.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEROME JOYCE:

Thank you, Mr. President. This amendment makes the Department of Public Health the lead agency responsible for the pesticide study and creates a temporary citizens task force. This amendment was worked out with the Department of Agriculture, Department of Public Health and the pest control industry and I'd move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Any discussion? Senator Joyce has moved the adoption of Amendment No. 1 to Senate Bill 1165. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 1191, Senator Jeremiah Joyce. On the Order of Senate Bills 2nd Reading is Senate Bill 1191, Mr. Secretary, read the bill.

SECRETARY:

(Machine cutoff)...Bill 1191.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 1192, Senator Joyce. On the Order of Senate Bills 2nd Reading is Senate Bill 1192, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 1192.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

*SB 1244
2nd reading*

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading....Senate 1200 is a hold. Senate Bill 1222, Senator Jones. Senator Jones on the Floor? 1239, Senator Watson. On the Order of Senate Bills 2nd Reading is Senate Bill 1239, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 1239.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 1244, Senator Marovitz. On the Order of Senate Bills 2nd Reading is Senate Bill 1244, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 1244.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Marovitz.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. Amendment No. 1 to Senate Bill 1244 is the agreed

amendment between the Chicago Bar Association, the lawyers' groups and the Secretary of State. This is the agreement which is incorporated into Amendment No. 1. It is...all encompassing, it creates a prima facie evidence of reckless act if a driver was under the influence of alcohol or drugs in which case a reckless homicide occurred, requires persons to submit to a professional evaluation prior to sentencing. It's a big bill. Requires a judge to...to fully specify reasons for imposing or not imposing sentences when a defendant is convicted of DUI. It sets up summary suspension hearing procedures, judicial driving permit procedures and...and judicial summary suspension procedures, and I would ask for the adoption of this agreed amendment to Senate Bill 1244.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz has moved the adoption of Amendment No. 1 to Senate Bill 1244. Is there any discussion? Senator Barkhausen. Can we break up the caucus in front of...Senator Barkhausen, please. Senator DeAngelis. Senator Barkhausen, can we break up the caucus in front of Senator Barkhausen. Senator Barkhausen.

SENATOR BARKHAUSEN:

...Senator Marovitz, I...you caught me a little bit by surprise here...as I understand it, this is...an attempt to incorporate the compromise package between the Secretary of State and the Bar Association. My understanding, and I think Senator Philip and Senator Rock could correct me if I'm wrong, but the...understanding I had was that this was going on the House bill, and then the House bill was coming over here and that we weren't going to have two companion bills but we were going to wait for action from the House and...and act on that bill with the sponsors that were originally handling the Secretary of State's bills.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further...Senator Marovitz...Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, that was not my understanding. We had worked, frankly, long and hard, and I congratulate Senator Marovitz and others who did that; and as far as I am concerned, in my conversations with the Secretary, I indicated that whatever the result of that compromise between the Bar Association and the Secretary and the State Police and everybody else that was involved was that my suggestion was that it be placed on to a Senate bill. I, frankly, do not care to sit around and wait and see what the House may do, if anything. We've got an agreement, let's do it. And I have no objection, Senator Barkhausen, to you putting the exact same amendment on your bill and we'll run them both out of here.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Marovitz may close.

SENATOR MAROVITZ:

I would ask for a favorable roll call on Amendment No. 1 to Senate Bill 1244, the agreed amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz has moved the adoption of Amendment No. 1 to Senate Bill 1244. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further amendments.

END OF REEL

SB 1267
2nd Reading

REEL #4

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 1250...on the Order of Senate Bills 2nd Reading is Senate Bill 1250, Mr. Secretary, read the bill. Oh, Senator Sangmeister, for what purpose do you arise?

SENATOR SANGMEISTER:

...before we go on to that, just a brief interruption here. I would like to introduce to the members of the Senate, Mokena Grade School District 159, and I know along with them is a very fine teacher and former mayor of Mokena, Richard Quinn, and I also see a very fine teacher and a principal, Barbara Cottingham, along with them up there and I'd like them to rise and be welcomed by the Senate.

PRESIDING OFFICER: (SENATOR DEMUZIO)

If our guests would rise and please be recognized by the Senate. Welcome to Springfield. 1250, Mr. Secretary.

SECRETARY:

Senate Bill 1250.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 1267, Senator Kustra. On the Order of Senate Bills 2nd Reading is Senate Bill 1267, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 1267.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DENUZIO)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Kustra.

PRESIDING OFFICER: (SENATOR DENUZIO)

Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President. This amendment was requested by the Governor's Office. It reorganizes the language in the bill which deals with educational service centers and the various services which they shall provide. I would ask for its adoption.

PRESIDENT:

Senator Kustra has moved the adoption of Amendment No. 1 to Senate Bill 1267. Is there 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. 1273, Senator Philip. Senator Philip, on 1273? On the Order of Senate Bills 2nd Reading, Senate Bill 1273. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1273.

(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. 1281, Senator Kustra. All right. It is now fifteen minutes to one, one being the hour of adjournment. With leave of the Body...so that we can ensure, as we have suggested to the members, that one o'clock would be the adjournment...time of adjournment, with leave of the Body, we'll move to the Order of House Bills 3rd Reading on page 33 of the Calendar. Senator Netsch, for what purpose do you arise?

SENATOR NETSCH:

Thank you. If I might raise a question, Mr. President, because I...I might have missed it. Was 1273 just passed 2nd reading? The cigarette tax without...I mean,...was it passed to 3rd reading without adoption of the committee amendment?

PRESIDENT:

It was indicated there was no committee amendment.

SENATOR NETSCH:

Oh really.

PRESIDENT:

That was the indication from the Secretary.

SENATOR NETSCH:

No. The...there was a committee amendment which struck everything and made it into a shell bill.

PRESIDENT:

That was supposed to have happened. All right. We'll get...we'll get the documentation back and get right back to it. In the meantime, we have something of an emergency. Senator Collins, for what purpose do you arise?

SENATOR COLLINS:

Yes. A point of order. I would just like some clarification on...Senator Demuzio indicated during the time that he was presiding that, we may not get back to 2nd reading, and I want to know that, when we come in Monday...

PRESIDENT:

That...that...that...that was an admonition to try to

hold people in their seat and on time. The fact is that, as you well know, we are coming in Monday at noon, and we have five days before the deadline. You may be sure we will again be on 2nd reading. We will start, as we indicated, with appropriation bills on Monday and run right...and...and stay on 2nd reading until everybody has a chance. But appropriation bills will be first. All right. With leave of the Body, we're on page 33 on the Calendar. On the Order of House Bills 3rd Reading, Senator Schaffer seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of amendments. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading, House Bill 370. Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Carroll.

PRESIDENT:

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Yesterday, in addition to the large amendment we asked all of you...the President asked all of you to take home and read overnight and put in your pocket, we had sent around to each member a detailed list by department of those additional hundred and twenty-one million dollars the Governor is seeking to spend through supplementals to fund his agencies for the remainder of this fiscal year. Rather than go through the detail, I think we have picked up all of those who claim to have been running out of money before the end of May, and have attempted to deal with as many of them as possible through this supplemental appropriation. I would move its adoption and be willing to answer questions. It's a total of a hundred and twenty-one million dollars of additional revenues to be spent by the departments for the remainder of this fiscal year.

PRESIDENT:

Senator Carroll has moved the adoption of Amendment No. 1 to House Bill 370. 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 Philip.

PRESIDENT:

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Amendment No. 2 deducts 11.4 million which is lapse money in education. I've worked this out with Senator Rock and the second floor. I move its adoption.

PRESIDENT:

Senator...Philip has moved the adoption of Amendment No. 2 to House Bill 370. All in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

Amendment No. 3 offered by Senator Carroll.

PRESIDENT:

Senator Carroll on Amendment No. 3.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is a request from the House side for seventy-five thousand in general revenue funds to the Capital Development Board for some minor capital improvements needed here in this building to be spent during this fiscal year. I would move its adoption.

PRESIDENT:

All right. Senator Carroll has moved the adoption of Amendment No. 3 to House Bill 370. 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, and with leave of the Body, we will get back to that bill after intervening business...it is of an emergency nature. All right. With leave of the Body, we'll move to the Order of Senate Bills 3rd Reading for Senate Bill 1273. Senator Philip seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of the committee amendment. On the Order of Senate Bills 2nd Reading, Senate Bill 1273. Mr. Secretary.

SECRETARY:

Committee Amendment No. 1.

PRESIDENT:

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. The amendment struck everything after the enacting clause; it's just a shell bill that possibly we may use a little later on.

PRESIDENT:

All right. Senator Philip has moved the adoption of Committee Amendment No. 1 to Senate Bill 1273. 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:

No Floor amendments.

PRESIDENT:

3rd reading. All right. With leave of the Body, we will move now to the Order of House Bills 3rd Reading for the purpose of House Bill 370. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 370.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Schaffer.

SENATOR SCHAFFER:

Mr. President, members of the Senate, this is, in fact, the supplemental bill that Senator Carroll and others discussed just moments ago. It does make the supplemental appropriations of...that are of an emergency nature, plus clears up a few other supplemental problems, and assuming the House acts...with some dispatch, we should be out of immediate supplemental appropriation danger area, and we can address the rest of the Calendar with a little more leisure.

PRESIDENT:

Any discussion? The question is, shall Senate Bill...shall House Bill 370 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 49 Ayes, no Nays, 1 voting Present. House Bill 370 having received the required constitutional majority is declared passed. (Machine cutoff)...leave of the Body, we'll move to the Order of Resolutions. We will handle the Resolutions Consent Calendar. Senator Davidson has a motion with respect to another emergency request of the Governor. Senator Bloom, for what purpose do you...looked perplexed?

SENATOR BLOOM:

I...let's get this out of the way. I just had a little announcement.

PRESIDENT:

All right. Resolutions, Mr. Secretary.

SECRETARY:

The following resolutions are all congratulatory:

239, by Senator Jones.

240, by Senator Hudson.

241, by Senator Carroll.

242, by Senators Kelly and Jeremiah Joyce.

243, by Senator Darrow.

And Senate Joint Resolution No. 60, by Senator Karpier,
and it's congratulatory also.

PRESIDENT:

Consent Calendar.

SECRETARY:

Senate Resolution 244, by Senator Demuzio.

PRESIDENT:

Executive. All right. Motions in writing. Senator Davidson has a motion he will explain, I'm sure. Mr. Secretary, with leave of the Body, we'll move to the Order of Motions in Writing. Read the motion, please.

SECRETARY:

I move to discharge the Committee on Executive from further consideration of House Bill 116 and that it be advanced to 2nd reading. Signed, Senator Davidson.

PRESIDENT:

Senator Davidson.

SENATOR DAVIDSON:

Mr. President and members of the Senate, this is the bill I spoke to you and Minority Leader Philip about. This has to do with making next week the National Retired Teachers' Week recognition in Illinois. Retired Teachers' Week has to do with the national monthly retired teachers recognition, and they'd liked to get this passed so they can do the signing ceremony next week when they issue the proclamation.

PRESIDENT:

All right. Senator Davidson has moved to discharged the Committee on Executive from further consideration of House Bill 116 and asked that it be placed on the Calendar on the Order of 2nd Reading. All in favor of that motion indicate by saying Aye. All opposed. The Ayes have it. The motion carries and it's so ordered. Senator Sangmeister, for what purpose do you arise?

SENATOR SANGMEISTER:

Not to delay things, but I just was talking to some school people and got back on the Floor here. We're discharging what from the Executive Committee? Is this...

PRESIDENT:

The bill that Senator Davidson talked to you about yesterday about the Retired Teacher Week.

SENATOR SANGMEISTER:

You did talk to me about that, didn't you? My apologies. Yes, you did. I'm sorry. Fine.

PRESIDENT:

Senator Bloom, for what purpose do you arise?

SENATOR BLOOM:

An announcement. As you know, next week...next week we're going to be visited probably by our local docs among others. In my...I'm completing my term as chair of the Health Care Cost Containment Committee of the National Conference of State Legislatures, and they sent me...they sent me something that I think would be helpful to us and it's a...a research, "What Legislators Need to Know About Malpractice." No matter whether you're in a...a...you know, we all leap from tank to tank, but it's fairly balanced. It sets out some of the major issues and gives some statistics and says what's going on in other states. It's available to you. It's about thirty pages and so I figured if you want a copy, ask for it. And that's all I had to say, thought it

would be helpful.

PRESIDENT:

Thank you. I, for one, would like to have one before I leave. Further business? Further discussion? We have...we have only the Resolutions Consent Calendar, then the motion to adjourn will be placed. We will adjourn until Monday, Monday, at the hour of noon, and we will handle first the appropriation bills on 2nd reading for Senators Carroll and Hall and all interested parties and then finish up, we hope or get back on 2nd reading. Mr. Secretary, have any objections been filed to the Resolutions Consent Calendar that has been distributed to the members?

SECRETARY:

No...objections have been filed, Mr. President.

PRESIDENT:

All right, if...no objections having been filed, Senator Demuzio moves the adoption of the Resolutions Consent Calendar...Senate Resolution 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 230, 231, 232, 233, 234, 235, 236, Senate Joint Resolution 57, Senate Joint Resolution 58, House Joint Resolutions 48 and 49, Senate Resolutions 238, 239, 240, 241, 242, 243 and Senate Joint Resolution 60. All in favor of the adoptions of the Consent Calendar indicate by saying Aye. All opposed. The Ayes have it. Consent Calendar is adopted. All right, any further business to come before the Senate? Further announcements? If not, Senator Hall moves that the Senate stand adjourned until Monday, Monday, at the hour of noon. Have a nice weekend.