

84TH GENERAL ASSEMBLY

REGULAR SESSION

May 24, 1985

PRESIDENT:

The hour of nine having arrived, the Senate will please come to order. Will members be at their desks and will our guests in the gallery please rise. Prayer this morning by the Reverend Paul E. Flesner, Grace Lutheran Church, Springfield, Illinois. Reverend.

REVEREND FLESNER:

(Prayer given by Reverend Flesner)

PRESIDENT:

Thank you, Reverend. Reading of the Journal. Senator Hall.

SENATOR HALL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Mr. President, I move that reading and approval of the Journals of Tuesday, May 14th; Wednesday, May 15th; Thursday, May 16th; Friday, May 17th; Monday, May the 20th; Tuesday, May the 21st; Wednesday, May the 22nd and Thursday, May the 23rd, in the year 1985, be postponed pending arrival of the printed Journals.

PRESIDENT:

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

SECRETARY:

Senator Savickas, chairman of Assignment of Bills, assigns the following House bills to committee:

Agriculture, Conservation and Energy - 582; Elementary and Secondary Education - 62, 90, 123, 320, 348, 409, 514, 598, 815, 935, 1037, 1528 and 2387; Higher Education - 593; Executive - 1059, 1159 and 1217; Insurance, Pensions and Licensed Activities - 459, 682, 932; Judiciary I - 2364; Judiciary II - ...291 and 975; Local Government - 724, 1216 and 1219; Revenue - 18, 153, 198, 811, 861 and 1847.

PRESIDENT:

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 the following bills...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 142, 401, 419, 737, 753, 1075, 1083, 1090, 1129, 1262, 1263, 1313, 1324, 1340, 1341, 1353, 1360, 1362, 1378,...or 1529, 1531, 1539, 1556, 1935, 2202, 2205, 2283, 2437, 2441 and 2473.

PRESIDENT:

All right. With leave of the Body, we will begin, while the members are assembling, with House bills 1st reading, page 19 on the Calendar. If any member has a bill that a House member has requested that he or she pick up, please let the Secretary know. Page 19 on the Calendar, on the Order of House Bills 1st Reading, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 207.

(Secretary reads title of bill)

1st reading of the bill. Senator Savickas is the Senate sponsor.

House Bill 217, Senator Kustra.

(Secretary reads title of bill)

1st reading of the bill.

House Bill 300, Senator Rock.

(Secretary reads title of bill)

1st reading of the bill.

House Bill 437, Senator Netsch.

(Secretary reads title of bill)

1st reading of the bill.

House Bill 578.

(Secretary reads title of bill)

Senator Poshard.

House Bill 580, Senator Carroll.

(Secretary reads title of bill)

1st reading of the bill.

House Bill...621, Senator J.J. Joyce.

(Secretary reads title of bill)

1st reading of the bill.

636, Senator Demuzio.

(Secretary reads title of bill)

House Bill 703, Senator Sangmeister and J.J. Joyce.

(Secretary reads title of bill)

1st reading of the bill.

House Bill 760, Senator Chew.

(Secretary reads title of bill)

1st reading of the bill.

House Bill 787.

(Secretary reads title of bill)

1st reading of the bill. Senator Luft is the Senate sponsor.

House Bill 791, Senator Luft.

(Secretary reads title of bill)

1st reading of the bill.

House Bill 800, Senators Marovitz, Bloom and Zito.

(Secretary reads title of bill)

1st reading of the bill.

House Bill 805, Senator Karpziel.

(Secretary reads title of bill)

1st reading of the bill.

House Bill 816, Senator Carroll.

(Secretary reads title of bill)

1st reading of the bill.

House Bill 852, Senator Marovitz.

(Secretary reads title of bill)

1st reading.

House Bill 952, Senator Poshard.

(Secretary reads title of bill)

House Bill 1023, by Senator Philip.

(Secretary reads title of bill)

House Bill 1027, Senator Welch.

(Secretary reads title of bill)

House Bill 1034, Senator Welch.

(Secretary reads title of bill)

House Bill 1038, by Senators Berman and Maitland.

(Secretary reads title of bill)

House Bill 1039, by Senators Holmberg and Berman.

(Secretary reads title of bill)

1st reading of the bill.

House Bill 1050, Senator Darrow.

(Secretary reads title of bill)

House Bill 1051, Senator Darrow.

(Secretary reads title of bill)

1053, Senator Darrow.

(Secretary reads title of bill)

House Bill 1072.

(Secretary reads title of bill)

...sponsors of that bill was...1072, was Senators Etheredge and Davidson.

1148, by Senator Berman.

(Secretary reads title of bill)

House Bill...1206, by Senator Welch.

(Secretary reads title of bill)

1232, Senator Hall.

(Secretary reads title of bill)

1458, by Senator Poshard.

(Secretary reads title of bill)

1467, Senator D'Arco.

(Secretary reads title of bill)



1491, by Senator J.J. Joyce.

(Secretary reads title of bill)

Senate Bill 1500, by Senator DeAngelis.

(Secretary reads title of bill)

1523, Senator Degnan.

(Secretary reads title of bill)

1535, Senator Kustra.

(Secretary reads title of bill)

1555, by Senator Zito.

(Secretary reads title of bill)

1714, Senator Netsch.

(Secretary reads title of bill)

1951, Senator Schuneman.

(Secretary reads title of bill)

1952, by Senator DeAngelis.

(Secretary reads title of bill)

1977, by Senator Schuneman.

(Secretary reads title of bill)

2002, by Senator Rock.

(Secretary reads title of bill)

2003, Senator Berman.

(Secretary reads title of bill)

2036, by Senators Philip and Rigney.

(Secretary reads title of bill)

2062, Senator Etheredge.

(Secretary reads title of bill)

2088, by Senators Jones and Rock.

(Secretary reads title of bill)

2158, by Senators Nedza, Rock and DeAngelis.

(Secretary reads title of bill)

...2160, by Senators Marovitz, Nedza and Rock.

(Secretary reads title of bill)

2165, Senators Berman, Rock and Nedza.

(Secretary reads title of bill)

2167, Senators D'Arco, Nedza and Rock.

(Secretary reads title of bill)

2182, by Senator DeAngelis.

(Secretary reads title of bill)

...2188, by Senator Marovitz.

(Secretary reads title of bill)

2226,...by Senator Marovitz.

(Secretary reads title of bill)

2232, by Senator Karpiel.

(Secretary reads title of bill)

1st reading of the bills.

PRESIDENT:

(Machine cutoff)...call the attention of the membership to the back page, we have two hundred and twenty bills on the Order of 3rd Reading. So I would ask everyone to stay close to their seat and close to their files, and let's move as expeditiously as possible in order to afford all the members an opportunity. We will go through the Calendar but once and then we will go home. Senator Topinka, for what purpose do you arise?

SENATOR TOPINKA:

Yes, if I might have permission at this time, Mr...Mr. President, to go on Senate Bill 1072, 1938, 1200 and 766 as a joint sponsor.

PRESIDENT:

The lady has asked leave to be shown as a joint sponsor on the bills...the list of which she will afford the Secretary. Can you walk that list up to the Secretary, Senator Topinka? Without objection, leave is granted. (Machine cutoff)...Barkhausen, are we ready? On the Order of Senate Bills 3rd Reading, we'll start where we left off last night, the middle of page 12, and we will go number by number right through the Calendar. We're not skipping any appropriation bills or anything, we're just going to go right through the

SB 1073  
3rd Reading

Calendar. We have to go to page 18 and then we will begin again at the beginning. So my suggestion is, if we can hold the rhetoric to a minimum it would be helpful. On the Order of Senate Bills 3rd Reading, Senate Bill 1073. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1073.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, Senate Bill 1073 is the outgrowth of the work of the Illinois DUI Task Force and the recommendations from it and the Secretary of State's Task Force stemming from it and also from the lengthy negotiations and compromise that went on between representatives of the Secretary of State's Office, legislators that had been involved with this issue and members of the Illinois and Chicago Bar Associations. This is probably best characterized as an omnibus DUI bill, there are numerous provisions in it. It's best known for its provision dealing with judicial suspension of driver's license. Be happy to answer any questions, otherwise, would ask for approval.

PRESIDENT:

Any discussion? Is there any discussion? If not, the question is, shall Senate Bill 1073 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 54 Ayes, no Nays, none voting Present. Senate Bill 1073 having received the required constitutional majority is declared passed. 1074. On the Order of Senate Bills 3rd Reading, Senate Bill 1074. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1074.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. Senate Bill 1074 creates the Clinical Laboratory Science Practices Act. I...handled this bill when I found out that those people that determine what are the results of our blood tests are, whether in fact salmonella...what salmonella is and all the other tests and cultures that doctors...some of these technicians are not required to be registered, as a matter of fact, can be taken off the streets in some cases. So what we have tried to do with Senate Bill 1074 is use language that was provided by us from Registration and Education, by all people involved, the doctors are not opposed; in fact, I don't think there's any opposition. The language is in conjunction with all other language on file with Registration and Education. I will attempt to ask...answer any questions; if not, I'd move for a favorable roll call...ask for a favorable roll call.

PRESIDENT:

Any discussion? Senator Schaffer.

SENATOR SCHAFFER:

Perhaps, Mr. President, we could simplify the process here and...here in Springfield by sending every person in the State a form annually and allow them to declare themselves whatever they choose, and we would then register them with a ten dollar fee. It would be a tremendous revenue source and we would cut out all this excess legislation. This is another one of these bills to register a group that...you know, it sounds noble and all that, but we're going to end up registering anything that moves in this State or doesn't

move, and I frankly, think it all comes back to haunt us. We just killed the Sunset Commission and we're just running amok here.

PRESIDENT:

Further discussion? Senator Fawell.

SENATOR FAWELL:

Thank you, Mr. President. My sister was a lab technician, it takes...awhile to become one. You have to have some training and I think he's right, a chemistry student can't do a lot of these things, and I suggest we vote Yes.

PRESIDENT:

Further discussion? Further discussion? Senator Luft may close.

SENATOR LUFT:

Well, I think Senator Schaffer is right, we may wind up registering those that don't move, because this is simply anybody right now that can be taken off the street determine what blood sample you...what is in your blood; and as a matter of fact, in the Department of Public Health, those people that were testing for salmonella could have been taken off the street. I helped create the sunset laws in 1975 and '76 and I don't think I've ever gotten up to get anybody registered or licensed, but in this case, I think it's extremely important and would appreciate your support.

PRESIDENT:

Question is, shall Senate Bill 1074 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? All voted who wish? Have all voted who wish? Take the record. On that question, there are 48 Ayes, 7 Nays, none voting Present. Senate Bill 1074 having received the required constitutional majority is declared passed. On the Order of Senate Bills 3rd Reading, Senate Bill 1083. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1083.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Rupp.

SENATOR RUPP:

Thank you, Mr. President. The bill originally modified the...Unified Code of Corrections to prohibit a person in prison on a felony violation committed with a firearm from receiving any good-time credit. There were objections to that, the bill was amended, and what the bill now does, makes it a mandatory prison term for at least the minimum term provided the committing a felony offense was done with a firearm. I ask favorable response.

PRESIDENT:

Any discussion? Is there any discussion? If not, the question is, shall Senate Bill 1083 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 57 Ayes, no Nays, none voting Present. Senate Bill 1083 having received the required constitutional majority is declared passed. 1086, Senator Vadalabene. 1099, Senator Macdonald. Senator Macdonald. Senator Macdonald. Going, going, gone. On the Order of Senate Bills 3rd Reading, Senate Bill 1099, read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1099.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Macdonald.

SENATOR MACDONALD:

Thank you, Mr. President. Senate Bill 1099 is very

important bill. It was drafted as the result of a concept proposed by the Special...Grand Jury on Vote Fraud. The grand jury suggested that by requiring a print...a thumbprint on every ballot application that that would act as a tremendous deterrent to vote fraud, and...they feel it is no more of an invasion in privacy than a handwritten signature. So it...it is interesting to note here that it is publicly endorsed, of course, by Alderman Vrdolyak, the Sun Times and also by Thomas Leach who is the spokesman for the Chicago Board of Elections. This will do a great deal not only in the largest county in...in Illinois but also in other parts of Illinois where there are absent voters who are voted regardless of whether or not they have been...they actually are eligible to vote. So I...I ask for your vote on this piece of legislation which is designed to abolish vote fraud.

PRESIDENT:

Any discussion? Senator Netsch.

SENATOR NETSCH:

Do I understand, Senator Macdonald, that under your bill, you have to be fingerprinted in order to vote?

PRESIDENT:

Senator Macdonald.

SENATOR MACDONALD:

That's correct, Senator Netsch. You...you would have...and in the absence...we put an amendment on the bill to say that in the...in the absence of...we...we have passed three bills out of here, I believe, yesterday requiring fingerprinting and in the absence of...in...in handicapped people of a thumbprint it would be the next digit, or severely handicapped it would be the same as...as voting by affidavit. They would have to provide the credentials and vote by affidavit.

PRESIDENT:

Senator Netsch.

SENATOR NETSCH:

Yeah, I think I voted against all of those fingerprinting bills, by the way, yesterday or at least if I...I attempted to. I'm sorry, I'd like to think that I stand second to no one in my...my dislike of vote fraud, but fingerprinting in order to vote, somehow just is absolutely beyond the pail to me. The next thing, you know, you'll have to...well, I don't know, I mean, I guess we'll all be fingerprinted and...footprinted at birth and somehow Big Brother is going to follow his...through the rest of our lives. I'm...I'm sorry, I just find this really offensive to my basic sense of civil liberties.

PRESIDENT:

Further discussion? Senator Berman.

SENATOR BERMAN:

Well, I'm sorry that Senator Netsch injected civil liberties, that will probably fly this bill out of here. What can you say about a bill that requires you to be fingerprinted to vote? Can we amend the bill so that we can have a...a sign that says 1984 and a picture of Big Brother above it as you walk into the voting booth? Of course, it will in bilingual language. I happen to enjoy a constituency with many senior citizens, many of whom come from foreign countries; and if there is anything that would intimidate them more, I can't think of it. I think this is a outrageous proposal. I don't know how it got out of committee and I certainly hope it doesn't get out of here. Please vote No.

PRESIDENT:

Further discussion? Senator Dudycz.

SENATOR DUDY CZ:

Mr...Mr. President, thank you. Ladies and Gentlemen of the Senate, now that we in this Chamber yesterday...approved an elected school board, let's vote for honest elections. It's a good bill, it's very simple. Those of you who vote



for it will be telling the public that you are for honest elections, and those of who vote against it, will be telling the public that you are not for honest elections, that you approve of vote fraud. It's that simple. Wave your hands, Dawn, all you want. If you vote for it, you're for honest elections. If you vote against it, you're for dishonest elections.

PRESIDENT:

Further discussion? This one has certainly served to wake us up, Senator Macdonald. Senator Joyce.

SENATOR JEROME JOYCE:

Yes, Mr. President, how about tatooning at birth?

PRESIDENT:

Further discussion? Senator Schaffer.

SENATOR SCHAPPER:

Is...is this optional by election district or is it mandatory Statewide?

PRESIDENT:

Senator Macdonald.

SENATOR MACDONALD:

Mandatory Statewide.

PRESIDENT:

All right. Senator Macdonald...any further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President, Ladies and Gentlemen of the Senate, I don't think it's funny to have vote frauds. We've had plenty of them. All this bill is trying to do is ensure against vote frauds, might be funny to some of you over there, but it's not funny to me and a lot of the taxpayers who want honest elections. I ask you to support the bill.

PRESIDENT:

Further discussion? If not, Senator Macdonald may close.

SENATOR MACDONALD:

Well, first of all, I...I really can hardly say that I think the Grand...Jury on Vote Fraud was capricious in...in offering this bill. I think that we have had a very serious problem. It is not unknown, many banks use thumbprints and fingerprinting for identification. Many hospitals for new borns use footprints and that is at birth to identify...the child, and...and that while is not a tatoos, Senator Joyce, it certainly is at birth an identification which goes through that child on the birth certificate and is required. I just say that because of the vast amount of change that has happened throughout the past few years in the election process in Illinois, that there has to be some way for us to control vote fraud. This was the grand jury's suggestion...the...the Grand Jury on Vote Fraud suggestion, it has been accepted by the Chicago Board of Elections, and I don't think that they are a group who would necessarily embrace an idea like this...unless they felt it was necessary, and I...I just urge your vote in support of this bill.

PRESIDENT:

The question is, shall Senate Bill 1099 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 ar 26 Ayes, 31 Nays, none voting Present. Senate Bill 1099 having failed to receive the required constitutional majority is declared lost. 1101, Senator Kustra. On the Order of Senate Bills 3rd Reading, Senate Bill 1101. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1101.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President. I would ask leave to have Senator Barkhausen added as a hyphenated cosponsor of this bill.

PRESIDENT:

The gentleman seeks leave to add Senator Barkhausen as a cosponsor. Without objection, leave is granted. Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President and members of the Senate. This bill provides that prosecution for an Election Code violation be held before a judge from a county other than the one where such a violation was committed. I would point out that this is not a change of venue bill. It is just a change of judge bill in a sense. I think what it does is minimize the possibility of any undue influence being exerted on a judge because of some friendship, relationship or knowledge of the...of the defendant. It also improves the chances of objectivity on the bench and removes any suspicion of...of bias. I would ask for its favorable consideration.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I rise in opposition to Senate Bill 1101 and I...I truly don't understand the reason for it. It is in my judgment a direct frontal assault or slap in the face of every circuit court judge in every one of the hundred and two counties of this State, and there is no justifiable reason. I urge an Aye...a No vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, I rise in support of this bill

and simply to make the point that...that vote fraud is not confined to any one region of the State. You all remember when we were going through the question of a preliminary recount in 1982 and there were allegations on the part of the Stevenson Camp that vote fraud was at least as rampant in areas outside of Cook County as it...as it allegedly was within Cook County. I remember hearing Senator Joyce talk about the vote fraud that allegedly occurred, for example, in Kankakee County, and others have cited counties in the southern tip of the State where there are more registered voters than there people of voting age. And I think as long as our...our judges, even though the vast, vast majority of them are...are well-intentioned and probably not...vulnerable to pressure of any particular kind, as long as they continue to be elected, it's more than likely that even subjectively they're going to give the benefit of the doubt to the political party that put them in power; and for that reason, I think in...in a...in a sensitive issue such as vote fraud, it makes sense for the prosecution to be able to obtain the change of venue to be sure that the prosecution is going to be proceeding in as unbiased a manner as possible. For that reason, I would urge support for the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Macdonald.

SENATOR MACDONALD:

Thank you, Mr. President. I rise in strong support of this bill. I think for the reasons that Senator Barkhausen so...so succinctly put that it is really necessary for the prosecution to have a fair a hearing and a fair judgment in a court of law. I would submit to you that if we were to take a poll of our constituents throughout the State who watched on television and actually saw some of the vote fraud that...that was being displayed right before their eyes, that you would find that they would be strong supporters of this

bill. I urge your support for this.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator...Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President. I...I voted against this bill in committee, I strongly agree with Senator Rock, this bill should be defeated.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Berman. If you have time, Senator.

SENATOR BERMAN:

I was checking with my criminal law expert before I spoke. It...it disturbs me that the proponents of this bill stand up and...in fact, what you are saying is that you have no confidence in any of the judges in the county in which a vote fraud charge is brought. That's exactly what this bill says. I find that very difficult to believe. I know judges from throughout the State, and I think that there are cases that probably touch upon issues that are perhaps more personal, more critical, more sensitive than a vote fraud prosecution, and if you think that you have to go outside of the county to find a disinterested judge or an objective judge, then I...I really regret that you have that kind of an...of an opinion of the...circuit court judges throughout the State of Illinois, and we're not talking about one county. I...I find this preposterous. I...I...I think that this roll call, everyone that's voting Aye, I want to send a copy of this to your circuit court judges to let them know what you think of him.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, Mr. President, Ladies and Gentlemen of the Senate, I can assure you that my circuit court judges don't want to

get involved. They'd rather have a...a judge from another county.

PRESIDING OFFICER: (SENATOR SAVICKAS)

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

SENATOR KUSTRA:

Well, thank you, Mr. President. You noticed in my remarks, I think, Senator Rock's comments notwithstanding, that I made no assault on judges from the front, behind or any other direction. Instead, what I am trying to do is remove any appearance of impropriety. To the question of where does this occur or how does it occur, let me just say that I've taken the time to talk to judges, in Cook County anyway which is where I come from, they tell me that they don't like...as Senator Geo-Karis said, they don't like to be put in these positions. To be very specific, it's a case, Senator Berman, of where two judges are sitting next to each other in adjoining courts, they go out for lunch, one judge says to the other judge, "I've received a phone call from one of our friends. Did you know that this afternoon you've got such and...so and so in front of you for a vote fraud case? He's a precinct captain, he's come through the ranks." Either the conversation ends there or it...or it goes on in a manner I think you can predict. All this bill does is allow those judges to get off the hook so they're not put in those compromising situations. I make no attempt here on the Floor of this House to impugn the integrity of any judge, but I think it's important that we protect them. With the '86 elections around the corner and with Greylord having seriously undermined the confidence of judiciary, I think this makes a lot of sense; and as far as those of you downstate is concerned, I've also checked downstate. It's my understanding that this in many times around downstate occurs anyway. The judges decide for themselves when to remove themselves

from a case and put someone from another area in the circuit on that case. With all those reasons, I really don't think this is such a...a big deal. I think it's a good bill to ensure impartiality on the bench. I would ask for an Aye vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall Senate Bill 1101 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 27, the Nays are 25, 1 voting Present. Senate Bill 1101 having failed to receive a constitutional majority is declared defeated...Senator Bloom, for what purpose do you arise?

SENATOR BLOOM:

Thank you, Mr. President, fellow Senators. Point of personal privilege.

PRESIDING OFFICER: (SENATOR SAVICKAS)

State your point.

SENATOR BLOOM:

In the back gallery are some students from Franklin Grade School in Peoria. The students are constituents probably of both Senator Luft and myself, and I wonder if they could be recognized.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Will they rise and be recognized. Senate Bill 1105, Senator Sangmeister. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1105.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Sangmeister.

SENATOR SANGMEISTER:

Yes, thank you, Mr. President, members of the Senate.

Looking at the Calendar it accurately reflects what this bill does. I'm sure all of us have been talking to our doctors recently and one of them suggested to me that if you don't want to do anything else in malpractice, at least you ought to protect us in the area that you mandate us to...to work in; and as you know, as part of the school exams, before you can get into school you have to have what a...I guess is called a DPT shot which is diphtheria, pertussis and tetanus, and some doctors have told me that they have to give those shots and then later on the child gets a...a reaction to taking those shots, and then they get a malpractice suit filed against them and if they had their druthers they wouldn't have given them the shots to begin with. So this is a little protection for our doctors in this area and this is certainly mild compared to Senate Bill 1200. I'll be happy to answer any questions, if not, would move for a favorable roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the...Senator Bloom.

SENATOR BLOOM:

Well, it's with some reluctance that I rise to question this bill. It's my understanding, Senator, that when a physician is confronted with a DTP situation that they are not of necessity required by law to give it if, indeed, it's medically contraindicated and that the large verdict lawsuits, the ones that have made this issue somewhat notorious, are issues where you have, let's say, a sibling has had a rather mild reaction to a DPT and then the younger brother or sister is given the shot and a very serious negative result ensues, and in that situation where there is a tendency of reaction within the family that the doctors do not have to administer this shot. In other words, I'm...I'm a little concerned that we might be throwing the baby out with the bath water.



PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Was that a question, Senator Bloom, or a statement? No further discussion, Senator Sangmeister may close.

SENATOR SANGMEISTER:

Well, in answer to Senator Bloom, you are correct. In the Statute it does not mandate, but the problem is...is when you're in the doctor's office to...you understand the child does have to have the shots and it has to show to the school authorities that the shots have been administered...I grant you, the doctor could say to the parent, no, I'm not going to do it. Well, you know, they're in there for all the other tests, now if he doesn't give them the shots now the...the parent is going to have to go to another doctor somewhere. It's rather impractical, so the doctor is going to give them the shots. I don't think this is any...any...any problem in that area, Senator, and I have further put in the bill by amendment to cover your second situation provided that the physician exercise reasonable care in ascertaining the appropriate...of...immunization vaccine used and administered an appropriate immunization vaccine to the child. So, I...I think that's tightening up as much as I can. In closing, I would just say that...I think this is a small thing to do for the doctors. We ask them to administer these tests, give these shots and...for an orderly process in their office and...and getting kids into school, I...I think this is a very minor thing that we could do for doctors.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall Senate Bill 1105 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 49, the Nays are 1, 1 voting Present. Senate Bill 1105 having received the constitutional majority is declared passed. 1112, Sena-

tor Sangmeister. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1112.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Sangmeister.

SENATOR SANGMEISTER:

Yes, this is the State's Attorneys' Appellate Service commission. The bill was originally put in at two million eight hundred and ninety-seven thousand four hundred dollars, was reduced sixty-nine thousand three hundred; it is now at two million eight twenty-eight one hundred. Move for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall Senate Bill 1112 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 49, the Nays are none, none voting Present. Senate Bill...1112 having received the...constitutional majority is declared passed. Senate Bill 1129, Senator Newhouse. Senate Bill 1131, Senator Mahar. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1131.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Mahar.

SENATOR MAHAR:

Thank you, Mr. President and members. This is a clean-up bill at the request of the Secretary of State, and it adds to the current list of licensees those conditions which they

shall not sell alcohol to include an item...the number four which would be clinically assessed as a...an alcohol abuser or drug dependent person.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Hall.

SENATOR HALL:

I tried to get your attention and I had my hand up when you called 1129. I'm...I'm the hyphenated sponsor on that even though Newhouse wasn't here, and he was in the phone booth and he came right out. You...fast gaveled me and I'd hope we be able to come back to that...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator...Senator, I look at the sponsor, I look at his chair, if I...seek recognition if they want to move the bill, if they're not there, we move on to the next bill. It's been the...the policy today that we are going right through the Calendar and we're not going to wait till phone calls or lobbyists are answered and move right through the bill. Senator Hall.

SENATOR HALL:

Well, I understand that, that's why I was up and I tried to get your attention there but you looked over there, but I kept trying to get your attention and you just went on to the next bill. So, I think that I...I...I never delay the function here, but you know good and well if...if a person is up and they try to get your attention...I just want to call on that.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator, we will go back to it, but I want to admonish you, waving your hand if you're a hyphenated sponsor when the sponsor is in the...in the Chambers will not get you to call and move the bill. The hyphenated sponsor is not for the purpose as a substitute when the original sponsor is here. It's up to him to decide whether to move the bill or not to.

On 1131, if there's no further discussion, the question is, shall it pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 52, the Nays are none, none voting Present...moved to 53...53 Ayes. The bill having received the constitutional majority is declared passed. On Senate Bill 1129, Senator Newhouse. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1129.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Newhouse.

SENATOR NEWHOUSE:

Thank you, Mr. President. This bill is a bill that cures the problem of companies being fraudulently admitted to a program for minority contractors. The problem, I think, as we all know, is that there have been some companies that simply have front people to certify their organizations when...when they were not in fact minority controlled. This bill is intended to cure that. There was an amendment to the bill that gave the appointing power for the board that would supervise this activity to the Governor since it was a constitutional impossibility for it to have been appointed by the leadership, even with the advice and consent of the Senate. The bill is now in the condition that the sponsor wanted it in and I'd move its passage.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Hudson.

SENATOR HUDSON:

Thank you, Mr. President, members of the Senate. Would the sponsor...answer a question?

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will.

SENATOR HUDSON:

Senator Newhouse, you had originally a bill 1457, and as I understand it, that bill...or...Senate Bill 1129 struck everything after the enacting clause and then 1457 more less moved over to 1129...became 1129, is this correct?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Newhouse.

SENATOR NEWHOUSE:

That's correct, Senator.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hudson.

SENATOR HUDSON:

Thank you. Also, my understanding is that this bill creates a minority controlled and female controlled loan board. Is that correct?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Newhouse.

SENATOR NEWHOUSE:

That's correct, Senator, to...to...to govern a program that is already in existence.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hudson.

SENATOR HUDSON:

Well, to the bill, Mr. President.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hudson.

SENATOR HUDSON:

Briefly, and, Senator Newhouse, I...I'm somewhat reluctantly speak in opposition to the board. It seems to me...or to the bill...it seems to me that what we're doing here is creating a board, this would be a six-member board as the bill was amended, a six-member board appointed by the Governor, no three members of which could be...that is no

more than three members could be of the same party, if I understand it correctly. It...the bill invests in this board a great deal of power, gives the board the...almost unlimited authority to decide who gets three percent loans. Now this is...this is a board that would be making loans at an interest rate of three percent to minority interest and to...to female controlled businesses, I understand it, in certain limited areas of the State. St. Louis, I think, being one and...and one or two others, and I think I would question the advisability of giving...number one, a board such...what appears to be immense powers to loan money out, the State's money, and the funding would come through appropriations made to DCCA, by the way, loaning out at three percent. It would seem to me that this would be placing some other people and even other women who have businesses in other parts of the State...we're limiting it to particular areas of the State and saying, you can have...we'll loan you money at three percent over a period of twenty years. Now if these loans are defaulted on, I don't know what happens, I suppose the State picks up the tab. I don't know for sure, but it just seems to me to be a...a broad grant of power to a rather small group of people giving them that responsibility. I'm not so sure that this is...that this is the way we want to go to put the State into the loan business to...to this extent. So I'm just raising a few of these questions so that you can take a look at it and decide for yourselves what you want to do. I...I would be inclined to recommend a No vote. I think we have other programs that are trying to do this same thing, and this may very well be...an overkill or an overlay or an overlapping of something that may be already being done, I don't know, in some other way.

PRESIDING OFFICER: (SENATOR SAVICKAS)

We have Senator Geo-Karis, Hall, Schaffer and DeAngelis.  
Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, Mr. President and Ladies and Gentlemen of the Senate, I supported the amendment to Senator Davidson's bill which created the minority controlled and the female controlled businesses...however, what this bill does as it was amended...in the original form, I would be happy to support this bill, but the amendment to this bill says that the loans...the grants shall be done to businesses in the City of Chicago, East St. Louie and...Alexander and...Pulaski Counties. What about the other ninety-eight counties in the State...ninety-six counties?...it's about ninety-eight...I mean, we...it doesn't have any help for them. I don't think this is a...very fair bill...as it is amended, and I...I'm reluctantly forced to speak against the bill because it's patently unfair when you leave out ninety-eight counties.

PRESIDING OFFICER: (SENATOR SAVICKAS)

For what purpose Senator Newhouse?

SENATOR NEWHOUSE:

...I think there's a question that needs to...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Well, Senator, that wasn't a question. We're going to go through the people that sought recognition and then you can close. Senator Hall.

SENATOR HALL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senator Hudson, it comes at no surprise to me that you are opposed to it. I gave you the information so that you would be familiar. Now what this simply does is that DCCA is trying to stimulate employment around the State of Illinois. What we're trying to do is, we're trying to get people off of aid, trying to give them work, trying to give them some stimulant and this is the thing that they have. It's a great thing around here to tell people to pull themselves up by their bootstraps, but if we don't give them any

boots, how they going to pull them? The point is that what is necessary here, this simply says that these people in these depressed areas down where Senator Poshard is, where Senator Dunn is and...and those areas. It's...and, Senator Hudson, by the way, it's not St. Louis because that's in Missouri, and I heard you make that...I want to tell you that...all right. Now...so the thing that happens is this, as we stay here and cry with these crocodile tears, we say we want to do something for people, we say that we want to give minorities and females an opportunity, we say that we want people to get up and start doing something for themselves. This is a shot in the arm, this is a stimulant and if you got some other problems about it, if you feel that it should be around the rest of the State...we tried to get the State where the most depressed people are and where the high public aid, general assistance are to try to give these people a shot in the arm. If there is a feeling that we ought to...expand it more, I have...know Senator Newhouse will have no problem of trying to make some adjustment to that when the House; but if you don't give people an opportunity, if you preach day in and day out you're supposed to help yourself, and you don't come a long and try to help them...you can't pray them out of this, you got to get something and try to help these people. That's why this bill is so important, and I strongly...ask that we do support this and give it the necessary votes to get out of here.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schaffer.

SENATOR SCHAFFER:

Well, apparently, we only want to help people in certain parts of the State. That's the gripe I think most of us have. This isn't even the whole City of Chicago. This is just the south and west sides...that's been amended out, now it's the whole city...pardon moi. Well, it certainly doesn't



include my area and we have minority owned and feminine owned businesses, and I take umbrage at...at limiting a program that is funded by Statewide money to a small segment of the State. Now, I admit the minority population is concentrated...rather heavily in certain sections of the State, but I would submit to you that the female population is not. You talk about fairness, this isn't fair, this is burglary.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

Well, I think we've hit on the point of...a classic case of discrimination, and for shame on you, Senator Newhouse, and you, too, Senator Hall. If you think only the westside of Chicago is depressed, I would like...I would like to invite you to drive through the town I was born and raised in, East Chicago Heights, where there are fifty-two hundred people and thirty-one hundred welfare checks. And I think it's...it's reprehensible that people who are trying to clear up a problem regarding discrimination are now discriminating against people who have been...we have minority owned businesses in our area. You're putting them into unfair competition with those very people.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Poshard.

SENATOR POSHARD:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I rise in support of this bill. The bill directly affects some of the counties in my district and I rise in support of it, because for years in my work in those counties I have seen people with no chance of breaking the poverty cycle, twenty-five, twenty-six, twenty-nine percent unemployment now in some of those counties. We have to have some help. This is not a bill to assist people who simply want a handout. Poor people need help on occasion and this bill

lends them the kind of help that they need to break the poverty cycle. We cannot continually stand back apart from the problems of people who simply do not have the sustenance to get by on a day-to-day basis, do not have the kinds of clothes to put on the back of their children, do not have the kinds of quality schools to send their children to. We have to begin to break the cycle in these areas that need it the most, and it's not as though these people are asking for something for nothing. They're trying very hard in the counties in my district which are represented in this bill. We're putting together committees to try to entice industry to come in. We're putting together all kinds of economic development opportunities and incentives to try to direct businesses and industries to come to our area and some of those need to be minority owned businesses. I rise in support of the bill. I cannot emphasize more adequately than I'm trying right now, that it's a good bill, that it can help poor people, and I think that's what we're about in so many cases in this Senate and elsewhere. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Pawell...is there further discussion? If not, Senator Newhouse may close.

SENATOR NEWHOUSE:

Thank you, Mr. President. Let me...I was...I rushed in the presentation of this bill because I wanted to move things along in the Chamber; apparently, that was a mistake. Let me just say to Senators on both sides of the aisle, this bill does not create a new program. The program presently exists. What this bill does is create a watchdog agency to make certain...can I get some...Mr. Chairman,...Mr. President,...I want...I want...there seems to be some question, I want to make certain...everyone understands where we are. This bill does not create a new program. The program presently exists.

What this bill does is create a watchdog agency to make certain that the parameters of the program are circumscribed and that people live up to what the parameters of the program are. The geographical locations may be a mistake. What we had...what we tried to do was get into those pockets of poverty to do what I think both sides of this aisle want to be done, to begin to create small businesses in this State that will produce taxpayers and increase the tax base. That's the purpose. Now, for those of you who feel as if that we want...that geographic distribution should be expanded, I would have no objection of doing that in the House if that's what you want on due consideration. So given that as an explanation, it is not a new program, it's a watchdog agency, I would...I would solicit your support of this bill. If you'll suggest to me that you want the changes made in the House, I will certainly commit to that. I would ask that...I would ask...that...a do pass on this bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall Senate Bill 1129 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 31, the Nays 21, 4 voting Present. Senate Bill 1129 having received the constitutional majority is declared passed. For what purpose Senator Hudson arise?

SENATOR HUDSON:

I hate to do this, Mr. President, but a verification, please.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator...Senator Hudson has requested a verification of the affirmative vote. All the members please be in their seats. Will the Secretary please call the affirmative roll.

SECRETARY:

(Machine cutoff)...following voted in the affirmative:

Berman. Carroll. Chew. Collins. D'Arco. Darrow.  
Degnan. Demuzio. Dudycz. Hall. Holmberg. Jones.  
Jeremiah Joyce. Jerome Joyce. Kelly. Lechowicz. Luft.  
Marovitz. Nedza. Netsch. Newhouse. O'Daniel. Poshard.  
Rupp. Sangmeister. Savickas. Smith. Vadalabene. Welch.  
Zito. Mr. President.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there a question of any of the affirmative vote?

Senator Hudson.

SENATOR HUDSON:

Senator D'Arco.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He's on...he's in his seat.

SENATOR HUDSON:

Holmberg.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Holmberg...Senator Holmberg on the Floor? She's  
on the Floor?

SENATOR HUDSON:

Jeremiah Joyce...Joyce...okay, all right. That's it, Mr.  
President.

PRESIDING OFFICER: (SENATOR SAVICKAS)

On a verified roll call, the Ayes are 31, the Nays 21, 4  
voting Present. Senate Bill 1129 having received the con-  
stitutional majority is declared passed. For what purpose  
Senator Poshard seek recognition?

SENATOR POSHARD:

A point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR SAVICKAS)

State your point.

SENATOR POSHARD:

Like to recognize in the gallery...in the President's  
Gallery to our rear a group of honor students from New  
Simpson Hill Elementary School and the best darn musicians in

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Johnson County. They're here with their sponsors and parents and I'd like for them to rise and be recognized.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Would they please rise and be recognized. For what purpose Senator Hall seek recognition?

SENATOR HALL:

Having voted on the prevailing side, I move that they...that vote be...1129 be reconsidered.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hall moves to reconsider the vote by which 1129 passed. Senator Newhouse moves to lie that motion on the Table. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. The motion carries. Senate Bill 1136, Senator Watson. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1136.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. The amendment is now the bill, we...we gutted the original statement of the legislation and now the amendment is the bill; and this addresses a problem that the salvage people are having, and I don't if you've been contacted by some...the salvage people in your particular area. But we passed a bill a couple of year's ago, House Bill 2211, which really crippled the salvage industry and it...maybe it was trying to solve a problem of...of chop shop concerns and, hopefully, it has done that, but it has created a tremendous problem for the salvage dealers. And one of the areas that they have a problem is in the identification of what is called an essential part. Currently, they have to inventory all parts, keep track of them regardless of

the age, and what this bill will now do is say that a vehicle that is less than eight years older is the only type of vehicle that will...or a...a part..an essential part from a vehicle that is less than eight years is the only thing that will have to be inventoried except for a hulk, cowl and chassis. Those will have to be inventoried regardless of age. We're just trying to help solve a problem that we may have created by...by passage of this bill...in the last Session, and...be glad to...to answer any questions. We are working with the Secretary of State's Office, the Cook County State's Attorney, Department of Law Enforcement and the salvage people are continuing to negotiate in hopes of coming up to an agreed solution. Right now, the Secretary of State supports this provision; the Cook County State's Attorney's Office has taken a position of opposition at this time, but they are willing to continue to...to negotiate with us and hopefully work this out. I would appreciate...a favorable roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Degnan.

SENATOR DEGNAN:

Thank you, Mr. President. Senator Watson is correct. There still is some concern that Senate Bill 1136 as amended dilutes substantially the chop shop bill we passed last Session. With his assurance that negotiations between the Cook County State's Attorney and the Chicago Police Department who currently stand opposed to the concept, I feel we should pass this to the House and continue that dialogue. Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Nedza.

SENATOR NEDZA:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I only wish to concur with both of my colleagues,

the war will not break out here; if they don't come to a...a settlement, the war will break out in the House.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

Just one quick concern, I would like to see in your...negotiations that you consider antique cars...you may not want to put that limitation of eight years on them.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall Senate Bill 1136 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 49, the Nays are none, 1 voting Present. Senate Bill 1136 having received the constitutional majority is declared passed. For what purpose Senator Vadalabene arise?

SENATOR VADALABENE:

Yes, I would like to be recorded as voting Aye on Senate Bill 1131. I was in the telephone booth and when the roll call was taken, I was absent.

END OF REEL

REEL #2

PRESIDING OFFICER: (SENATOR SAVICKAS)

...you'll be recorded. Senate Bill 1144, Senator Harovitz. Read the bill, Mr. Secretary. You know, I...I would suggest that at the end of today's Session on those bills you wish to be recorded, instead of interrupting the procedure that we...see the Secretary, we'll get you recorded at the end of the Session. Senator Sangmeister. Senator

Sangmeister.

SENATOR SANGMEISTER:

Not on. Yes, I am. I'm sorry. Oh, are we on? Okay. I would suggest maybe it's time for the Donnewald Rule to be adopted so that we can move readily today. If you recall that was, you know, the sponsor presents his bill, one in opposition, the sponsor closes and we go. Is there any possibility of having the rule and invoked?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Sounds good to me. Senator Marovitz, 1144. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1144.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

...Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. This bill only affects checking accounts. As you know, in recent years, the type of checking accounts available to consumers has increased. Savings and loan and money market funds are all newly competitors with banks for this business and consumers can no longer maintain a single, free checking account and they're faced with a variety of accounts. This bill meets the needs of these consumers without imposing any burdens on financial institutions. The bill requires financial institutions to disclose terms which apply to checking accounts. While many institutions make some disclosures, few of them make them all. The Illinois bankers drafted Amendment No. 2. They asked for some changes in the bill. We...we put their amendment on the bill which had to do with the timing, removing criminal penalties from the...from the legislation and other objections that they



had. The amendment is intended to make it easier for consumers to compare terms available at different institutions by standardizing the way information is received and presented, and it does only affect checking accounts, and I would solicit your Aye vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Keats.

SENATOR KEATS:

Thank you, Mr. President. In the sake of brevity, I'll cut out the entire speech and simply say the identical bill that dealt with the savings accounts went out yesterday with exactly thirty votes. There were the same problems with this, the same plus, the same minuses. I'll...I'll skip the whole argument and just say, hey, it went out with thirty votes yesterday; my guess, this one's going to go out with thirty or thirty-one votes, and I'm just going to make you all aware of that so you don't miss the significance of the bill. Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Question is, shall Senate Bill 1144 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is over. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 33, the Nays are 24. Senate Bill 1144 having received the constitutional majority is declared passed. Senate Bill 1152, Senator Kustra. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1152.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President and members of the Senate. This

bill comes to us by way of a constituent of mine and a constituent of Senator Kelly's. The amendment becomes the bill and it grandfathers in a group of physicians' assistants who were State licensed in 1976 but due to a rewrite of the section in 1977 are now ineligible for recertification without taking the national exam. The amendment affects no more than sixty physicians' assistants who have held State licensure. To qualify for the grandfathering, a physician's assistant must have been licensed between July 1st, 1976 and September 20th, 1977, and have actively...practiced in the State of Illinois at least twelve of the previous eighteen months prior to July 1st, 1985. There is some language in here deleting reference to license renewal. Staff tells me that we may want to put some of that language back in. I have agreed to do that...over in the House. I would ask for your favorable consideration.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Kelly. If no discussion, the question is, shall Senate Bill 1152 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 50, the Nays are 2, 1 voting Present. Senate Bill 1152 having received the constitutional majority is declared passed. Senate Bill 1153, Senator Barkhausen. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1153.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, Senate Bill 1153 authorizes a joint action municipal water agency to...upon approval and by

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referendum issue General Obligations Bonds. It was amended once with an agreed amendment by the municipal league. I know of no opposition, would...and would urge passage.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall Senate Bill 1153 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are 2, 1 voting Present. Senate Bill 1153 having received the constitutional majority is declared passed. Senate Bill 1156, Senator Rock. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1156.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President. Senate Bill 1156 had been on the Agreed List and I...I pulled it off awaiting an amendment from the Office of the Governor and from the Department of Commerce and Community Affairs. They tell me that amendment is...in its final stages. The fact is, this is a bill to afford further tax deductions and incentives for job training and retraining programs. The amendment, I'm told, will be ready and will be presented over in the House. There is absolutely no objection to this and I would urge a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Any discussion? If not, those in...the question is, shall Senate Bill 1156 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted

who wish? Take the record. On that question, the Ayes are 56, the Nays are none, 1 voting Present. Senate Bill 1156 having received the required constitutional majority is declared passed. 1160, Senator Welch. Mr. Secretary, Senate Bill 1160.

SECRETARY:

Senate Bill 1160.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

First, Mr. President, I ask leave to add Senator Zito as a hyphenated cosponsor to this bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is leave granted? Leave is granted. Senator Zito is added. Senator Welch.

SENATOR WELCH:

...this bill merely requires the date be placed on milk containers. Pursuant to a request from the other side of the aisle, I did amend it to take care of the problem concerning glass bottles, and that's about the summary of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Dunn.

SENATOR DUNN:

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Dunn.

SENATOR DUNN:

How did you take care of that, Senator? Glass bottles...pretty hard to put a...a date on a glass bottle.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

All bottles have to have some date so the people who handle them know when to get the milk off the shelf. So, on the cap of the bottle, which is a paper cap, it would be placed on the paper cap.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dunn.

SENATOR DUNN:

Thank you...thank you...I'd like to remark that a bottle cap is awful small and if you've looked at a bottle cap...maybe people up in this part of the State don't have bottle caps, but down in southern Illinois, we still have glass bottles with little caps about an inch and a quarter across. I think they're full of writing already. I don't know where you would put a date on top of that. I suggest it's kind of an anti-consumer bill. It's not really good...good business bill and...and I'd suggest a No vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right,...further discussion? Senator Donahue.

SENATOR DONAHUE:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Donahue.

SENATOR DONAHUE:

How did you come up with the fourteen days? What's the significance of fourteen days?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

The fourteen day was amended from ten days pursuant to a request of the Kroger Grocery Company. They sent one of their officers out and he advised me fourteen days was a date that was a reasonable one. The Illinois Retail Merchants Association agreed. They're the ones who helped draw up this amend-

ment and they have no opposition to this bill at all.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Donahue.

SENATOR DONAHUE:

Fourteen days from what? The time it leaves the...the dairy? The time it's processed through the dairy? What...about when does this date go on?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Senate...Senator, it is right in the bill. I mean, we're just delaying things here for obvious purposes. It's...it's from the date it's produced, placed in its final package at the milk plant. It's right in the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...Senator Donahue.

SENATOR DONAHUE:

I assure you, Senator, I'm not trying to delay this. I...would like to know why from the...from the time it leaves or what's the purpose of this? Let's put it that way.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Okay,...well, let's...let's start from the beginning. Milk has a certain life period. From the date it's placed in the package, what we're saying with this bill is that fourteen days from that date the milk should be removed from the shelf in order to make sure that customers are protected. Then, we're putting the date...the fourteen days from the date it's placed in the package on the package itself so the customers are able to read the package and know what date it should be off the shelves, so when they purchase the milk, they know what date they should not purchase it after. This doesn't affect it when they're in their home. They can drink

it after that date, it's just...it should be off the shelf fourteen days. That was the recommendation of the fellow from Kroger Corporation whom, I assume, knows his business.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Donahue.

SENATOR DONAHUE:

I would just say that we have heard testimony in committee that this an arbitrary...dating. A lot of the dairies already do it, and with all due respect to Kroger, there are a lot of other dairies in this State. And I'll...finish with one question. How many...is there no opposition to this, or do you have the same type of information I have and the numbers of dairies that are still opposed to this bill?

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Welch, you can handle that in your closing remarks. Senator Etheredge.

SENATOR ETHEREDGE:

Will the sponsor yield?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Etheredge.

SENATOR ETHEREDGE:

The...what is...what is the purpose of this...of the legislation?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

I...I think it's pretty obvious what the purpose is, Senator.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge.

SENATOR ETHEREDGE:

I didn't hear the answer to that...I...I heard a statement, but I didn't hear the answer to the question.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Well, as I told Senator Donahue, the purpose is to get milk off the shelf fourteen days after it's put in the package in order to protect consumers so that they don't end up buying milk that should be off the shelf but hasn't been taken off.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge.

SENATOR ETHEREDGE:

Well, I rise in strong opposition to this bill. The dating whether it be ten days or fourteen days does not accomplish your stated objective. There...and this is not a matter of subjective...feelings, this is a...a matter which is...which can be verified by scientific tests. If you want to...the most important factor in determining how milk tastes and how safe it is at the time of consumption is not the period of time that's lapsed between the time the milk has been pasteurized and bottled and taken to the store, but it is rather the temperature at which that milk has been stored during the process and your...your putting a date is not going to protect customers at all. I suggest to you that it is going to do one other thing though, it may...if it accomplishes anything at all, it's going to increase the cost of the product to the consumer. So, what this bill is is a...is a stick it to the consumer bill. I'd suggest that the best thing that we could do is to...is to vote this thing down. The amendment changing it from ten days to fourteen days really doesn't accomplish anything at all, either in the...the way of consumer protection or...or anything else. As one of my colleagues...want to say from time to time, it's like putting perfume on a hog. This...this bill is still a hog and I recommend a No vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)



All right, further discussion? Senator...Senator...Senator Maitland. We have five additional speakers. Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President. Senator Etheredge touched upon most of my areas of concern but a direct question, Senator Welch, if you would be willing to...to yield. What...what terrible thing are you guarding consumers against? What's going to happen to that milk after fourteen days? I know a little something about the dairy industry and I want to know if...if you know what really you're talking about.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Well, Senator, the...the harm may not appear in all forms, but what we're trying to do is give consumers information that is available to people in the industry who can read the milk cartons so that they can make an informed decision when they go to the store and, in particular, if they have milk there with several different dates, they can choose among the cartons of milk which is the fresher and take that home.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman, for what purpose do you arise?

SENATOR BERMAN:

At the appropriate time, I'd move the previous question.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, there are Senator Karpiel, Senator Joyce, Senator Zito and Senator Kelly and that will be it. Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President. The fact of the matter is, as Senate....Senator Etheredge has indicated, as long as that

milk is...is kept cool, milk's shelf life can go on for quite a...quite a length of time. Let me tell you what...let me tell you what people in...in stores and supermarkets do, and I can tell by the...by the attention of the Body, no...not too many people really care about this...but the fact of the matter is...the fact of the matter is, people who work in stores are required by their...by their bosses and do it as a matter of...of policy in the store, continue to move the milk forward on the rack. Milk turns over very rapidly, it simply does. So, what's going to happen is you're going to have people, because they know the date is there, picking always the freshest date which, in fact, probably will cause milk to eventually have to be thrown out. Now that's a fact of life; and as Senator Etheredge has indicated is, indeed, going to raise the cost to the consumer, and I...I suggest to you, Senator, this is a bad bill and I think the original intent was to climb on board with the concern about salmonella, no question about that at all, that's been a major concern and salmonella is present in every...in all milk and is taken out by pasteurization. As long as the milk is kept cool, that problem is taken care of. I think it's a bad bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Jerome Joyce.

SENATOR JEROME JOYCE:

I don't know what all the controversy is over this. So, some of the milk will be thrown out. The Federal Government spends two billion dollars a year storing surplus milk. So, maybe we'd cut some of that down and the people who are drinking milk would get a little fresher milk.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Kelly. I'm sorry, did...Senator Karpiel was next, Senator Kelly. Senator Karpiel.

SENATOR KARPIEL:

I just want to mention that I...I, along with thousands of other people, drank milk that was dated and it was dated way in advance, I mean, it was not bad milk, it was not on the shelf too long, I drank the correct date to get salmonella. I mean, I had salmonella along with thousands of other people and I drank the milk that was dated. I can't see that this bill is going to do anything at all. It's just a silly bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President. Ladies and gentlemen, we've just had thousands of people that...became ill over this. We had many Illinoisans die from salmonella. The sponsor has indicated that he's working with the Retail Association and I'm sure he's also would be willing to accede to any changes in the House if we need any amendments. I move and I very proudly support Senate Bill 1160.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Zito.

SENATOR ZITO:

I didn't want to get into this, Mr. President, but I excused my ignorance to all of you dairy farmers here. I'm a consumer like everybody else and I don't know anything about the dairy industry. I do know...that when I go to buy a carton of milk, I'd like to see a clear, legible date so that I know what kind of milk I'm buying and how long ago that milk was packaged. What's the argument? I think we should be able to afford the consumers of this State...and I didn't realize that it didn't happen in every county because in the County of Cook, there is a date marked very clearly on...on the package. Come on, let's...cut out the rhetoric, let's be able to at least decide when the milk was packaged and have it in legible for so that a consumer walking into a store can

see it clearly and make the decision for themselves. It's a very simple concept and I support it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Welch may close.

SENATOR WELCH:

Thank you, Mr. President. Dates currently exist on bottles of milk but they're not legible to consumers, that's for quality control by the industry and the grocery store itself. All this bill does is say, make that date in a legible marking so that the consumer can have the same information that the grocery store and the producer does. I would urge an affirmative vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, the question is, shall Senate Bill 1160 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 29, the Nays are 24, 3 voting Present. Senate Bill 1160 having failed to receive the required constitutional majority is declared lost. Senate Bill 1163, Senator Jerome Joyce. On the Order of Senate Bills 3rd Reading, Senate Bill 1163, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 1163.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEROME JOYCE:

Yes, thank you, Mr. President. The next three bills are a package that was initiated by the Health and Medical Policy Research Group and what they do is...is educate the public on programs for the correct use of pesticides, and this bill

would increase the fees and...and have the Department of Public Health work out the problems with this. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Any discussion? If not, the question is, shall Senate Bill 1163 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Senator Savickas. Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. Senate Bill 1163 having received the required constitutional majority is declared passed. 1164, Senator Joyce. Mr. Secretary, 1164, read the bill.

SECRETARY:

Senate Bill 1164.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEROME JOYCE:

Yes, this is...another one of the bills that creates the Pesticide Control Fund which is to be used for public education program on the correct use...pesticides, and I'd ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Any discussion? If not, the question is, shall Senate Bill 1164 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. Senate Bill 1164 having received the required constitutional majority is declared passed. 1165, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 1165.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEROME JOYCE:

Yes, thank you, Mr. President. This is the last of the package. It requires the Department of...Public Health to conduct a study of urban pesticide abuses, and I'd ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Any discussion? If not, the question is, shall Senate Bill 1165 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, none voting Present. Senate Bill 1165 having received the required constitutional majority is declared passed. Senate Bill 1186, Senator Smith. Mr. Secretary, read the bill. All right. 1191, Senator Jeremiah Joyce. On the Order of Senate Bills 3rd Reading is Senate Bill 1191. Mr. Secretary, read the bill. Senator Keats, for what purpose do you arise? Oh, Senate Bill 1191, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 1191.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Thank you, Mr. President and members of the Senate. Senate Bill 1191 creates the Mobile Check Cashers Act. You can look at your Digest for all the particulars on it. I

will basically summarize the...presently there is one mobile check casher in the State and that is Thillens and what these...what Thillens does is it goes to different locations and cashes payroll checks. The individual locations have to be approved by the State. What this Act would...what this Act would do in part would provide that the State would just license the mobile check casher and review as part of its ongoing operation the various locations. The currency exchanges are in opposition to this. The...the Illinois State Chamber of Commerce...Chamber is of supportive of it. The Illinois Employer's Association is supportive of it and I'll be happy to answer any questions; otherwise, I would ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Keats.

SENATOR KEATS:

Thank you, Mr. President. On a simple philosophic basis, I would support the bill saying that it does allow greater use of a certain type of currency exchanges, but there are one or two minor problems that you really have to think about that are really technical problems. First, the Department of Financial Institutions does oppose it, I mention that which will influence maybe one vote in the room, but I am supposed to at least mention that. What we're doing is essentially removing the mobile check cashers from...or the single mobile check casher from what is in reality the regulation of the entire rest of the industry which are, of course, nonmobile; and what happens is, in most of these communities where you have currency exchanges, they are it when you talk about financial institutions, that's it, there's nobody else there and...and I know why. Anyone who's been to where most of the currency exchanges are, you wouldn't open a bank in that area either and the bank probably financially could not survive. The cash is not there in some cases. The issue is a very

localized one because in those areas these currency exchanges also sell things, they sell stuff like the license plates, the food stamps, many of the other things that we, as a State, have to distribute. If we had another way to distribute them in the area without opening up an entire new State office which will cost us quite a bit of money to open a State office, distribute the food stamps and the thises and the license plates and the thats and those sorts of things, we'd be okay. I mean, in one sense, I want to say I'm for the bill, 'cause from a...from a philosophic point of view, the bill is correct; from a practical point of view, it does undermine and in some cases do away with a series of currency exchanges in areas where we, as a State, have no other way to distribute things such as that, and for that reason, I would ask opposition to the bill even though philosophically the bill is...appears good.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

First of all, as a point of personal privilege. Senator Keats, I have a currency exchange, I don't own it, but it's across the street from my office and I resent the fact that you claim the neighborhood my office is in is pretty crummy.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator...

SENATOR DeANGELIS:

...but...ho....ho...wait.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

It's not real hot, but it's not that bad. A question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

He indicates he will yield. Senator DeAngelis.



SENATOR DeANGELIS:

Well, if you're going to do this, Senator Joyce,...first a statement and then a question. Essentially you're deregulating this industry. Why don't you just take them out of the Currency Exchange Act?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Well, they still come under...they still come under the licensing provisions of the State.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

Yeah, they get one license, that's it for all of them.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Well, first of all...first of all, there...there is...there is a process...a rather complex and detailed process involved in the issuance of the license, but...but as a pragmatic matter, the department isn't really doing anything right now...with...other than putting the...putting Thillens through a...a...a process that is without real meaning other than being...being time consuming. They talk about how it impacts community and those types of things that really don't come into play. These...Thillens is not cashing checks on public streets. They go to a place of business. The employees...cash their payroll checks. It's a...primarily a security or a safety factor and that's the supporting rationale for...for...for this legislation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

Well, rather quickly, I think you supported my statement.

If they're not doing anything, if they're just cashing checks, why not just take them right out of the Act? What you're doing here is essentially making a department responsible without giving any authority.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...Senator Joyce.

SENATOR JEREMIAH JOYCE:

Well, that's not quite the case. If you would support taking them out of the Act, if you would support totally deregulating this, then you would have a situation where you would have people walking around cashing checks for other people. There'd be no regulation. There'd be no oversight on this. I don't think you really want that, Senator.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Jones.

SENATOR JONES:

Yeah, thank you, Mr. President and members of the Senate. I...I rise in opposition to this legislation for a number of reasons. I served on the subcommittee in the House when we debated the issue as it related to currency exchanges and the mobile cash checking...cash checking of Thillens' operations. In many communities and particularly in the City of Chicago, for example, the currency exchange is that poor person's banking outfit. The currency exchange in many of these areas is the only area where you...where the Department of Public Aid sends checks direct, and why did they do this? Because of theft from the mailboxes in many areas, senior citizens on their way to the...the...the bank or to the currency exchange were being robbed. Since we instituted that process, theft of public aid checks almost is...nonexistence; not only that, the banks in the area either left the community and they refused to even accept the deposits of...of public aid checks. On top of that, it is the only area, as I indicated, where people are...in a particular community can get their

food stamps, can get checks cashed. In some instances, they are open twenty-four hours a day. The operation that this bill was set up is that a...a mobile check cashing outfit will come in, cash some checks and leave, thus resulting in these currency exchanges which render a service in a community to either have to close up, force them to lay off employees. We dealt with this subject matter. It's not the first time this bill has been here, but in communities that need this service, this particular bill will serve as a detriment to the people. We tried to work out a compromise that didn't work. What he wants to do with this bill is have a mobile check cashing outfit go sit in front of a bank and cash the checks and then leave. In some communities you have no other facility whatsoever but that currency exchange. It...and this outfit is only designed to take the profit out of the community, render no service, there...it's not going to be there in the evening, it's going to serve no protection for the people whatsoever and this is the reason why we as the members of the General...General Assembly instituted that law back in the...in the mid '70's. So, I urge each and every one of you to vote strongly against this bill because it's not rendering a service to the people, it just designed to help one particular outfit which is Thillens.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Dudycz.

SENATOR DUDYCZ:

...question for the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Dudycz.

SENATOR DUDYCZ:

Does this bill specifically have anything to do with public aid checks?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

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SENATOR JEREMIAH JOYCE:

No. The answer to that question would be no.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dudycz.

SENATOR DUDYCYZ:

Then what's he talking about?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce, you want to answer that? Apparently not.

Senator Joyce may close.

SENATOR JEREMIAH JOYCE:

Well, we've all had a long week. Much of what Senator Jones has just spoken is...is in error. These...they're not looking to park in front of a bank, that is not what...that would not be permitted. This issue has...the currency exchange is on one side and one mobile check cashing service on the other side. I ask for your support on Senate Bill 1191.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall Senate Bill 1191 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 27, the Nays are 28, none voting Present. Senate Bill 1191 having failed to receive the required constitutional majority is declared lost. 1192, Senator Joyce. On the Order of Senate Bills...3rd Reading, Senate Bill 1192. Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 1192.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

WCIA has requested permission to videotape. Is leave

granted? Leave is granted. Senator Joyce.

SENATOR JEREMIAH JOYCE:

Thank you, Mr...Mr. President and members of the Senate. Senate Bill 1192 is really a technical amendment taking out at some obsolete provisions. I know of no opposition to the amendment and I move its...its passage at this time.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Davidson.

SENATOR DAVIDSON:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Davidson.

SENATOR DAVIDSON:

Wasn't 1192 to follow 1191 and since 1191 creating the mobile just died, doesn't this...this says about doing away with licensing or ambulatory currency exchanges. Don't they mean repeal the...surety...bonds? Aren't they one in same?...didn't they...didn't...did they not have to go together?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

...I mean, what do you think, I would tell you a lie? I'm telling you that it's...it's...it's an...it takes out an...it has nothing to do with 1191, it takes out some obsolete language and I don't think there...if you look in your Digest, I don't think there's any opposition to it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson. Further discussion? If not, the...the question is, shall Senate...Senator Marovitz.

SENATOR MAROVITZ:

Just a question. I believe everything that's in this bill and there's no opposition, but this bill is liable to come back here with an amendment on it. Are we going to see

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1191 possibly put into this bill? That's just...all I want to know from the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce. All right, further discussion? The question is, shall Senate Bill 1192 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 42, the Nays are 4, 5 voting Present. Senate Bill 1192 having received the required constitutional majority is declared passed. 1200, Senator Rock. On the Order of Senate Bills 3rd Reading, Senate Bill 1200, Mr. Secretary, read the bill, please.

SECRETARY:

Senate Bill 1200.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I would first request leave of the Body to show Senator Philip as the immediate hyphenated cosponsor of this legislation as amended.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, you've heard the request of Senator Rock to add Senator Philip. Is leave granted? Leave is granted. It's so ordered.

SENATOR ROCK:

Senator Bloom just got effectively moved over one, yeah. Ladies and Gentlemen of the Senate, last night late in the House, House Bill 1604, under the sponsorship of Representative Daniels and Speaker Madigan, passed out virtually unanimously, I am told, and it deals with...as does 1200 as

amended, it deals with the subject of medical malpractice, a subject which has troubled all of us since the Session began and troubled us last year. The whole idea of 1200 as amended and it is admittedly a compromise, a compromise, I might add, which fully satisfies neither side, but a compromise that, I think, is truly in the best interest of those that we are all committed to protect, and those are the victims of medical malpractice. It makes an attempt to control the problem that the medical profession has faced, namely, the inordinate escalation of their premium costs with respect to this insurance coverage, and it does roughly twelve things substantively in an attempt to get a handle on the problem, and the problem really is a dual problem. There...everyone admits there are, unfortunately, cases of medical malpractice and at the same time, I think everyone also admits that there are too many lawsuits, some of which admittedly have been frivolous. So, it makes an attempt to cut down the number of lawsuits. It affords those medical professionals an opportunity which they've not had before to be early dismissed out of a lawsuit in which they are named in error, and it also provides for the right to counter sue on behalf of a physician if, indeed, he has been wrongfully accused. So, I think if you couple those four very significant provisions along with the call for the setting up of itemized verdicts and a structured verdict, examination of hospital and physical records, setting some standard for expert witnesses, setting some standard for who has to certify as the lawyer does by affidavit that he has a meritorious claim, if you put all those things together, those of us who were directly involved in the negotiations truly feel that we have adequately addressed this problem, and the fact is, we will just simply have to wait and see what impact, if any, it will have on the premium cost. Along with this agreement, there are two other bills which will be coming from the House; one, concerns re-

porting by...by insurance companies, so that truly the information that is made available to us will be better and more accurate. Even the director of the Department of Insurance admitted that the information that's even provided to his office simply is inadequate upon which to make an informed decision; and the other would require that if, indeed, a medical professional has been called before the Medical Disciplinary Board, that board, in recognition of the fact that...that in...there's a percentage at least of the medical profession who have, in fact, been found guilty of malpractice, who are somehow impaired and it provides...it will provide...the third bill will provide that that disciplinary panel has the authority to order either a physical or psychological examination or both of the doctor who is under inquiry. I think this is a compromise that we can be proud of. I will tell you honestly there are some in the legal community who are not overjoyed with this because in addition to all the other provisions we have put a limit on contingent fees, but I think all in all it is a balanced and sound addressment of a...an admitted crisis, and the crisis is one of affordability, the crisis is one of too many frivolous lawsuits and I think Senate Bill 1200, as amended, goes a long way to address those concerns. I would...invite any and all of you who have been contacted by your professionals in your district to join with us as cosponsors. The Speaker...I...I spoke with the Speaker this morning early and both he and Representative Daniels are awaiting the message from this Chamber that we have passed Senate Bill 1200 and they intend to move it rather expeditiously across the way, so I would urge an Aye vote on Senate Bill 1200.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Davidson.

SENATOR DAVIDSON:

Mr. President and members of the Senate, I believe under



our rules...the Statutes, that it is a possibility of the bill that's going to be a conflict of interest to you in your other professional life as this is to me as a practicing chiropractic physician and I do deal with malpractice. One, I wanted to declare that conflict; secondly, I want to say that I'm going to vote Aye and I urge those all here to respond with an Aye vote. This is a crisis that we all need to respond to and as Senator Rock so...said, not everybody is happy and usually when we have all opposing sides not happy it means we did something good for the...for the constituents.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

There's something familiar about this argument. The bill is a compromise, neither side is satisfied, and I guess I would simply add, I think it is not a good compromise. I think it's a bad bill. I am neither pro-lawyer nor pro-doctor. I think it just does not satisfy the...legitimate concerns of both of those professions and most particularly of some of the people who are caught in the middle who should be our real concern, but as someone said yesterday, although they didn't all respond accordingly, I guess this thing has got to keep moving along because it is major issue that has to be resolved at some point. I certainly hope that everyone sits down and looks at it again as it moves along, so that it will, indeed, come back to us in a form that is balanced, is a fair compromise to all of those involved.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, I had an amendment removing punitive damages, but it is in the

bill now as it is written, and so I'm going to speak in favor of the bill. It may not be the best bill, but I'll tell you, it's a step in the right direction and I certainly will support the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. This bill is a product of some intense, prolonged and very emotional discussions. It's unfortunate that the bill was depicted as a battle between lawyers and doctors, when in reality it was an attempt to stabilize the rising costs of medical care. I think the bill is a step in that direction and at the same time ensuring protection for those who are injured by any type of medical malpractice.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis, have you concluded? All right. Further discussion? Senator Marovitz. There are five additional speakers. Senator Marovitz.

SENATOR MAROVITZ:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock indicates he will yield. Senator Marovitz.

SENATOR MAROVITZ:

Senator Rock, yesterday and last night in the House, did...and I don't really know the answer, but I was told this, did...besides the...the major amendment, did they also put on amendment dealing with...social security?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

There was an attempt made...one of the provisions in here, and I'll point your attention to...according to our memo, with number nine is a modification of the collateral

source rule. The current law is fifty percent of collateral source not to exceed fifty percent of the verdict. It went to a hundred percent and included, obviously, within that hundred percent are disability and social security payments. There was an amendment offered which was barely defeated. That's of concern to both the Speaker and myself. I can tell you, I spoke, as I indicated, with the Speaker early this morning, there will be an attempt, I am told, to renegotiate that section because I don't think even the...medical society and their representatives really wanted to do what, in fact, has been done. So, there is going to be an attempt to remedy that, but it did not...the amendment did not get on.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

That does concern me and I'm glad to hear that it will be addressed by you and the Speaker. A second question, over and above the social security question, could you just explain briefly...and this is a very important bill, could you just explain briefly the structured verdict portion of the legislation?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Yes. The current law, obviously, has no provision whatever for structured payout, and that's really what this is. It is a payout over a number of years assuming the verdict reaches and is above a two hundred and fifty thousand dollar award. Two things, let me...let me quickly hasten to add; one, is that the average judgment or average settlement these days is in the neighborhood of one hundred thousand dollars, so unless and until you've got a big hit, as I'm told they had in St. Clair County not too many days ago of two million plus, at that point, at the two hundred and fifty thousand

dollar level, it would call for a periodic payment over the actuarial...the proposed actuarial life of the victim. Reason for that and the reason that the medical society was so insistent upon that was that's the level at which reinsurance kicks in, and so they are able at that point to adequately address the problem of reinsurance literally by virtue of buying an annuity to...to pay that out over a number of years. There is some concern and justifiable concern and, again, I can tell you the Speaker and I are still negotiating on this one, because what has happened with the provision as it's written is if, indeed, the victim receives an award of two hundred and forty-nine thousand dollars, they receive the award all at once as is the current law. If, indeed, the award is two hundred and fifty-one thousand dollars, the structured payment provision kicks in and they are then entitled upon application to the court only to receive half of it as a...as a initial lump sum. There...there is some inequity in that and...and we are attempting to do two things at once, remedy the inequity and yet recognize the fact that that's the level at which reinsurance kicks in and that's really the heart of the problem because...some years ago this General Assembly, by an overwhelming majority, afforded the medical profession in our State the opportunity to literally form its own insurance company because the insurance market was drying up. They are required, obviously, to buy reinsurance and there is currently only one carrier and that's Lloyds of London, and the fact is if...if Lloyds...ever stops, there will be no reinsurance. This will afford some modicum of protection, they feel, and I think with some justification, so that they can pay out over a number of years, but that...that inequity, again, will also be addressed.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

I just call these to the attention of the Body because these are two provisions both dealing with the victims, having nothing to do with the lawyers and contingency fees, whatever we do there is fine, but these...this is dollars that go to the victims and I think are...are areas that must be addressed. The bill has got to move along. I'm sure it's going to pass out of here unanimously, but they have to be addressed before we put this on the Governor's Desk.

PRESIDING OFFICER: (SENATOR SAVICKAS)

With those thoughts in mind, let's watch the timer, limit our debate to the...to the time allowed and we can move quickly through the bills. Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr...Mr. President. My concern with the bill is the structured verdict part of the bill and I'm worried, Senator Rock, that...what happens when you get a...a young person, a ten year old boy who's injured as a result of a doctor's negligence and he becomes a paraplegic for life and his life expectancy is seventy years or so, and the verdict for future damages is a million dollars? I think if you calculate that over the course of his life expectancy, this...this young boy will be receiving something like twenty thousand dollars a year under a structured verdict. Now, you may think that's fair, but...and in...and in many cases where the injury isn't as severe as that, maybe structured verdicts have some reasonableness, but in a situation where you really have a severe injury, I just don't think it's fair to some...someone who has to live with a physical disability for the rest of his life to be getting twenty thousand dollars a year.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Well, Senator D'Arco, please understand, I...I did not suggest nor did I mean to suggest that it is fair in that instance, no question about that. What...what I am going to suggest, however, is that the...the court is empowered in that instance...let's assume your hypothetical, the court is empowered to grant initially a lump of one-half of the award so that those kinds of medical necessities can, in fact, be met and one of the things that we argued with the medical society and its...its representatives about was that as originally proposed, there was no appreciation factor. There was no inflation factor. The fact is, now, there is an inflation factor built into these periodic payments and it will escalate roughly according to the...the interest rate of the T-bills, so you can figure somewhere between eight and ten percent...percent annually, so that if the first payment is seventy-five hundred...seventy-five thousand dollars, let's assume, the next payment will be ten...next year will be ten percent above that and it is also built into...that escalation is built into the base, and I would...further suggest that I think it's still doable under any configuration to go back into court and explain that, indeed, the cost of medical care for this individual in this circumstance may well be more than that periodic payment and the court has, of course, I think, the opportunity to do something about that.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator D'Arco, your time has expired. Would you bring your remarks to a close?

SENATOR D'ARCO:

Well,...well, the...the point is that the lump sum award which is calculated to be half of the total award has to be used for medical payments, for nursing home expenses, for whatever expenses that are incurred and paid to the medical profession by this individual, so the annuity concept really...what I'm trying to get at is that that's not going

to be enough to do it. I don't think that you're going to...you know, if...if the money is going to be paid back to the medical profession, under this bill it says specifically it has to be paid for those particular expenses, then what is he getting for his pain and suffering over the course of all these years?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Well,...just so there's no misunderstanding here and I...and I...and again, I have heard this argument, in...in some respects I suppose it's fair to say...or it's...it's easy to say it is not fair and to a certain extent I'll agree with that. The difference here is that the court enters a lump sum for past damages and any damages payable in lump sum to the date of the verdict. So, you...that...that money is...is readily available. We are talking really about future damage payments, and you are correct, under your hypothetical, the individual victim, be it a minor or...or one who has reached majority, does not receive that in a lump sum; and what we have effectively said by virtue of this is that instead of...assume I'm the victim, instead of me receiving the two hundred and fifty thousand dollars and being in a position to invest it so that I can take care of myself for the...the rest of my actuarial life, we are leaving...essentially, leaving the money with the defendant or his insurer who will then, obviously, invest the money and pay out an annuity, and that's the reason we fought so hard to get the inflation factor in there, because I assume that if I invest on my own behalf, I can expect a reasonable rate of return on an annual basis in order to pay my bills. We are except...we are expecting and demanding the same thing from the insurer who's now holding the money, that, in fact, there will be a...a reasonable return and the payments...periodic

payments on an annual basis will reflect that investment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, I just wanted to rise briefly to make a point that I fear may go ignored in all of this debate, and...and I say this as one who has been along with many others active in pushing toward this type of resolution on this issue, but I, for one, have a little bit of hard time seeing why we create this remedy for one class of defendants only. Granted, doctors are important to all of us and are important people in our society; granted, the fact that ever rising premiums for malpractice insurance are a major reason why health care costs are skyrocketing further and further, but I think we have to ask that if we are truly going to bring some sort of reform to our system of civil justice, if we are to make this fairly radical step in overhauling our tort system, should we not be doing it in a way that affects all defendants and lawsuits equally? If we are, for example, to be saying that there shall be structured verdicts for any award over two hundred and fifty thousand dollars, if we are to make it easier to countersue where untrue allegations are made or where some sort of...malicious prosecution proceeds without any basis in law, in fact; if we are to say that awards are to be reduced by all or a portion of money coming in from what are known as collateral sources and if there is to be some sort of limit on contingency attorney fees, should this not be the case in all negligence lawsuits and not only in those where doctors are the defendants? And I say that as...as one who feels that what we are doing here is...is really kind of the minimum necessary, but I...I think it's only fair and I think also that quite conceivably at some point there could be an equal protection challenge to the type of remedy we are creating by changing our tort system



in...in a way, frankly, that only affects one class of defendants. I say that as one who favors this legislation, but I do so through raising this caveat.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. A question of the sponsor, please. Senator Rock, I mentioned last night that I had an interest in the punitive damages portion of this, and on page 15 where they talk about punitive damages, I note that the amendment relieves doctors and hospitals and other medical practitioners from punitive damages but it also relieves lawyers from punitive damages. Now in the case of lawyers, are they relieved from punitive damages only for malpractice cases or are they relieved of punitive damage for all kinds of legal activities?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Malpractice only.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman.

SENATOR SCHUNEMAN:

Well, I don't think that's exactly clear in the...in the amendment, Senator,...frankly, it appeared to me that...it probably would go beyond that, but in any event, I simply wanted to make that point. I'm surely going to vote for the legislation and I...I think you and others should be congratulated on...on putting this package together, but I am curious about that particular provision.

PRESIDING OFFICER: (SENATOR SAVICKAS)

If there's no further discussion, Senator Rock may close.

SENATOR ROCK:

Thank you, Mr. President. Just to further allay, I hope,

Senator Schuneman's fear, that matter was discussed and discussed specifically because there was some concern on the part of the medical professional, the doctor, who did not feel, as Senator Geo-Karis did not feel, that it was appropriate that a doctor should be it...and under any circumstance liable for punitive damages; and, frankly, I agreed for the reason that if...if you can prove such willful and wanton neglect, that, in my judgment, is tantamount to criminal action and I would not sue one for punitive damages, I would march right over to the state's attorney's office and have the guy thrown in the slammer, and it was equally felt that given the other provisions of this bill where...where, for instance, as one who...plaintiff's attorney has to consult with and have certified that he has a meritorious cause of action. So, literally, the...the...the opportunity for punitive damage recovery was literally knocked out anyway, but the fact is, it is in Section 21115...21115, it makes it very, very clear that it is punitive damages only as respects medical malpractice litigation. Ladies and Gentlemen of the Senate, let me just say that...we worked long and hard to try to effect a compromise to literally take this issue out because it is truly not a partisan issue. It is...and it has been wrongfully characterized somehow as a fight between the doctors and the lawyers, when I think, as Senator Netsch rightfully pointed out, that the people that we ought to have our interest placed in are those who are the innocent victims of professional misconduct. I think we have done that with Senate Bill 1200 as amended and I urge an Aye vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Question is, shall Senate Bill 1200 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. Senate Bill 1200 having received the constitutional majority

is declared passed. Senate Bill 1211, Senator Degnan. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1211.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Degnan.

SENATOR DEGNAN:

Thank you, Mr. President. Senate Bill 1211 is part of a six-bill package that was the work product of the State Task Force on Hispanic Student Dropouts. It requires the annual report on State high school drop-out rates to be given to the leadership of the General Assembly annually. As amended, it also requires that...students complete one semester of course education in computer literacy as a prerequisite to receiving a high school diploma. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Schaffer.

SENATOR SCHAFFER:

Well, I happen to agree with the sponsors that computer literacy is going to be a very, very important part of living in our society in the years ahead, but I would suggest to you that what we have in front of us is one of the largest educational State mandates, unfunded, that this Assembly has addressed in the number of years. Most of the mandates that we get a lot of flak about like consumer education and health education are just a few days of course. This is a full semester, requiring specialized teachers, requiring expensive, specialized equipment. I agree. I don't think a person leaving a high school who is not at least somewhat computer literate is going to have a very bright future. We ought to be teaching it. I'm not arguing that point for a minute. My concern is, we are not funding what is probably

the most expensive mandate this General Assembly will send out in the lifetimes of most of us assembled. I think we ought to do it. I think we ought to pay for it though, and until we pay for it, I don't think we ought to mandate it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President and members of the Senate. Because this bill was not voted on favorably in committee but added as an amendment, I do feel it's important to rise at this particular stage. With all due respect to Senator Lechowicz, I know exactly what you're trying to do. I agree with Senator Schaffer in the mandates argument and all of that. I'd just like to add the perspective of the student. Now, I'd like to do that by using a conversation I had with my daughter just two days ago, and I do this with some reluctance because in a sense I'm arguing against myself. In a day or so or next week or whenever it is, I expect to stand on this Floor and argue against demanding physical education and driver's education, I believe strongly in those mandates; but my daughter called me the other day to set up her junior year, and in setting up her junior year she was trying to work a math course in and when she got finished with phys. ed. and driver's ed. and consumer ed., she didn't have room for it. Now, you're going to add computer education. Believe me, I'm all for computer education. I want that driver's ed. mandate just as it is. I want that physical education mandate just as it is, but we've got to draw a line somewhere or you're not going to have these kids taking the courses they feel are necessary for college prep. in this particular case. She wanted to know, dad, what's this consumer ed.? Who did that? Well, I didn't have anything to do with that and I'll let somebody else argue why we need that one, but today we've got the newest in a long line of

mandates and all I suggest is that you're hurting kids by this particular mandate. Forget who's going to pay for it and the cost and all of that, that's important too, but I really think we ought to stop and think of the kids who have to prepare their schedules semester after semester. If they want to take it, fine, but don't force them to take it when they think they have better things to take, and in this case, I tend to agree with them.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR MAITLAND:

(Machine cutoff)...Mr. President. Senator Lechowicz, I...I...I'm sorry that you...the bill was a....was a reasonable bill before the amendment was put on. I think that the arguments have all been made. I think right now when we are just in the process of reforming education in Illinois, I think this is an inappropriate time to do what you are suggesting. There are many young people who simply will never...I...in my judgment, even need to have a computer literacy course; indeed, most will, but to mandate this upon all of them I think is inappropriate at this time, and let me suggest to you with respect to the bill that if the bill passes out of this Chamber, the bill in its original form, I think, is...has some flaws in it with respect to the reporting dates. We...we don't address in any way the time in which the school shall report to the regional superintendent and when the regional superintendent will be asked to report to the State Board of Education. I think this is a flaw in the bill and one that needs to be addressed in the...in the House and I bring that to your attention...in the House if the bill passes.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. If I may, just point out to the segment in reference to the bill as far as requiring one semester of computer training was agreed by the educational community in the committee. Initially I asked for one year and they stated that they would not object to one semester, and they also stated on the Floor when you were discussing the amendment that would write to Ted Sanders and see exactly what the State is spending presently in this field. And his response to me which I received this week was in the area of two million dollars and it's allocated approximately a hundred thousand dollars per district. And out of a 6.4 billion dollar educational budget, that's the total cost of education in this State, approximately two and a half billion supplied by general revenue funds, you will notice the fact that a two million dollar allocation in this field is quite negligible, and I believe that if we are going to move into the 21st Century and ask the students who are graduating from high school to compete on an equitable basis through college and you're...with foreign countries, this is a must. Whether you like it or not, the computer is here to stay. If you want to have a person that is able to work in a current office environment, they have to be familiar with this type of equipment. This doesn't mandate that you're to take a 360 course or a 1410 or anything else, all you're stating is that you have a computer literacy course available. You can have a Haskin and Sells as far as basic data processing course which a math teacher can teach. This doesn't require any extraordinary requirements on any school district. You're saying that you should have a course available. Unfortunately, in many public schools in the City of Chicago, the students are at a total disadvantage in comparison to your suburban school districts and your private schools. This will bring some sort of equity in this needed field, and I strongly encourage an

Aye vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Degnan, do you wish to close? The question is, shall Senate Bill 1211 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 32, the Nays are 25, none voting Present. Senate Bill 1211 having received the constitutional majority is declared passed. For what purpose Senator Topinka arise?

SENATOR TOPINKA:

Yes, Mr. President, a point of personal privilege.

PRESIDING OFFICER: (SENATOR SAVICKAS)

State your point.

SENATOR TOPINKA:

Yes, in the back of the room and up in the gallery, I do have some visitors from Senator Degnan and my district from Lincoln School in Cicero under the direction of their teacher, Mrs. Adell Vasic, who is making her thirtieth appearance this year and she will be retiring, so if we could have the recognition from the Senate and welcome them to Springfield.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Would they please rise and be recognized. Senator Nedza, for what purpose do you arise?

SENATOR NEDZA:

Thank you, Mr. President. Had I been in closer proximity of my switch when Senate Bill 1200 was called, I would have been...I would have voted Aye and I wish to be so recorded.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Vadalabene, the same thing? Senator Topinka...it would be nice if all of you would sit in your seats and vote your switches. Senate Bill 1215, Senator Degnan. Read the bill, Mr...Senator Vadalabene, for what purpose do you arise?

SENATOR VADALABENE:

Yes, you didn't take any pains in giving me hell when I done that, now let's be a little bit more consistent.

PRESIDING OFFICER: (SENATOR SAVICKAS)

What pain? Senator Degnan on 1215. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1215.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Degnan.

SENATOR DEGNAN:

Thank you, Mr. President. Senate Bill 1215 is the final bill in the recommendations of the Hispanic Student Dropout Task Force. The bill requires previously attended schools to send copies of records to the student's new school within fifteen days after receiving a request for them. I'd move its passage.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Question is...is there discussion? If not, the question is, shall Senate Bill 1215 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, none voting Present. Senate Bill 1215 having received the constitutional majority is declared passed. Senate Bill 1220, Senator Jones. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1220.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Jones.



SENATOR JONES:

Yes, thank you, Mr. President and members of the Senate. Senate Bill 1220 sets a max. salary for...part-time court reporters at fifty dollars. The...the minimum salary for half-day will remain the same at twelve dollars. The thirty-six dollar figure has not changed since 1970, and I'll answer any questions anyone has on this legislation.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall Senate Bill 1220 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 51, the Nays are 1, none voting Present. Senate Bill 1220 having received the constitutional majority is declared passed. Senate Bill 1221, Senator Jones. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1221.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Jones.

SENATOR JONES:

Yes, thank you, Mr. President. Senate Bill 1221 set a max. salary beginning July 1, 1986 for...at thirty-seven thousand two hundred fifty dollars for a full-time court reporters. The reason why we had to put the legislation in at this time because they cannot receive a raise during their term. If we were to wait to the next fiscal year to do this, then they would be unable to receive a...a pay raise. This does not automatically give them a pay raise. All it does is set the salary and we are setting that salary beginning July 1 at thirty-seven thousand two hundred and fifty dollars, and I ask a favorable vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall Senate Bill 1221 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 38, the Nays are 13, 1 voting Present. Senate Bill 1221 having received the constitutional majority is declared passed. Senate Bill 1223, Senator Jones. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1223.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Jones.

SENATOR JONES:

Yes, thank you, Mr. President. This bill simply...requires that a court reporter be in charge of any audio or..video recording system used in court...in recording court proceedings. I don't know of no opposition to the bill, and I ask a favorable vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Karpziel.

SENATOR KARPIEL:

Yes, thank you, Mr. President. Senator Jones, a question.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Indicates he'll yield.

SENATOR KARPIEL:

I don't have a copy of the...of the legislation in front of me of Senate Bill 179 which we passed out of here dealing with videotaping in children's sexual abuse cases, but there's a very detailed section in that legislation which determines, you know, who can take the video and...and the

whole operation of it. I'm not sure this is consistent because if this is a court reporter...is this...is this just saying that a court reporter has to be in charge of the whole operation but somebody else would be doing the videotaping?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Jones.

SENATOR JONES:

Any...any proceedings in the court itself. Now it does not impact on what you were talking about, but it just...what...what is taking place within the court itself. If the Supreme Court authorizes video recording...depositions upon agreement of parties to be ordered, then the court reporter would be involved.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Karpriel.

SENATOR KARPIEL:

Yes, thank you. Well, Senator, according to our analysis it says that the court reporter shall be in charge of the proceedings. Now is it...are you indicating that it's just in certain cases or in all cases?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Jones.

SENATOR JONES:

If...if the...if the judge or the court...designate that these proceedings be recorded as such, then the court reporter would be the person in charge of any audio or video recording equipment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Karpriel.

SENATOR KARPIEL:

Well, all right. I...if...if we find that there is some inconsistency here, would you mind then, in the...House, if we did something to exempt in certain cases or something like that?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Jones.

SENATOR JONES:

I have no problem with that whatsoever.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rigney.

END OF REEL

REEL #3

SENATOR RIGNEY:

I just might point out to the Body that I had some legislation earlier here that not many people liked very well.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Will they clear in aisle in front of Senator Rigney.

SENATOR RIGNEY:

In fact, Senator Schaffer and some others did a pretty good number on that bill when I suggested that maybe we ought to...require certification for video officers. Now what this bill is doing is almost the exact opposite of this. This is saying we're...we're creating something exclusively here for court reporters. We're saying, you know, kick the pros out and let the court reporters be the ones who are going to be handling all of this video equipment. So...you didn't like my bill, but I, frankly, don't think this one is as good as...as the one that you shot down here a week or so ago.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Fawell.

SENATOR FAWELL:

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

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will.

SENATOR FAWELL:

What are you going to do about the Supreme Court where they are...videotaping the procedures for television? Are you...you're surely not going to tell the television people that it's going to be the court reporter that's going to be in charge of taping, and yet the way this bill reads it seems to me that that's exactly what you're going to do.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Jones.

SENATOR JONES:

If you're talking about recording the proceedings of...of a court operation, then the court reporter would be in charge.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Fawell.

SENATOR FAWELL:

Senator Jones, perhaps you aren't aware but right now the Supreme Court is allowing the television networks to come in and...and videotape certain proceedings on...with the idea that perhaps in the future they may come in either to the circuit courts or the appellate courts. There is no way that I can see a producer or a union or a lot of other people saying that a court reporter is going to be able to take control out of...of those videotapings, and to my knowledge, that is the only court that allows videotaping inside the courtroom during a proceeding. The Supreme Court rule has said that you can't videotape any other courts...unless something has changed within the last year that I am...not knowledge to. Perhaps if there is, one of the lawyers might tell me, but I...I believe that's...that's the only time you can have a videotaping.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is that a question, Senator Fawell? No? Yes, Senator Jones.

SENATOR FAWELL:

...yes, I mean, could you...do you know?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Jones.

SENATOR JONES:

In the bill, and...and...and I'll read it to you, Senator Fawell. "In the event that the court utilizes audio-video recording system to record the proceedings, a court reporter

shall be in charge of such...I mean, such a system." Now, as...as it relate to the...appellate...appellate court as far as the court reporter is concerned, it does not impact at that level.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. This bill flew out of committee and it was well greased there. Since it left committee I've been thinking a little bit about it. I think this is a lot like requiring a...a fireman on a diesel locomotive really.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, Mr. President, Ladies and Gentlemen of the Senate...to call to sponsor's attention, this bill will interfere with the structure in Senate Bill 179 which is specific on the molestation of children being videoed. So I wonder if the sponsor would take the bill out of the record and maybe amend it. And I...

PRESIDING OFFICER: (SENATOR SAVICKAS)

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

SENATOR JONES:

...thank you, Mr. President, and to my good friend, Senator Rigney, this is the same amendment that went on your bill that I voted for and we all voted for it to put...put on the Senate Floor. And I supported your bill. And you were in great support of this concept. The only difference in this bill and your bill is you're calling for a whole new certification system. I supported you and you included this in your bill, if you recall, in committee, and that's why the...the bill passed out of the committee. It wasn't greased, the

members voted in good conscience and thought it was the best thing to do. So with this legislation, all I ask for is a favorable vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall Senate Bill 1223 pass. Those...in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. Senator Jones is...the...on that question, the Ayes are 22, the Nays are 26, 7 voting Present. On that question, Senator Jones seeks leave of the Body to put Senate Bill 1223 on the Order of Postponed Consideration. Is leave granted? Leave is granted. There seems to be technical problem on Senate Bill 1165, I'm informed by the Secretary that no hard copy recording of the vote was made. The...the vote was 54 to nothing, nobody voting Present. The Secretary would appreciate a new roll call on 1165 indicating that roll call so that we can have it in our records. Mr. Secretary, would you read the bill, Senate Bill 1165.

SECRETARY:

It's the Department of Public Health to conduct a study of the pesticide use.

PRESIDING OFFICER: (SENATOR SAVICKAS)

On that question, those in favor will vote Aye. Those opposed will vote Nay. The voting is open. We're short a few votes, Senators. Bring it up to 54. Take the record. On that question, the Ayes are 55, the Nays are 1, none voting Present. Senate Bill 1165 having received the constitutional majority is declared passed. For what purpose does Senator DeAngelis arise?

SENATOR DeANGELIS:

Well, I think...does this not screw up the record?

PRESIDING OFFICER: (SENATOR SAVICKAS)

No. We'll work it out, Senator. Senate Bill 1227, Sena-



tor Carroll. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill...Senate Bill 1227.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is a merely bill, merely to allow Illinois courts to hear the cases that are concurrent jurisdiction as in the Federal cases such as the FELA cases. It allows it to be brought in any county where the plaintiff is...or the defendant, rather, is doing business and it can, in fact, be moved by normal transfer processes on a change of venue to any county within the State. I think everyone understands the bill and I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President, Ladies and Gentlemen of the Senate. Much as I would like...regret that I have to do this, I do not believe in forum shopping. Recently this...Illinois Supreme Court has limited the plaintiff's forum shopping by ruling that trial courts may dismiss or transfer a case under the doctrine of forum non conveniens which means not a convenient forum, from the Latin, when maintenance of the action of the original forum causes unnecessary hardship to defendants and other interested parties. Now, the...the courts are to consider the following factors; the availability of the alternative forum, as access to sources of proof, accessibility of witnesses, relative advantages and obstacles to obtaining a fair trial, congested court dockets and convenience of parties. I do not feel it is right for a case that happens in

Chicago to be tried in Belleville, Illinois. And I do feel that this is too much of a...of a trial lawyer's baby, and I'm a trial lawyer and speaking against my own interest, but I...I just do not believe in this kind of a...of a bill. As the sponsor well...well knows, I didn't believe in it before. So I...I ask a...an unfavorable vote and I speak against the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Barkhausen.

SENATOR BARKHAUSEN:

...Mr. President and members, the sponsor of the bill certainly knows better than to refer to this as a merely bill, but I think by this time everybody is pretty familiar with it. It's a bill, quite frankly, that is...of...of interest to the trial bar in certain parts of our State, most notoriously Madison County, but everyone else would be adversely affected by it. Certainly you or I or anybody else if we were a plaintiff or a defendant in a lawsuit or if we were going to be called upon to be a witness and the incident occurred in the area where we lived and the parties to the lawsuit also resided in the same area, we wouldn't have...want to have to be dragged from one end of the State to the other or even across the country to an area that really had nothing to do with the particular lawsuit other than that the defendant was "doing business." In the case of a railroad, we may only be talking about railroad tracks...the fact that they happen to go through the county where the lawsuit is brought. In the case of a barge line, we may happen to be talking about merely the fact that the river goes through or around the county where the lawsuit is brought. So all we are doing by rejecting this legislation is upholding the ancient common law doctrine that a lawsuit ought to be tried in the forum in the court which is most convenient to the parties and the witnesses to the...to the

case. This bill has been around now for three or four years and, frankly, it's about the worst piece of legislation that has come our way. All of us...can...with good conscience should, and I hope we will, vote to reject it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Fawell.

SENATOR FAWELL:

I think everybody knows what this bill is about and I call for the previous question.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The previous question has been moved. All those in favor indicate by saying Aye. The Ayes have it. I did. Senator Carroll may close.

SENATOR CARROLL:

Thank you. Just a couple of brief comments. One, Senator Barkhausen, I've seen worse bills than this, sometimes even in your name. Second, Senator Geo-Karis, have you asked E. F. Hutton about this? But more importantly, you happen to be wrong; in fact, this does not touch the area of venue and you don't have to be carried all over the State, you can always ask for a change of venue and it can, in fact, and will, in fact, be allowed. It can be moved to any county within the State, that is not affected by this legislation whatsoever. What this says is if they do business in Illinois, then it's proper to bring the case here in Illinois, and I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Question is, shall Senate Bill 1227 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 9, the Nays are 42, 3 voting Present. Senate Bill 1227 having failed to receive the constitutional majority is declared passed....I mean, declared lost. Senator Vadalabene, for what purpose do you

arise?

SENATOR VADALABENE:

On a point of personal privilege.

PRESIDING OFFICER: (SENATOR SAVICKAS)

State your point.

SENATOR VADALABENE:

Sit down, Carroll, you just lost your bill. Senator Barkhouse...Senator Barkhausen said that...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senate Bill 1231, Senator Jones. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1231.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Jones.

SENATOR JONES:

Yeah, thank you, Mr. President, I'll take that same...that past roll call in reverse. Senate Bill 1231 amends the State Revenue Sharing Act to increase the monthly transfer from the GRF funds to local units of government from one-twelfth to one-tenth in net revenue derived from an income tax. This bill is a modest...very modest...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Let's have a little order, this is an important bill. The Senate will give Senator Jones the courtesy of listening.

SENATOR JONES:

...this bill is a very modest attempt to increase the share of local taxes allocated to local units of government throughout the State. It...it is really not a new concept, I know Senator Netsch has had this bill for several years and when the...we originally passed the income tax, the Governor then...the State Income Tax, the previous Governor at that

time...they recommended that the local units of government would receive one-eighth. So why do we want to do this? We want to do this to partially offset the...the elimination of Federal revenue sharing that is currently being debated in Congress for FY '86 in the Federal budget and to partially offset the various State mandates that have been imposed on local units of government over the years and also to help make local units of government receive some of the income tax as a result of...that has been lost as a result of legislation that we have passed here in Springfield. The...the...the fiscal impact is very, very minor as it relates to the State budget. In FY '86 we're only talking about approximately twenty-seven million dollars. And FY '87 we're talking about approximately fifty-five to sixty million dollars. The State of Illinois is...in very, very good shape as it relate to revenue. I can quote the Governor when he was in New York just last month when he talk about the...the State balance. Illinois' daily balance is over five hundred million dollars, one of the best available balances at all levels in the nation. But our local units of government are suffering, and in...in the fall of this year, they're going to be really impacted very hard with loss of revenue totaling approximately two hundred and ten million dollars, a hundred and thirty-six million dollars to...to...to cities, forty-two million to counties and thirty-two million to township, and this is the report from our own Intergovernmental Corporation Commission and I solicit a...a Yea vote on [23].

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Keats.

SENATOR KEATS:

Thank you, Mr. President. As the pro bono legal counsel for the Senate, I want to advise all of you of your constitutional right to remain...remain silent, and I would like to move the previous question.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Keats has moved the previous question, and I'd ask him to hold that motion until...we have Senator Netsch,...Collins, Etheredge and Rigney that have sought recognition. On Senator Keats' motion, after that, all those in favor indicate by saying Aye. Those opposed. The Ayes have it. The motion carries. Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. This bill is really a very serious matter and it seems to me all of you should pay attention and think carefully about it. I had originally intended to oppose the proposal that we change the distributive share for local governments from one-twelfth to whatever might be proposed, in this case, one-tenth at the beginning of the Session. But as the Session went on, I came to realize that among other things the proposal that was being made at the Federal level to cut off all general revenue sharing which now goes only to units of local government in any event was very likely to end up as part of whatever budget resolution occurred at the Federal level. As of this moment, it continues to be a part of every budget resolution that is being proposed in either House and it certainly is a part of the administration's plan. For Illinois, that means that local governments are going to lose two hundred and ten million dollars fast, as soon as that becomes effective. And they are not talking about a delayed or a phase-in of the elimination of Federal general revenue sharing now. That is a hundred and thirty-six million dollars for municipalities, forty-two million dollars for counties and thirty-two million dollars for townships. That is a enormous drain to absorb in one fell swoop and that is on top of a lot of other programs that have gone to the cities that also...cities and counties, local governments within the State of Illinois that are also part of the various budget programs of the last couple of

years and are proposed this year. If some of you saw the intergovernmental program that was presented to us a couple of months ago, you will realize that the major impact of Federal budget cuts is, in fact, not on the State level of government but on local governments, and our Illinois local governments are among those suffering badly. There's no way we can make up the total loss of two hundred ten million dollars in Federal general revenue sharing that is likely to be gone next year. But it seems to me that we can at least try to help ease the burden on our local governments by giving them something additional to phase in to absorbing that real wallop that they will be taking from the Federal Government. This is fifty to sixty million dollars on an annualized basis but it...it doesn't...it at least begins to replace somewhat the loss of the other funds from the Federal Government. I think it really is called for at this time and I would urge an Aye vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Thank you for keeping within the time limits, Senator. Senator Collins.

SENATOR COLLINS:

Yes, thank you, Mr. President and members of the Senate. I, too, rise very strongly in support of Senate Bill 1231. I think Senator Netsch has said everything, and in the interest of time, I'm not going to repeat what Senator Netsch has already said. But I do think that...that...that you ought to take a very critical look at this bill. This may be the most important vote that we will cast down here this year, because we can talk about building Illinois and all of the other glorious things about improving our educational system but unless we can do something to...to make sure that...that our...our major urban areas and our local units of government are able to sustain themselves and to...to...to build a solid foundation for continuous economic growth and employment and

building the infrastructure of those areas, then no matter what we do down here, there is just no way that...the...the State of Illinois is going to...to maintain its viability as a State in...in this country. We...we have to, there's no question about it, have to take seriously the...the economic needs of our local units of government, and for that reason, I urge an Aye vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I...I must rise in...in opposition...to this bill. I think the...the sponsor has stated the case rather well. He's...he's spoken of the declining revenues received from this source...from the...from this...this Local Government Distribution Fund. But I want to point out that one of the reasons that funds have been declining from that source is because we imposed an income tax surcharge a few months back which has now expired. So in other words, there was...the...the only reason that the...the total amount of money in the Local...Government Distributive Fund has...has declined is because of that one-time windfall, which in the end of that windfall...in the beginning of the decline was foreordained. The people who are responsible for running the units of local government should have recognized and taken into their planning...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator...Senator, would you bring your remarks to a close.

SENATOR ETHEREDGE:

...the fact that there would be a decline. So I want to point out that what we're talking about is taking away upwards of fifty-five to sixty million dollars on an annualized basis from the State's General Revenue Fund. Everyone



who is looking for additional money to fund our schools and some of the other serious problems that...that we're confronting here this spring should certainly vote No on this bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator... (Machine cutoff).

SENATOR RIGNEY:

Mr. President, the only thing I want to say about the bill is, I guess it must be based upon the assumption that we won't need the sixty million dollars in State Government. I find that rather incredible on its face. I don't know where all of these people were when we passed out the educational reform package here just a few days ago, we heard estimates somewhere, you know, depending upon whose figures you wanted to quote, between three hundred and six hundred million dollars. I don't think anybody in this Body is particularly anxious to vote for any tax increases. We're kind of leading ourselves down that path. I hope that this...bill receives a resounding defeat.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Jones may close.

SENATOR JONES:

Yes, thank you, Mr. President and members of the Senate. As...as the speakers spoke who were....were in favor of this legislation indicated, this is just a modest transfer to the local units of government, and one of the things we must concern ourselves with is what's happening on the Federal level. I'm not talking about that...one twenty million dollar windfall that we received, I'm talking about the Federal loss of dollars which totals approximately two hundred and ten million dollars which affects every...every unit of local government across the State of Illinois. So if we are concerned about our local cities and counties across the State, then you will support this legislation. Illinois

is...is...is in a very, very, very good financial condition with a surplus almost exceeding six hundred millions of dollars, and to transfer a...a mere twenty-seven million dollars for this fiscal year and fifty-five million dollars in FY '87 is a small token to...for us in the State of Illinois to do for our local units of government. And I ask a Yea vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall Senate Bill 1231 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 29, the Nays are 26, 1 voting Present. Senate Bill 1231 having failed to receive a constitutional majority is declared lost. Senator Jones seeks leave of the Body to have consideration postponed on 1231. Is leave granted? Leave is granted. Senate Bill 1239, Senator Watson. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1231.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

...Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. Senate Bill 1239 originated as a result of a problem that a particular school district had in my...in my legislative district. We met with Dr. Joe Fisher of the Illinois Office of Education, and Dr. Fisher has come up with, hopefully, a solution I think that will be acceptable to all. In fact, Dr. Fisher has worked with all education groups and has worked very hard with them to come up with this particular piece of legislation of which there is no opposition from the education groups. This provides

for the determination of a school...a student's school district of residency and the party responsible for the cost of special education services therein. The legislation also proposes four other items. It specifies that a school district is responsible for the provision of services for all school age children three to twenty-one years residing within its boundaries. It defines the resident of...the districts...it defines resident district. It states that when students are placed residentially for other educational purposes, the educational costs, in other words, the tuition for these services would be eligible for reimbursement. This legislation specifies that the district of...residence would only be responsible for one per capita tuition rate. Right now the...the various school districts could be paying considerably more than that. By January...pardon me, by July 1st of 1986, the State Board of Education will have rules and guidelines as far as implementation of this legislation. Our analysis mentions fiscal impact...if you'll notice, it says forty-six million, that's not quite...that's...that may be a little misleading; actually, the fiscal impact is only two million dollars. The amendment we placed on it was a clarification amendment and I'd be glad to answer any questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Any discussion? Senator Berman.

SENATOR BERMAN:

I stand in support of the bill. There was a question as to the position of ED-RED, they are in support of the bill also.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion?...the question is, shall Senate Bill 1239 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Tim. Have all voted who wish? Have all voted who wish? Take the record.

SB 1244  
3rd Reading

On that question, the Ayes are 56, the Nays are 1, none voting Present. Senate Bill 1239 having received the required constitutional majority is declared passed. 1244, Senator Marovitz. On the Order of Senate Bills 3rd Reading is Senate Bill 1244, Mr. Secretary, read the bill, please.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1244.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the...Senate. Senate Bill 1244 revised the DUI procedures by incorporating the changes that were recommended by the Bar Associations and Secretary of State Jim Edgar. It creates procedures for the court to make a determination as to the initial suspension of driver's licenses of a DUI defendant and pending the final determination of guilt or innocence on the DUI charge creates a summary suspension hearing, also allows for judicial driver's permits. Summary suspensions would be for a minimum of six months if the person refused to complete sobriety tests, minimum of three months if the person submitted to testing and...which disclosed the alcohol concentration of .1 or more and a minimum of one year for repeat offenders. This has been agreed to, it has been worked on for a long time. I think it's a...it's a vast improvement over our present DWI laws and I would solicit everybody's Aye vote for this agreed legislation.

PRESIDING OFFICER: (SENATOR DENUZIO)

Any discussion? If not, the question is, shall Senate Bill 1244 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the

record. On that question, the Ayes are 55, the Nays are 1, 1...none voting Present. Senate Bill 1244 having received the required constitutional majority is declared passed. 1256, Senator Schaffer. Senate bills 3rd reading is Senate Bill 1256, Mr. Secretary, read the bill, please.

SECRETARY:

Senate Bill...Senate Bill 1256.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schaffer.

SENATOR SCHAFFER:

This bill as amended would allow a deduction on the Illinois Income Tax for the State sales tax paid on purchase of a new car assembled in Illinois. I believe it could be a valuable incentive to keep the one major assembly plant we have in Illinois which is in Belvidere which is on the verge of...Chrysler is on the verge of making a very important decision about that plant. Could be helpful in garnering the Japanese plant we hope to get in the Bloomington area and we're still in the race for Saturn, this could be another small chip on that table. Be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Any discussion? If not, the question is, shall Senate Bill 1256 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, 1 voting Present. Senate Bill 1256 having received the required constitutional majority is declared passed. 1260, Senator Donahue. On the Order of Senate Bills 3rd Reading is Senate Bill 1260, Mr. Secretary, read the bill, please.

SECRETARY:

Senate Bill 1260.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 1260 does pretty much what it says in the Calendar. It is increasing the bond limits from one thousand to twenty-five hundred and on an overall bond from ten thousand to twenty-five thousand. It also allows that when they pay royalties and they take...as they search the title and clear that title it takes six months, after six months they have to put that money in an interest-bearing account. I think it's...it's a good bill and I would move for its passage.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Any discussion? If not, the question is, shall Senate Bill 1260 pass. Those in favor vote Aye. Those opposed 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 58, the Nays are none, none voting Present. Senate Bill 1260 having received the required constitutional majority is declared passed. Senate Bill 1262, Senator Rock. On the Order of Senate Bills 3rd Reading is Senate Bill 1262. Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 1262.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 1262 as now amended with Senator Keats' amendment provides that the Department of Children and Family Services will be responsible to provide support for a four-year demonstration...project for the treating of persons who are accused of and convicted of the sexual abuse of children. This program currently exists in the County of Cook and has the full support and endorsement of the State's Attorney and the Chief Judge of the Circuit Court of Cook County. There are guidelines established for who may participate, and it's...it's an attempt to afford some treatment which consists of medication, psychotherapy and behavior modification counseling in an attempt to reduce the rate of recidivism. It is a project most worthy of our wholehearted support and I would urge an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall Senate Bill 1262 pass. Those in favor will vote Aye. Those opposed 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 58, the Nays are none, none voting Present. Senate Bill 1262 having received the required constitutional majority is declared passed. 1263. On the Order of Senate Bills 3rd Reading, Senate Bill 1263, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 1263.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Thank...thank you, Mr. President. This is the accompanying appropriation of half a million dollars, five hundred

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thousand dollars to the Department of Children and Family Services for the purpose of this treatment program. This has the full support and endorsement of the Governor and I would urge your full support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall Senate Bill 1263 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. Senate Bill 1263 having received the required constitutional majority is declared passed. Senate Bill 1267. On the Order of Senate Bills 3rd Reading is Senate Bill 1267, Mr. Secretary, read the bill, please.

SECRETARY:

Senate Bill 1267.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President and members of the Senate. The next few bills that follow under my sponsorship are that part of the Governor's Reform Education Program which was reported out of the Education Committee. Those bills were reported out with no dissenting votes and, as far as I know, in that committee, they had no opposition. The first one, Senate Bill 1267, authorizes the State Board of Education to establish and strengthen a regional network of educational service centers to coordinate and combine existing services such as reading, mathematics, science, career guidance, early child education, substance abuse, alternative education, regional special education. I'd be glad to answer any questions and I would urge a favorable roll call.



PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Any discussion? We have a little minor difficulty here, we'll be...ready momentarily. The question is,...shall Senate Bill 1267 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. Senate Bill 1267 having received the required constitutional majority is declared passed. 1272. On the Order of Senate Bills 3rd Reading is Senate Bill 1272, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 1272.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President, members of the Senate. Senate Bill 1272 deals with three or four different subjects. First of all, it provides for the State Board to enter into contracts with public and private agencies to establish model pilot programs for preschool education, early childhood learning. It also provides planning grants for plans for alternative schools for students with serious discipline problems. It authorizes the State Board to place vocational ed. teachers in private sector jobs for continuing education and it also directs the State Board to fund a reading improvement program within each local school district. I would urge its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall Senate Bill 1272 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who

wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 51, the Nays are 5, 1 voting Present. Senate Bill 1272 having received the required constitutional majority is declared passed. 1273, Senator Philip. Senator Rock seeks leave of the Body to handle Senate Bill 1273. Leave is granted. Senate Bill 1273, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 1273.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. At the request of the Governor, Senator Philip and I have assumed the sponsorship of the two proposed tax vehicle bills, one is 1273 which we are currently addressing and the other we'll address in a few moments, that's Senate Bill 1415. The bills as now amended by virtue of committee amendment do absolutely nothing, absolutely nothing, and I think we can all safely vote for absolutely nothing for a change. What we'd like to do is obviously move the bills to the House at which time when the education folks get our act together we'll be in a better position, the Governor and the legislative leaders, to determine what additional revenue will be needed, if any, and at that point, we'll make a determination and we'll be back at you. But in the meantime, we...we should keep the vehicle alive and I would urge an Aye vote for a bill that does nothing.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. I might just mention that

Senate Bill 1273 was reported out of the Revenue Committee by the staggering vote of 1 to nothing, which I think gives some indication of the concern about it. The...the problem I have with this is that what we are being asked to do is to buy a, with all due respect to Senator Carroll, a chicken in the poke. No...no...we...we know whereof we speak. We will...we...not only the Revenue Committee but we the members of the Senate will never have an opportunity to have a hearing on whatever tax goes into this bill before the end of the Session. I, for one, would have been perfectly willing to vote for the cigarette tax increase. I...I think they recognize that it is a long shot because unless Congress just completely goofs up, they clearly are going to recapture that eight cents and it will not then be available to us to spend at the State level unless we want to increase our cigarette tax a year by eight cents and that was not the way the bill was written in any event. So that it was a long shot on 1273, but at least it was a specific source of revenue that, for the moment had some life. The problem now is that this is a vehicle bill and we will never have an opportunity to be heard on it again before the end of the Session. It will be, with all due respect, the four leaders and the Governor who will sit down in a back room somewhere and decide what taxes, if any, we are going to impose. I just don't think that's the way the legislative process ought to work and that's why many of us on the Revenue Committee voted Present on the bill...when it was before us.

PRESIDING OFFICER: (SENATOR DEHUZIO)

All right. Further discussion on this nothing bill?  
Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I would...I would just point out that as...that the chairman of the Revenue Committee can call a subject matter

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hearing at any time and receive testimony on this subject. I would also respectfully point out that if this...bill is, in fact, ever amended over in the House, it's going to come back over here for each one of us to say whatever we care to say about it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall Senate Bill 1273 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 40, the Nays are 6, 10 voting Present. Senate Bill 1273 having received the required constitutional majority is declared passed. 1275 and 76 are holds. 1278, Senator Kustra. Senator Kustra. On the Order of Senate Bills 3rd Reading is Senate Bill 1278, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 1278.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President and members of the Senate. Senate Bill 1278 is a recommendation of the School Problems Commission in order to provide financial incentives for the formation of new unit school districts. The bill provides that the petition for formation of a unit school district can include either the highest combined tax rate for any high school district and any elementary school district or the tax rate for any unit school district included in the territory for the Education Fund, operation...Operations, Building and Maintenance Fund, the Transportation Fund and the Fire Prevention and Safety Fund. I might point out for the benefit

of the members that the rates provided in the petition are subject to voter approval at the time the petition is acted upon. I would ask for its favorable consideration.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? The question is, shall Senate Bill 1278 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are none, none voting Present. Senate Bill 1278 having received the required constitutional majority is declared passed. 1279, Senator Kustra. On the Order of Senate Bills 3rd Reading is Senate Bill 1279, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 1279.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President, members of the Senate. This bill amends the State Library Act to create the Literacy Advisory Board to review all proposals for funding literacy programs in Illinois. I ask for its favorable adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall Senate Bill 1279 pass. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it...the question is, shall Senate Bill 1279 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. Senate Bill 1279 having received the required constitutional majority is declared

passed. 1281. On the Order of Senate Bills 3rd Reading is Senate Bill 1281, Mr. Secretary, read the bill, please.

SECRETARY:

Senate Bill 1281.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President, members of the Senate. Senate Bill 1281 authorizes regional school...superintendents to establish alcohol and substance abuse prevention programs, and it's been a real pleasure doing business with you today. I ask for your favorable consideration.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall Senate Bill 1281 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are...57, the Nays are none, none voting Present. Senate Bill 1281 having received the required constitutional majority is declared passed. 1286, Senator Barkhausen. Senator Barkhausen. On the Order of Senate Bills 3rd Reading is Senate Bill...Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, this bill strengthens the law against child pornography...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Wait...wait...wait...wait...wait...wait. You want it called, Senator Barkhausen? You wish to have this...bill called? Do you wish to have the bill called? All right. That's what we're asking. All right. Yeah,...you raised your hand, I thought you didn't want it out. On the Order of

3rd Reading is Senate Bill 1286, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 1286.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Thank you, Mr. President and members. Senate Bill 1286 strengthens our laws against child pornography. It raises the age of children given protection under this law up to the age of eighteen. It provides that possession of child pornography parallel to the provisions in the Federal law shall be made a crime. It has a clarifying amendment which we...adopted at the suggestion of some members on the other side of the aisle to make it clear that anyone in order to be charged under this Act will have to...to know or have reason to know that the person who is the subject of child pornography is under the age of eighteen. I know of no opposition to the bill and encourage passage.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall Senate Bill 1286 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. Senate Bill 1286 having received the required constitutional majority is declared passed. 1292, Senator Schuneman. On the Order of...Senate Bills 3rd Reading is Senate Bill 1292. Mr. Secretary, read the bill, please.

SECRETARY:

Senate Bill 1292.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President, members of the Senate...Senate Bill 1292 is a bill requested by the Department of Insurance. Basically all it does is increase the minimum capital and surplus requirements of insurance companies in this State. I think this bill would have been on the Agreed Bill List except there was a problem with three or four small companies. That problem has now been resolved in that we're phasing in these increases over a period of time. I know of no opposition to the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall Senate Bill 1292 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. Senate Bill 1292 having received the required constitutional majority is declared passed. 1308, Senator Lechowicz. On the Order of Senate Bills 3rd Reading is Senate Bill 1308, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 1308.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President, Ladies and Gentlemen of the Body. This bill as amended represents an agreed legislative compromise between cable television and public utilities,



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railroads and pipelines on whose property cable companies seek to install, repair and remove both aboveground and underground cable facilities. The amendment allows cable companies entry upon public utility, railroad and pipeline property except where the property owner believes public safety is threatened by entry and installation of cable facilities, the safety of its employees is threatened or where the continued delivery of vital transportation, utility or pipeline services is threatened. If a cable company disagrees with the property owners assertion of a safety hazard, it may seek to have a court determine otherwise. The bill is supported by the railroads, the public utilities, pipeline companies as well as the Illinois cable TV industry. It's a compromise measure and I would hope it merits your support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Any discussion? If not, the question is, shall Senate Bill 1308 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, 1 voting Present. Senate Bill 1308 having received the required constitutional majority is declared passed. 1311, Senator Bloom. On the Order of Senate Bills 3rd Reading is Senate Bill 1311, Mr. Secretary, read the bill, please.

SECRETARY:

Senate Bill 1311.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bloom.

SENATOR BLOOM:

Thank you, Mr. President, fellow Senators. Bear with me a second, I have to read something into the record, a state-

ment of intent. "The intent of this bill is to bring a greater degree of price competition into play in obtaining health care services. It is to enable insurers to obtain the required services for its insureds at a lower cost than is the care under present procedures. The insurer will have the right to negotiate and enter into agreements with a particular provider or providers. The Department of Insurance is of the opinion that the provisions we have incorporated into Senate Bill 1311 are necessary if PPO's are to be utilized by insurers in Illinois. However the statutory language has raised some concerns that the Statute will be used to discriminate against particular providers or particular classes of providers, that it will operate to shut them out for reasons other than the cost of their services. Our State law now includes insurance equality provisions that protect against such discrimination. No such discrimination is intended or expected by 1311. The insurer is to consider proposals for contract or agreement from all providers and all classes of providers. They are to be afforded reasonable opportunity to submit their bids before any agreement is made or renewed. This is appropriate to free competition in the marketplace and also protects against discrimination. Another concern has been expressed that these PPO's will be exclusive provider organizations, EPO's, meaning that the insurer will require the insured to receive care and treatment only from the selected provider with whom it has an agreement, otherwise, no payment would be made for their care. For the record, it should be understood that Senate Bill 1311 does not authorize formation of EPO's, the insured is to have freedom of choice of the provider from which he or she receives care subject only to the incentives that may be offered to the insured to accept care from the PPO provider. These incentives are to be appropriate and reasonable and may relate to such factors as deductibles and percentage amounts

to be paid by the insured." Thank you for bearing with me. Answer any questions, otherwise, seek a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall Senate Bill 1311 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. Senate Bill 1311 having received the required constitutional majority is declared passed. The Chair would like to recognize on the Floor the distinguished Congressman from the 20th Congressional District, Congressman Richard Durbin. Welcome back. Senate Bill 1311...Senate Bill 1317, Senator Marovitz. On the Order of Senate Bills 3rd Reading is Senate Bill 1317, Mr. Secretary, read the bill, please.

SECRETARY:

Senate Bill 1317.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. Senate Bill 1311 is a bill that was worked out with the State Board of Education dealing with hard-core dropouts throughout the State of Illinois. The bill allows local boards of education and community college districts to establish programs directed at providing academic and employability skills for individuals between sixteen and twenty-three years of age who no longer are enrolled in...in school. Funding for these programs...is set forth by the Legislature in House Bill 1070, which is coming over, currently contains an appropriation of nine million of which 4.5

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million will be directed toward the drop-out population. Furthermore, the bill provides that these programs be outlined within the adult education plans currently required by law so as to ensure that these programs will be coordinated with all other adult education programs within each region of the State. It has been worked out with the State Board of Education. I would solicit your Aye vote for this drop-out legislation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall Senate Bill 1317 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none. Senate Bill 1317 having received the required constitutional majority is declared passed. 1321, Senator Marovitz. On the Order of Senate Bills 3rd...3rd Reading is Senate Bill 1321, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 1321.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. Senate Bill 1321 creates a demonstration project for a hundred and fifty schools in Chicago and...and an option for fifty downstate schools. There is no funding in the legislation whatsoever. The effective date is January 1st of '86. And it's a...it's a project to try and bring education down to the local area where we involve...local school councils and parents and teachers together to improve schools in their local districts. It's a pilot project, there is no funding,

and I would solicit your Aye vote.

PRESIDENT:

Any discussion? If not, the question is, shall Senate Bill 1321 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. Senate Bill 1321 having received the required constitutional majority is declared passed. On the Order of Senate Bills 3rd Reading, bottom of page 15, Senate Bill 1338. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1338.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Joyce.

SENATOR JEROME JOYCE:

Thank you, Mr. President. Under the current Act, the 1940...the 1984 amendment allows six percent interest to be paid on funds held in the Protest Fund is applicable only to successful protested cases. This means that a taxpayer that...protested, filed suit and won receives their protested funds at a rate of...six percent interest. Now this bill...1338, allows interest to be paid to the local taxing units when the protest cases are not successful. Taxpayers are allowed six percent on protested money, 1338 allows six percent interest to be paid on...to the taxing bodies, and this is done at the recommendation of the Attorney General's Office and the Comptroller's Office. I'd ask for a favorable vote or answer any questions.

PRESIDENT:

Any discussion? Is there any discussion? If not, the question is, shall Senate Bill 1338 pass. Those in favor

will vote Aye. Those opposed will vote Nay. The voting is open. All voted who wish? All voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Ayes, no Nays, none voting Present. Senate Bill 1338 having received the required constitutional majority is declared passed. On the Order of Senate Bills 3rd Reading, Senate Bill 1339. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1339.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Thank you, Mr. President and members of the Senate. Senate Bill 1339 would provide that by 1989 the class size for kindergarten and first grade would be reduced to fifteen...a maximum of fifteen in the State. There is no sound educational basis that I know of for assigning the same number of students to a first grade classroom as...that number or that...or those that are assigned to a sixth or an eighth grade class. If we are going to have true educational reform in this State in this year, I am suggesting to the Body that this is the place to start. In fact, if we only had those dollars sufficient to do a program such as that, I would say that this is the place to put those dollars. Obviously, I understand that this is...the costs of this are such that this, if it were to go out of here, would certainly not pass out of the House, it would come back to us in a far different form. I view this as a statement to those who are putting together this package, this educational reform package, as a statement of something that is important to this Body, and on that basis, I ask for your support.

PRESIDENT:

Any discussion? Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President, Ladies and Gentlemen of the Senate. Senator Joyce's suggestion is a good one if, indeed, the large amounts of money were available that it would cost to fund this program, but the cost on this State-wide is absolutely astronomical. I would suggest perhaps that the Body take a look at legislation that will be coming across from the House that will address aides in the classroom of especially these...these younger...younger students. Indeed, many of our...our first, second and third grade classes are...are overpopulated and it's a tremendous burden upon the teacher. But to suggest that...to suggest that we place a limit of fifteen on these classes Statewide...and for those of you who don't know the figures, they run up into...into the area of two hundred and fifty to three hundred million dollars, and to the Chicago School District this would run about...the...the cost there would be roughly a third of that figure, so I think we ought to take another look at this, applaud Senator Joyce for his concern; indeed, it's something we need to address in the reform package, but this bill should not pass.

PRESIDENT:

Any further discussion? Further discussion? Senator Joyce may close.

SENATOR JEREMIAH JOYCE:

Well, you know, again, I understand that...what the costs are and...and I have stated what my purpose is with this legislation. There is an amendment that is on this bill that you know would require fifty-one percent, the Schaffer Amendment, the costs are very, very high. All I'm saying to the Body is if this passes out of here, those who are putting together the educational reform package will look at this, perhaps give it some attention when they put their program

together and it is on that basis that I ask for your support.

PRESIDENT:

The question is, shall Senate Bill 1339 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? Have all voted who wish? Take the record. On that question, there are 28 Ayes, 27 Nays, 2 voting Present. Senate Bill 1339 having failed to receive the required constitutional majority is declared lost. Top of page 16, on the Order of Senate Bills 3rd Reading, Senate Bill 1346. Read the bill, Mr. Secretary. I beg your pardon, hold. Sponsor wishes that held. 1350. On the Order of Senate Bills 3rd Reading, Senate Bill 1350. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1350.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 1350 had, in fact, been on the Agreed Bill List, taken off in order to have an amendment placed on it to take out any intention to have a State insured program. This is merely, though extensive, a rewrite of the Savings and Loan Act that comes out of the Savings and Loan Commissioner's Office including the Savings and Loan League and all the other regulators. It merely was to codify, rewrite and to put into it that which the Federals are now allowed. I know of no opposition to it and would answer questions, ask for a favorable roll call.

PRESIDENT:

Any discussion? If not, the question is, shall Senate



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Bill 1350 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. Senate Bill 1350 having received the required constitutional majority is declared passed. On the Order of Senate Bills 3rd Reading is Senate Bill 1352. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1352.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Dawson.

SENATOR DAWSON:

Mr. President, Ladies and Gentlemen of the Senate, Senate Bill 1352 adds licensed child-care centers to the list of entities whose vehicles used for transporting children are regulated as school buses. Provides for the use of school buses' safety equipment whenever transporting such persons, and the amendment allows day-care facilities to the list of entities, they may utilize school buses. Ask for a favorable roll call.

PRESIDENT:

Any discussion? Senator Schaffer.

SENATOR SCHAFFER:

A lot of the day-care facilities in my part of the State are using vans. How does this impact on them and their...their, you know, their...their drivers are occasionally mothers of kids? How does this work out?

PRESIDENT:

Senator Dawson.

SENATOR DAWSON:

The amendment deletes...a first division vehicle that may

be used as a school bus by a day-care facility and provides for a second division vehicle which are under a classification of school buses. There's a given number on that, Senator Schaffer.

PRESIDENT:

Senator Schaffer.

SENATOR SCHAPFER:

Well, I'm not sure I know, does...does one of the vans that you commonly see driving around painted up with, you know, the Hillside Day-care Center on it qualify? Are we requiring these people to have a special kind of driver's license or what are we doing to the day-care...operations?

PRESIDENT:

Senator Dawson.

SENATOR DAWSON:

It establishes requirements for...the centers that the driver is to be twenty-one years of age or older, has a valid and properly classified driver's license issued by the Secretary of State, and he has to have held a valid driver's license for three years prior to date of application, and as...also has to demonstrate the ability to exercise responsible care and the safe operation of child care...center busing in accordance with the Secretary of State, and has also has not been convicted of a...reckless driving within the three years of a date of application.

PRESIDENT:

Senator Schaffer.

SENATOR SCHAPFER:

Well, I'm informed by staff that this would require day...care van drivers to go through the same type of training and...and permitting and whatever that school bus drivers go through. You know, I guess that's a good idea, I just know that some of these day-care operations are very marginal, they're connected with churches, they have volunteer

drivers. I am a little apprehensive about doing this particularly since most of the day-care facilities, at least in my area, get almost no government support. You know, yeah, I guess everybody ought to have bulletproof vests and...and everything else but...you know, it seems to me that we're out addressing a problem that at least I have not personally been convinced we need to do. I think we're once again headed down the wrong road and driving up costs and we'll hear about it.

PRESIDENT:

Further discussion? Senator Coffey.

SENATOR COFFEY:

Thank you...thank you, Mr. President and members of the Senate. I rise in favor of this bill. Two things; I...I think first of all the children that will fall under this category and the type of transportation provided under this legislation deserves to be protected as any other children that rides our school buses. The sponsor was kind enough to accept an amendment which we felt that maybe would put some hardships on those people maybe with one or two children in their homes, and with that amendment in there, I think it makes it a good bill and those people that...maybe a mother that just has one or two other children in their home is really eliminated by the way the amendment was drafted. I think it's a good bill, it's going to protect our children that's being cared for in these homes, and I'd ask for a favorable roll call.

PRESIDENT:

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

SENATOR DAWSON:

Mr. President and Ladies and Gentlemen of the Senate, all I can say is, everybody says after it's happened we should have done something, and I think this is the time that we

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should do something to protect these kids that are on these buses because of...as was stated, these are different church groups and everybody else driving kids around and someday when it might be your own kid and somebody gets hurt or killed and one day you're going to say, I should have did something, and I ask for a favorable roll call.

PRESIDENT:

The question is, shall Senate Bill 1352 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 37 Ayes, 14 Nays, 4 voting Present. Senate Bill...1352 having received the required constitutional majority is declared passed. On the Order of Senate Bills 3rd Reading, Senate Bill 1358. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1358.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. Senate Bill 1358 is the Proprietary Student Assistance Program. We discussed this bill on 2nd reading, the amendment is the bill and it simply provides that the Scholarship Fund shall set aside ten percent of its allocation for scholarships for proprietary schools, and the amount of the award shall not exceed eighteen hundred dollars. I'm not even sure there's going to be an appropriation for this this year, it comes out of a separate appropriation and I don't think there's...I think all the opposition has been taken care of, and I ask for a favorable vote.

PRESIDENT:

Further discussion? Any discussion? Senator Dunn.

SENATOR DUNN:

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

PRESIDENT:

Sponsor indicates he'll yield, Senator Dunn.

SENATOR DUNN:

...Senator D'Arco, how many schools would this apply to, proprietary schools, do you know for sure?

PRESIDENT:

Senator D'Arco.

SENATOR D'ARCO:

I do have a...a list here. I don't know, let's see...about forty schools or so, I think.

PRESIDENT:

Senator Dunn.

SENATOR DUNN:

And...and I think we have an understanding that you'll not use money that...that goes into the regular Monetary Award Program from the public and private universities. Is that right?

PRESIDENT:

Senator D'Arco.

SENATOR D'ARCO:

Yes, that's our understanding.

PRESIDENT:

Any further discussion? Further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Well,...thank you, Mr. President. It may not be from the monetary award but it's coming from the same pot that the monetary award is coming from. And if I read this correctly the appropriation is an amount equal or not to exceed ten percent of the amount in the Monetary Award Fund. And if you don't think that this is going to be counted against that

award, then I think we're a little mistaken.

PRESIDENT:

Further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. Well, as I understand the sponsor, what he's suggesting is that we pass this bill and that there probably won't be an appropriation this year and so it really won't amount to anything. But it seems to me if we put this bill on the books saying that we...we're...we're going to appropriate and are required to appropriate ten percent of whatever we put into the Scholarship Fund, that that's certainly going to create great pressure on this Body to fund this next year and thereafter. I think the proper way to do it is wait until we've got the money and then decide whether or not we want to spend it this way.

PRESIDENT:

Further discussion? Any further discussion? Senator D'Arco may close.

SENATOR D'ARCO:

Thank you. Mr. President, Senator DeAngelis seemed to indicate that the money would come out of the Monetary Fund, and that would be true but there must be a separate appropriation in order for the fund to pay out the money. So without the appropriation, the money can't come out of the fund. This amendment is the independent universities' amendment. The independent colleges and universities put this amendment on the bill. They're satisfied with the language, they're not threatened by this bill, they don't think it's going to hurt their fund. We've discussed this in committee and the agreement was that we don't want to take away any monies that are allocated to the independent colleges and universities. I don't know, you know, what else to tell you about it. It's a good bill.

PRESIDENT:

The question is, shall Senate Bill 1358 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 38 Ayes, 17 Nays, 1 voting Present. Senate Bill 1358 having received the required constitutional majority is declared passed. 1360, Senator D'Arco. On the Order of Senate Bills 3rd Reading, Senate Bill 1360. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1360.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator D'Arco.

SENATOR D'ARCO:

This also is a nothing bill and I ask that we pass this bill in its present form.

PRESIDENT:

Any discussion? Any discussion? If not, the question is, shall Senate Bill 1360 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. All voted who wish? All voted who wish? Have all voted who wish? Take the record. On that question, there are 32 Ayes, 15 Nays, 2 voting Present. Senate Bill 1360 having received the required constitutional majority is declared passed. On the Order of Senate Bills 3rd Reading, Senator Sommer, Senate Bill 1366. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1366.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Sommer.

SENATOR SOMMER:

Mr. President and members, the...the intent of these bills that come from the Department of Central Management Services is to create a situation in which if we lease a property, we can ultimately end up with the title of that property if we so desire and make the contract that way. It's an option we do not have. Today we either have to lease and not get the property or have to up-front the money either by cash or by selling bonds and getting cash. Simply provides another option. Whatever concerns I had were...were, I think, put to rest by the amendment that has been placed on it which would require...that each year the General Assembly be presented with a separate line item identifying these properties, and then all parties to the contract would understand that this money would not necessarily have to be appropriated if there were any question about the propriety of these contracts.

END OF REEL



REEL #4

PRESIDENT:

Any discussion? Is there any discussion? Senator Chew, on this subject? I'll get to you. The question is, shall Senate Bill 1366 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. Senate Bill 1366 having received the required constitutional majority declared passed. On the Order of Senate Bills 3rd Reading, Senate Bill 1367. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1367.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Sommer.

SENATOR SOMMER:

Mr. President and members, this does the same thing but it's necessary to amend other Acts and this simply amends some other Acts different from the first one.

PRESIDENT:

The question is, shall Senate Bill 1367 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 57 Ayes, no Nays, none voting Present. Senate Bill 1367 having received the required constitutional majority is declared passed. On the Order of Senate Bills 3rd Reading, Senate Bill 1368. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1368.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Sommer.

SENATOR SOMMER:

Mr. President and members, this is the bill that we do annually that reappropriates the projects; that is, all of the old capital construction projects that are not yet completed are always carried over into the next year, and these are old projects approved by previous Legislatures that are still underway.

PRESIDENT:

Any discussion? Any discussion? If not, the question is, shall Senate Bill 1368 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 55 Ayes, no Nays, none voting Present. Senate Bill 1368 having received the required constitutional majority is declared passed. Senator Chew, for what purpose do you seek recognition?

SENATOR CHEW:

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

PRESIDENT:

State your point, sir.

SENATOR CHEW:

...regret that I must ask for a minute or two on this subject. An erroneous press conference has...found itself somewhere here in the Senate and it has gotten into Chicago under the name of Judy Erwin who works here on your staff. It is related to Senate Bill 525 which, President Rock, you are the sponsor, which passed on yesterday. I want to dis-

claim any activity or knowledge of this press release, I think it's damaging not only to the Senate and the black members of the Senate but to you as its sponsor. 525 was related to the banking legislation in which we passed yesterday and happily I voted for it. It is alleged that the black legislators here thought it was a bad bill and it went on to denounce the legislation as a ruination to banking in Illinois. We have not been able to discover who sent this news release, no one has taken the credit for it. I have talked to some Senators here and they are just as shocked as I was to find that this release has found its way into the Chicago Daily Defender, and on today's issue, May 25, the Daily Defender carried her article on it, Rock's Aide a Sales Disloyalty Charges, which is true. I would just like to say, Mr. President, that anyone that would stoop this low to try and disrupt an orderly process of going and just telling outright goddamn lie about what the legislation is and what it does for black community, in my opinion, is not qualified to serve in this Body. All of the years here, I have tried to work with people for their own personal legislation and communities and et cetera and et cetera, there's not one of you in this building that I haven't cooperated with; and for whoever sent this press release out, I think you're so low until you would have to reach up to touch bottom, and that's no way to form a cooperative effort here and to get legislation passed for the benefit of the State of Illinois that someone would deliberately say that black legislators are upset over 525. I'd like the record to absolutely indicate that I disassociate myself from this kind of print, the wording, the way it has been circulated; and to show how low the person is, they used someone else's name instead of their own, and press releases are supposed to have the sender's name, but knowing that it's wrong and erroneous, this release does not contain a name of the sender. And Judy Erwin is not

a part of this and she's been in contact with that newspaper, and I wanted the members of this Senate to know that I did not have anything to do with it and I denounce it, and I would...say that whoever did is not the kind of person that I'd even want to be associated with. I want that for the record, Mr. President.

PRESIDENT:

Senator Jones.

SENATOR JONES:

Yes, thank you, Mr. President, members of the Senate. I, too, rise in dismay as to the press release being dated May 21, 1985, which is Tuesday, to be sent out with no name other than Judy Erwin on there, stating that the black legislators on...in the Senate, more or less I should say, are concerned about the interstate banking legislation. I haven't talked to you, Mr. President, about that legislation when it came up. I haven't talked to any banker concerning that legislation be it black or white, no banker has contacted me as...as relate to the vote on that legislation. But for someone to take General Assembly stationery and send it to a newspaper, and I want to commend that reporter, Ms. Juanita Bratcher, because she had the decency to pick up the telephone and call Judy Erwin about this press release. Anyone would stoop so low to tell constituencies to contact their legislators because we are concerned about the vote. I happen to have voted Yes on that legislation, not at the persuasion of the President 'cause he never asked me, not at the persuasion of any banker, black or white, they didn't talk to me on this legislation. But for somebody to do that, to stoop that damn low, and use the General Assembly stationery which we all have access to and send out a press release don't even deserve to be in this Body. So, to you, Mr. President, to you, Judy Erwin, I know you didn't have any part of it and to impugn the integrity of legislators who

happen to vote Yes because they felt they wanted to vote in that matter, but this went out prior to the debate on the bill. And it is asinine, stupid to do...use our General Assembly stationery to even infer such, and...I wish the individual had the integrity or courage to stand on this Floor and apologize to each member for being so wrong and doing this to his fellow Senators.

PRESIDENT:

All right. Back to the bottom...middle of page 16, Senator Coffey on 1369. Senator Coffey...no. Senator Netsch on 1371. On the Order of Senate...you wish the bill called? Do you wish the bill called? On the Order of Senate Bills 3rd Reading, Senate Bill 1371. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1371.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Netsch.

SENATOR NETSCH:

Thank you. The...what I was trying to explain, Mr. President, is I want the bill read a third time and left on the Calendar for the moment. It is a bill that deals with the...the teenage pregnancy problem and it was an attempt to find a way to provide health services. It grew out of the dropout task force report but there was no legislation specifically on that. We have not been able to get the Department of Public Health quite to come up with the right way to structure this, but I...they claim that they will continue to work on it and we might be able to address it at a later time, I realize not under the deadline of this bill right now, but I do want to leave the bill out on the Calendar, so that it will be available perhaps in the Fall or later if we work something out.

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PRESIDENT:

Take it out of the record, Mr. Secretary. On the Order of Senate Bills 3rd Reading, Senate Bill 1378. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1378.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Jones.

SENATOR JONES:

Thank you, Mr. President and members of the Senate. Senate Bill...1378 is a bill designed to put the Chicago Board on...on parity with the other school districts across the State. What the bill does is give the Chicago Board the same power and authority that the other districts have across the State and that is to...it is permissive legislation authorizing them...giving them the power to levy a transportation tax up to twelve cent without referendum. The...the reason why I put this legislation in is because the reimbursement monies that come from transportation to the Chicago Board does not match the...the necessary dollar amount that is needed for transportation, so, as a result, each year...each fiscal year, the Chicago Board has to dip into its educational fund...has to dip into its educational fund in order to provide transportation for the many mandated programs that it is compelled to do. So this...this legislation is permissive, they will have the power as the rest of the districts across the State to levy the necessary transportation tax up to twelve cents...twelve percent without referendum, and I'll answer any questions anyone has on the bill.

PRESIDENT:

Any discussion? Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. I would merely point out that this is a real estate tax increase authorization. I think we're really too early in the Session to pass this kind of a bill out of this Body. We have been responsive, I think, very generously to the Chicago Board as to their needs in past Sessions...particularly the past two and three years, and I just think that if...time comes that the rest of the funding package doesn't adequately address their needs, that's the time to look at real estate tax increases but I think it's too early. I'm going to vote Present at this time on this bill.

PRESIDENT:

Further discussion? Senator Dudycz.

SENATOR DUDYCH:

Mr. President and Ladies and Gentlemen of the Senate, am I correct to...that I just heard Senator Berman say that this will increase my property taxes?

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

If the Chicago Board passes the authorization in this bill, yes.

PRESIDENT:

Senator Dudycz.

SENATOR DUDYCH:

Well, would this apply to an elected school board or just an appointed one?

PRESIDENT:

Senator Jones.

SENATOR JONES:

It applies to any board. The...the...the...Senator, for your information, the Chicago School Board is the only...school district, District No. 299, is the only dis-

trict that does not have this type of language. It puts it on parity with other school districts.

PRESIDENT:

Senator Dudycz.

SENATOR DUDYICZ:

Well, if we're talking about parity, let's have an elected school board.

PRESIDENT:

Further discussion? Any further discussion? If not, Senator Jones may close.

SENATOR JONES:

Yes, thank you, Mr. President and members of the Senate. In response to our esteemed chairman...of Education...Committee, Senator Berman, let me say this to each and every one of you. I've sat here today, yesterday and the day before and I have voted on many mandated programs for the school districts throughout the State of Illinois. The City of Chicago school system does not even levy a tax for special education. It does not levy a tax for transportation. You wonder why that system...that system constantly runs short every year. It has nothing to do with the revenue that comes from the State, because Chicago's tax for schools is one of the lowest of any taxing district in the State of Illinois. We must stop...we must stop the practice of cheating, and I said cheating, the public school children in the City of Chicago. All this bill does is give them what other school districts have. I voted for the...the...the reform package of legislation, there is a lot of mandated programs in there. Where in the heck is the money coming from? I said time and time again, you pass these bills, we come down to Springfield and when the...of the State, but we must do something at the local level. This will give that school district the authority that other districts have. Every district can levy this tax, you can levy a special education tax, you can levy a



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transportation tax. We need to do the same thing in the City of Chicago and I ask for a favorable vote on this bill.

PRESIDENT:

The question is,...I beg your pardon. Senator Berman.

SENATOR BERMAN:

On a point of personal privilege.

PRESIDENT:

...all right.

SENATOR BERMAN:

I think it's important to clarify the record. On...contrary to the statement of the previous speaker, Chicago's tax rate is not one of the lowest, it is about...a little bit above the median for the State. Thank you, Mr. President.

PRESIDENT:

The question is, shall Senate Bill 1378 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? Have all voted who wish? Take the record. On that question, there are 12 Ayes, 35 Nays, 8 voting Present. Senate Bill 1378 having failed to receive a required constitutional majority is declared lost. Senator Smith on 1382. On the Order of Senate Bills 3rd Reading, Senate Bill 1392. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1382.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Smith.

SENATOR SMITH:

Thank you, Mr. President and members of the...Ladies and Gentlemen of the Senate. After having two amendments on this bill, I think it's in order for a passage today. It...Senate

Bill 1382 states that except as otherwise in the Abused and Neglected Child Reporting Act or other applicable State or Federal law to permit school officials to withhold information on the whereabouts of any child removed from school premises when the child has been taken into protective custody as a victim of a suspected child abuse. School officials shall direct parents to the agency which is responsible for the care of the child in this particular situation, and we have the approval of the Department of Children and Family Services. I move for an adoption of this piece of legislation if there are no questions.

PRESIDENT:

Any discussion? Is there any discussion? If not, the question is, shall Senate Bill 1382 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 54 Ayes, no Nays, none voting Present. Senate Bill 1382 having received the required constitutional majority is declared passed. On the Order of Senate Bills 3rd Reading, Senate Bill 1387. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1387.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Savickas.

SENATOR SAVICKAS:

Yes, Mr. President, members of the Senate, the bill now as amended does exactly what it says on the synopsis and it has...with the amendment the Board of Higher Ed. has removed its concern and objection, and I would solicit your support.

PRESIDENT:

Any discussion? Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is one of those bills I'm trying...still trying to discover exactly why it's needed. It appears...well, we know under the existing Statutes that the Board of Higher Education...the State Board of Education already have the...the power to...to approve these, and reviewing this proposal with the Board of...Higher Education, they, too, do not see the need for this.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas.

SENATOR SAVICKAS:

Well, obviously, the proprietary schools feel that this amendment to our laws would provide them with a...probably a better ego trip. They think it was necessary, the Board of...Higher Board of Education is not opposing the bill, concern that Senator Etheredge had earlier with the word "designated" in the language, we researched that to find out why that word was used and it appears that this language appears in our Statutes now describing these schools, and they use it to be consistent with the present law. I see no objection...we have received no objections from any...anybody, really, for this piece of legislation and I solicit your support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. I don't see too much objection. There is an objection from the Federation of Independent Colleges and Universities, but since this really doesn't do much, who really wants this?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas.

SENATOR SAVICKAS:

Senator DeAngelis, I think you are in error. The only objection that we heard voiced was with 1358 from the...Independent Federation, not...and not on 1387. They were in committee and voiced no objection and I have...have not heard from them of any objection.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Well, just for the record, I have been advised that they did testify in committee against this, Senator Savickas. Did somebody else present your bill in committee?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas.

SENATOR SAVICKAS:

Senator,...they did not testify...they put in a...they may have put in a letter that I don't know of but our staff indicates that they did not testify.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

Well, I'll...I'll clear it up, they did not testify but they did file a slip in opposition to it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Savickas may close.

SENATOR SAVICKAS:

Well, I'm glad Senator DeAngelis finally got his facts straightened out and now I...I would assume that...that he has been enlightened that his major objections may have disappeared. I would solicit your...favorite...favorable support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. The question is, shall Senate Bill 1387 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish?

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2nd reading

Have all voted who wish? Senator Savickas, you want to...all voted who wish? Have all voted who wish? (Machine cut-off)...the record. On that question, the Ayes are 27, the Nays are 21, 5 voting Present...Senate Bill 1387 having...failed to receive the required constitutional majority is declared lost. 1389, Senator Sangmeister. On the Order of Senate Bills 3rd Reading is Senate Bill 1389, Mr. Secretary, read the bill, please.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1389.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

WEEK-TV, Channel 25...News 25, Kelly Morgan, has requested leave of the Body to shoot. Is leave granted? Leave is granted. On the Order of Senate Bill 1387, Senator Sangmeister.

SENATOR SANGMEISTER:

Thank you, Mr. President and members of the Senate.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Hold on, Senator Sangmeister...Senator...we're on 1389. All right...the board is corrected. Senator Sangmeister.

SENATOR SANGMEISTER:

This is a bill that received some discussion yesterday, as you recall, when it went through the process of 2nd reading. The bill very simply does what it states specifically in the bill and...it's to form...allow the Attorney General to form a Statewide grand jury with authority to investigate, indict and prosecute persons in enterprises that generate, use, store, transport and dispose of hazardous waste in violation of the Illinois Environmental Protection laws, and that's exactly what it is limited to and that is the only authority that we would be giving the Attorney General. Criminal damage to the environment, as you all are

well aware of, is a Statewide problem. The environment in which we live does not begin and it is not end at county lines, and thus, pollution of that environment is a problem that transcends county lines. The General Assembly recently enacted tough new legislation to increase penalties for persons in enterprises that commit criminal damage to the environment; however, law enforcement officials have not been given the tools to...to take these tough laws and make them fully effective. That is the purpose of this legislation. I might say to you that you understand that contrary to all of the...the 2nd reading maneuvering that was going on, I am fully advised that Senator Geo-Karis' amendment which she was putting on to protect the state's attorneys in this legislation is on this bill, so I...I think that ended all the controversy that we were talking about. So now the Attorney General cannot in any way proceed without giving notice to the state's attorney and he has forty-five days within which to act. Personally, I think that slows the process down considerably, but seeing as we...that was a concern, particularly on the other side of the aisle, and seeing that that concern has been taken care of, I think on behalf of the environment of the State of Illinois, this should get a unanimous vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President and members of the Senate. Surely, this is a case of whatever goes around comes around. Those of us that have been here very long can remember the discussions when Attorney General Scott and Ty Fahner wanted similar rights. I don't remember all the arguments but I remember where they came from. They came, Senator, with all due respect, from your side of the aisle, and, frankly I was persuaded by those arguments. I think you were right then.

This probably is the wrong thing to do and as much as we respect our Attorney General and as much as we realize his...his ambitions for higher political office, this perhaps may not be the way to...to help him get there. He probably ought to get there through the...traditional means, and in spite of the...the House...the high sounding rhetoric about this bill, it still has all the faults that you all argued about just a few years ago...that you all argued against. So I would simply point that out to the Body.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? So far we...we have Senators Fawell, Barkhausen, Keats, Dudycz, Geo-Karis and Watson. Senator Fawell...Jeremiah Joyce.

SENATOR FAWELL:

Thank you, very much, Mr. President. I assume everybody has made up their mind on this and I call for the previous question.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Fawell has moved the previous question. We have the speakers of Fawell, Barkhausen, Keats, Dudycz, Geo-Karis, Watson and Jeremiah Joyce. Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President, I just have a question, maybe two, of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Barkhausen.

SENATOR BARKHAUSEN:

Senator Sangmeister,...is there any good reason why...why the...this bill is limited to a thirty-month period?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sangmeister.

SENATOR SANGMEISTER:

It's another very good reason why this is a very limited

piece of legislation. If we are going to this...if this is the first time the State of Illinois has a Statewide grand jury, we're going to put it in there on a temporary basis, see if it works. If it doesn't work, it automatically expires.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Well, Mr. President and members, just briefly to the bill. I happened to support this concept when it came up in the House when I was there for a term, and I did so at a time when the grand jury authorization was being requested not only for crimes of hazardous waste but more broadly for a number of other crimes, narcotics and consumer fraud and those crimes that most have a tendency to cross county boundaries in which in some cases exceed the capacity of our individual state's attorneys to handle. But I do have some concern about a measure which seems to be limited to a particular scope in time. I think if it's...if it's good for one foot, it ought to be good for the other, and when I spoke in support of this concept over in the House a few years back I said that I would support the bill whether it was a Republican or a Democratic Attorney General requesting it, but I suppose I should have qualified by...that by saying that...that such a proposal should be good for all time and not just good for the incumbent officeholder. For that reason, with some reluctance, I...I won't be able to support this and will be...will be voting Present.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Dudycz.

SENATOR DUDY CZ:

Thank you, Mr. President. Ladies and Gentlemen of the Senate, I just have two short questions. Senator Sangmeister, cannot the Attorney General now request state's



attorney to use his grand jury?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sangmeister.

SENATOR SANGMEISTER:

Yes, he can.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dudycz.

SENATOR DUDYCZ:

Why is this legislation needed then?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sangmeister.

SENATOR SANGMEISTER:

For the simple reason, the jurisdiction of the state's attorney, as you're well aware of, is confined to his county limits. The problem with these type of...of violations is they are...multicounty violations, therefore, the reason for the Attorney General.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dudycz.

SENATOR DUDYCZ:

How come thirty months? Why not thirty-six, forty-eight, twelve, twenty-four? How come that specific period?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sangmeister.

SENATOR SANGMEISTER:

Well, that question was just asked, I believe, by Senator Barkhausen and we felt that because we're going into a new program that we ought to...see whether or not it is going to work. Also, we also think that within thirty months we'll be able to clean up some of the present problems that we have in this area which, as you know, are...are gigantic.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dudycz.

SENATOR DUDYCZ:

You feel that in thirty months, you will clean up the problem or how...what I want to know specifically, Senator, is how you reached that specific amount of time, thirty months, not thirty-two, thirty-six. Why thirty months?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sangmeister.

SENATOR SANGMEISTER:

Well, any temporary program or any...attempt at a program has got to have some delineation. If that's too much and you'd like to cut it to fifteen months or if you think it ought to be extended to five years, you know, we're flexible.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dudycz.

SENATOR DUDYCHZ:

I'm sorry, but you didn't answer my question. You...you made thirty months...you said some specific period of time. How did you reach thirty months?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sangmeister.

SENATOR SANGMEISTER:

There is no magic in the number thirty. Some period of time had to be picked for this to expire, and like I say, if you don't think the thirty-month period is long enough or it's too long, we can always do something with that.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Dudycz, I...Senator Dudycz.

SENATOR DUDYCHZ:

So, in other words, it was just an arbitrary figure picked out of the sky and said, thirty months sounds good so let's go with it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, Mr. President, Ladies and Gentlemen of the Senate,

my colleague, the sponsor on the other side, helped me fight the first...multicounty grand jury bill which was sponsored...was supported by Attorney General Scott, and I did not approve of that one, I was the deciding vote, I did not approve of the one when Fahner wanted it because I want...people to be treated fairly whether they're Democrats or Republicans. Under this bill, what he forgets to tell you, but I'm happy that he did, he did include Cook County in it. So all the counties are in it, which I appreciate that he did put them all in, but under this bill the...the judge who is convening...the judge who is convening the multicounty grand jury can select the county in which the Statewide grand jury is to sit and may fix the place of trial of an indictment in return by the...Statewide grand jury. So, therefore, if the...if we have a Republican Attorney General, which we might just have within the thirty months, he might just decide to have the Supreme Court judge authorize a grand jury and the...the presiding judge of the Statewide grand jury can convene it in Lake County, Illinois for any offense that he thinks exists in Carlinville where Senator Demuzio lives. So I think it's a very unfair bill. The sponsor of the bill would not...he Tabled my amendment, he was successful in beating my amendment which said that, "However, the county selected must be one in which the alleged offense was committed or a county directly adjacent to such county." So you can have a grand jury convened by the judge in Lake County, Illinois to affect somebody in...in Carbondale, Illinois, in Belleville, Illinois, all the way down there, and that's what...another thing that's wrong with this bill. And another thing is, since when...since when do we want to invade the providence of the state's attorney...I'm so happy he thinks that my amendment is still on which provides that he has to notify the state's attorney first. However, as Senator...Dudycz said, and as the sponsor admitted, the

Attorney General has...authority now. I can't imagine that Neil Hartigan, whom I dearly love, would have in his wildest dreams want such an awful bill like this to pass. I can't imagine but just think, suppose that he is invited...he...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well,...Senator Geo-Karis, would you please bring...

SENATOR GEO-KARIS:

...all I can tell you, this is an unfair bill and I speak now, not only as a Republican, I speak as a citizen. I don't want...Democrats hurt by it, I don't want Republicans or anyone hurt by it. It's a bad, bad, bill and as E.F. Hutton would say, vote against it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Joyce.

SENATOR JEREMIAH JOYCE:

Well, it is...it is in a sense regrettable that some of you have chosen to...to find this on strictly partisan, political terms, Senator Schuneman. If...this bill was drafted to try to deal with those political problems, that was the reason for the thirty-month period. The thirty month period was thought...would allow a...the next Attorney General whether it be the incumbent or the...or...a different one of either party to come in and to look at this and have an opportunity to continue whatever work had been accomplished up to that point. That was the reason for the thirty months. It's...on the other hand, it...the...the...as to why it wasn't more than thirty months, Senator, it was felt that this grant should not be a broad grant. This bill is pretty much in the form of what Senator Geo-Karis wanted, we thought her main objection had to do with the state's attorneys; those other concerns with respect to venue...there's no problem. We could change that if that would so...could be changed in the...House if that is what Senator Geo-Karis would want. But if this bill is going to go down on strictly

on the basis that Attorney General Scott or Attorney General Fahner was not allowed or not voted grand jury powers, that is regrettable, because there is a serious problem in this State in this area, and the resources are available. If we will provide the Attorney General's Office with the opportunity to deal with that problem, he will come back, we will look back on this as something that was very, very meaningful and something that was good for the people of the State of Illinois.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Geo-Karis for a second time.

SENATOR GEO-KARIS:

Mr. President, Ladies and Gentlemen of the Senate, since my name was used in debate, I want to remind the prior speaker that I, as a Republican, opposed the Republican Scott and Republican Fahner's desire for multicounty grand jury bill. So it's not political with me, I think it's a matter of equal justice and fair justice to all.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Sangmeister may close.

SENATOR SANGMEISTER:

Well, thank you. Senator Geo-Karis, I'm glad you found out where E.F. Hutton was, most of us discovered it was right across the street from Boone's. The difference involved here which must be emphasized is that this is not the same grand jury bill that has been floating around with various Attorney Generals. This is a highly limited bill into one specific area and that is to deal with...with the storage, use, transportation and disposal of hazardous waste. Also, this bill has got a thirty-month limitation on it which the other grand jury bills did not have; and, Senator Schuneman, as I recall in committee, I thought you said when we were talking about this that you always supported this in the past, you

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3rd reading

supported it in committee and you were going to support it on the Floor. So I'm rather surprised to hear that there's been a change in tune. However, I...as I recall, the committee vote on this bill was 19 to nothing. So I don't understand where the changes come around and, Senator Geo-Karis, you know, you amended our bill into such good shape and now you're not going to support it. I...I don't understand that either, but anyway, if you're concerned about how hazardous waste is being handled and the problems that we're having in the State of Illinois, this is your chance to do something, vote for it, do something for the people.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall Senate Bill 1389 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 27, the Nays are 27, 2 voting Present. Senate Bill 1389 having failed to receive the required constitutional majority is declared lost. Senate Bill 1391, Senator D'Arco. On the Order of Senate Bills 3rd Reading is Senate Bill 1391, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 1391.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. This bill provides that when a complainant files a complaint before the Department of Human Rights, at the expiration of the three hundred day period if they haven't acted on the complaint, he can file that complaint with the Commission of Human Rights as long as he

receives a notice when he initially files the complaint from the department. It's an agreed bill, the department is on board, and I would ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Discussion? If not, the question is, shall..Senate Bill 1391 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 39...39, the Nays are 18, none voting Present. Senate Bill 1391 having received the required constitutional majority is declared passed. 1399, Senator D'Arco. Senate Bills...all right. 1402, Senator Collins. On the Order of Senate Bills...3rd Reading is Senate Bill...Senate Bill 1402.

SECRETARY:

Yes, Senate Bill 1402. The verbiage where it's...recalled and held on 2nd, should have been removed. So just disregard that.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. The Secretary informs me that the verbiage recalled and held on 2nd reading was to be...disregarded. All right. Senator...Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 1402.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Collins.

SENATOR COLLINS:

Yes, thank you...thank you, Mr. President and members of the Senate. Senate Bill 1402 and the next five bills following is part of a comprehensive economic development package...

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, ladies and gentlemen, can we have some order, please. Senator Collins.

SENATOR COLLINS:

...or at least which started out to be a comprehensive economic development package; unfortunately, some of the bills did not get out of committee. However, I do feel that the remaining bills in this package on the Calendar today does, in fact, represent a good beginning. And I would just like leave of the Body to make my opening remarks for all of those bills, and then, when we get to each bill, I will be happy to answer...ask...I mean, answer any specific questions that you may have in regard to a specific bill and that they be taken on separate roll calls.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, in fact, they will be taken on separate roll calls. Is there leave for Senator Collins to discuss Senate Bill 1404 through Senate Bills 1410? Leave is granted. Senator Collins.

SENATOR COLLINS:

Yes, thank you, Mr. Chairman and members of the Senate...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Collins...

SENATOR COLLINS:

Senate Bill...

PRESIDING OFFICER: (SENATOR DEMUZIO)

...you...you only get the same time for all...the whole package. Senator Collins.

SENATOR COLLINS:

...Senate Bill 1402 creates a vocational and professional enterprise training center and the purpose of that center is to provided specialized and vocational and professional training with the major emphasis on the development and promotion of entrepreneurship. The bill is based on a concept that the stimulation and creation of small business develop-



ment is in fact a major entity in creating job development and...and establishing an economic base for our communities. Our statistics indicate that...that about in...ninety-seven percent of businesses in...in Illinois employs less than one hundred people, and I feel that for every dollar spent in this State on vocational education that there should be a direct and immediate future impact on manpower needs in this State. Senate Bill 1404 establish the Illinois Job Development Corps. Now I understand that we have a lot of different efforts in this State supposedly for job development and employment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Ladies and gentlemen, Senator Collins seeks some order. Can we have some order, break up the caucuses. Senator Collins.

SENATOR COLLINS:

Thank you, again. We have created and even in this Session we have passed several major pieces of legislation for the purposes of creating jobs in this State. While I have supported those efforts, I sincerely believe that if we are serious about employment in the State of Illinois that we have to provide training as well as employment. Most of our efforts in the past have ended up spending dollars and at the end of the employment...period, the person employed have often ended up back on the welfare rolls with no more skills...any opportunity to have a job than they did before they entered into the program. Senator Hall, may...may I have some order, please. Point of personal privilege.

PRESIDING OFFICER: (SENATOR DEMUZIO)

State your point.

SENATOR COLLINS:

Yes. I think I have sit in this Chamber and I've listened to all of your initiatives. Whether I supported them or not, at least I gave you the courtesy and the oppor-

tunity to present them, and I think I'm entitled to the same thing from both sides of this aisle. And whether or not you want to vote for these bills, that's your conscience and that's your responsibility, not mine, but I really would appreciate it if you would just lower your voices some so that those who may want to hear can hear. Now back to the bills. As I said, even our job training corp...our job training...those programs under the Job Training Partnership Act which is currently, I understand, under a lot of scrutiny has not by any means began to scratch the surface of dealing with the real...real problems of unemployment in the State of Illinois. The Illinois Job Corps is based after the Pennsylvania Job Corps which has had a tremendous success and most of all it would provide an opportunity to get people off of the welfare rolls. You constantly complain about the high cost of welfare and those old lazy people, and, yet, every time a very positive issue comes to this Body, you vote is down. This bill is focused on providing an opportunity to get people off of welfare. Senate Bill 1405 provides tax incentives for new businesses moving into...to encourage them to move into an enterprise zone. While this bill is just another...tax incentive to encourage businesses in Illinois and specifically to the...to the development of enterprise zones, I am not as concerned about the passage of this bill as I am about most of the rest of the bills in this package, because I think we've already passed bills that would accomplish the same purpose. But Senate Bill 1406 is a different story because it is directly linked with the vocational and professional enterprise training centers, which is tied in with our junior colleges and it provides incentives for businesses and corporations to loan staff and equipment to the junior colleges for the use and training of those students in the vocational and professional trades and to encourage them to go into business of...of their own. Senate Bill...Senate

Bill 1408 is probably one of the most important bills in this package, because it has built within it a revenue source untapped that will provide for our last count...over five million dollars that can be used to assist small businesses, and competing more competitive and providing an opportunity for them to compete for State contracts by assuring that fifty...assuring fifty percent of the risk connected with bid bonds when they are bidding on big contracts. The other measure of money would be...many other states have done is to charge a five dollar flat bid fee for all bid contracts and this money will be also used into this fund. The money will stay in the fund, it is only used in case of risk. According to our statistics, the risk involved is very minimum because very few of the contractors default on their commitments. Senate Bill 1458 is, again, one of the most...very important bill because what it does, it tries to transform the concepts and the printed words into the creation of the Illinois Development...Financial Development Authority into some meaningful action. It expands the responsibility and jurisdiction of that board structurally. It provides for an...the...the...the creation of...a five-member board who is going to be responsible and accountable for the overall financial planning and coordination for economic development in this State and, specifically, the development of the enterprise zones' areas. And most importantly, it provides for a guaranteed loan program that can be used by local businesses and small businesses who are not able to secure money...on the regular market, to do some projects that will most certainly be a very great help to local units of government that will provide them with some necessary monies, and that...which they can leverage some private money and do some of the major infrastructure projects that is so needed in the...at the local levels of which they have no money at this point to do anything about. I think that is the sum total of

all of the bills, and the appropriation bills are there, and I would ask...be happy to answer any questions, and I will ask your favorable consideration of this package of bills.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Topinka.

SENATOR TOPINKA:

Yes, a question of the sponsor, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates she will yield. Senator Topinka.

SENATOR TOPINKA:

Yes, I...this is on 1402 and, you know, I...I think you're trying to do some pretty nifty things here, but I'd just like to clarify something. According to our analysis, this would affect community colleges near an enterprise zone. Now, we, for instance, have an enterprise zone in Cicero. Will this effect Morton College and Triton College which would be in five...five miles? According to our analysis, it says that this would be limited strictly to a community college in Chicago and a community college in southern Illinois, but you're saying that is not so.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Collins.

SENATOR COLLINS:

No, that is not so and...and you are right, your colleges would be affected and your analyses are wrong.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I certainly want to...apologize to the principal sponsor, I had no intentions of distracting her and I am a sponsor...a cosponsor on all these bills; and I want to tell you that this is some very important legislation, and I think that what we should do is that we ought to give the

necessary votes on that board to pass these out. It's so important, as she has reiterated on all of them, to tell you that this is an opportunity to give chance and add to communities jobs and other placements that would get people off of the relief rolls as she said. This is very important legislation and I would encourage everyone to be sure and give us an affirmative vote on this measure.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Newhouse.

SENATOR NEWHOUSE:

Thank you, Mr. President and Senators. I...I want to commend Senator...Collins on putting together a package of bills that would be most beneficial to the State of Illinois in that it provides a means by which we can take some tax consumers off the tax consumption roll and put them on the taxpayer's roll, and if I understand the message that we...that we get from the other side frequently, that is what that side wishes to do. I think it's equally as true of this side. I'd like to get permission from leadership to pass out some missives here. They are pieces of research that say one of the major causes of family deterioration in minority communities is the absence of marriageable young males, and by marriageable it's meant those who make enough money to support a family. It's a tragic situation that exists at a time when our communities really need rebuilding. So it isn't a matter of the jobs not being there, the jobs are there. It's a question of how we bridge that gap to take that raw material and bring it together with the jobs that are required to be done. I know everyone is tired and would like to move along with the business but these are some extremely important bills, and I rise in support of them and I wish we would flash all green lights up there. Meanwhile, Mr...Mr. President, may I have permission to pass these out to the...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Yes, sir, it's already been given. Further discussion?  
Senator Smith.

SENATOR SMITH:

Mr. President and members of the Senate, I merely wish to stand in support of the bill and hope that you will give her a favorable vote, because they are needed and will help us to help ourselves. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Collins may close.

SENATOR COLLINS:

Yes, thank you, Mr. President. I...I would just like for, you know, all of you to...to really...carefully consider your vote on this bill. If you have some problems, and I know that there...there's still some questions about some of these bills, I am committed to having those problems and concerns worked out in the House. But right now, I would suggest to you, don't kill the only real vehicles that we've had come through here that will actually help to leverage some dollars to get some things done that...which all of us claim that we want to see done. I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall Senate Bill 1402 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays none, none voting...on that question, the Ayes are 56, the Nays are none, none voting Present. Senate Bill 1402 having...received the required constitutional majority is declared passed. On the Order of Senate Bills 3rd Reading is Senate Bill 1404, Mr. Secretary.

SECRETARY:

Senate Bill 1404.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall Senate Bill 1404 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. Senate Bill 1404 having received the required constitutional majority is declared passed. Senate Bill 1405, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 1405.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall Senate Bill 1405 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 47, the Nays are 4, 3 voting Present. Senate Bill 1405 having received the required constitutional majority is declared passed. Senate Bill 1406, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 1406.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hudson, for what purpose do you arise?

SENATOR HUDSON:

To speak on the measure, if I may, sir.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator Hudson, I thought we had an agreement

that...she had leave of the Body to speak on the...the entire package and that the questions were on...on the entire package. Senator Hudson.

SENATOR HUDSON:

Well, if that was the agreement, I wouldn't want to abrogate the agreement. I try to be an honorable man. I didn't understand it that way, that's all.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Hudson.

SENATOR HUDSON:

Well, I...I will just...I will just call the attention to the Body...

PRESIDING OFFICER: (SENATOR DEMUZIO)

...Senator Hudson, I didn't make the agreement, the...the members did. Senator Hudson.

SENATOR HUDSON:

No. Well, I...I didn't understand it and I'm willing to abide by it, even though I didn't understand it, if that's the...if that's the wish of the Body.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Why don't you...why don't you make your comments...

SENATOR HUDSON:

All right. I'll make my...I'll make my comment. I think 1406 and 1408 are lousy.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. The question is, shall Senate Bill...1406 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 31, the Nays are 23, 1 voting Present. Senate Bill 1406 having received the required constitutional majority is declared passed. Senator Hudson, for what purpose do you arise? All right, Senator Hudson has requested a verification...Senator Hudson,



of the affirmative roll call. All right. All the members will be in their seats. Senator Hudson has requested a verification of the affirmative roll. The Secretary will read the affirmative votes.

SECRETARY:

The following vote in the affirmative: Berman. Carroll. Chew. Collins. D'Arco. Darrow. Dawson. Degnan. Demuzio. Hall. Holmberg. Jones. Jeremiah Joyce. Jerome Joyce. Keats. Kelly. Lechowicz. Luft. Marovitz. Netsch. Newhouse. O'Daniel. Poshard. Sangmeister. Savickas. Smith. Topinka. Vadalabene. Welch. Zito and Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hudson, do you...Senator Hudson, do you request the presence of any member who voted in the affirmative? Senator Hudson.

SENATOR HUDSON:

Senator Marovitz.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz on the Floor? Senator Marovitz is...right here at...by the Podium.

SENATOR HUDSON:

Senator Dawson.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dawson, he's on...he's over by Senator Lechowicz.

SENATOR HUDSON:

Senator Keats...oh, he's here.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Keats is sitting in his seat.

SENATOR HUDSON:

That's all, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. On the verified roll call, Senate Bill 1406 has 31 Ayes, 23 Nays, 1 voting Present. Senate Bill 1406

having received the required constitutional majority is declared passed. On the Order of Senate Bills 3rd Reading is Senate Bill 1408, Mr. Secretary.

SECRETARY:

Senate Bill 1408.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall Senate Bill 1408 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all...have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 30, the Nays are 26, none voting Present. Senate Bill 1408 having received...the required constitutional majority is declared passed. Senate Bill 1410, Senator Collins. On the Order of Senate Bills 3rd Reading is Senate Bill 1410, Mr. Secretary, read the bill, please.

SECRETARY:

Senate Bill 1410.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Collins.

SENATOR COLLINS:

Yes, thank you, Mr. President and members of the Senate. This is appropriation for the job corps, and I would move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall Senate Bill...all right. Senator Schuneman.

SENATOR SCHUNEMAN:

How much is it?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Collins.

SENATOR COLLINS:

Very little right now, it's only three million.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, the question is, shall Senate Bill 1410 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 30, the Nays are 27, none voting Present. Senate Bill 1410 having received the required constitutional majority is declared passed. 1411, Senator Collins. On the Order of Senate Bills 3rd Reading is Senate Bill 1411, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 1411...Senate Bill 1411.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Collins.

SENATOR COLLINS:

Yes, than you, Mr. President. This is a one time appropriation simply to get the creation and establishment of the Illinois Bonding Act for one hundred thousand dollars, and I would move for its...its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall Senate Bill 1411 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 32, the Nays are 24, none voting Present. Senate Bill 1411 having received the required constitutional majority is declared passed. 1414, Senator Kustra. On the Order of Senate Bills

3rd Reading is Senate Bill 1414, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 1414.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President and members of the Senate. Senate Bill 1414 implements Executive Order No. 4 by creating the Department of Historic Preservation and Cultural Heritage, and it transfers to various...to it the various functions of the State Historical Library and the Department of Conservation. This order creates the Department of Historic Preservation and Cultural Heritage which is to be under the direction of a five-member board appointed by the Governor with the consent of the Senate. The board will in turn hire a director to run the department, the initial board shall be composed of the three current trustees of the Illinois State Historical Library and two additional members, terms shall be for two years. On 2nd reading, Senator Darrow offered and we approved some amendments making technical changes and adding to the agency the Postville Courthouse historic site, the Governor Horner State Memorial and Lincoln Trail Homestead Memorial, and we also authorized the agency to contract with appropriate cultural organizations. I would be glad to answer any questions. I ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Any discussion? If not, the question is, shall Senate Bill 1414 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays

are 2, none voting Present. Senate Bill 1414 having received the required constitutional majority is declared passed. Senator Vadalabene wishes to announce that had he been in his seat he would have voted in the...affirmative. Senate Bill 1414, Senator Philip...Senator Rock. Okay. On the Order of Senate Bills 3rd Reading is Senate Bill 1415, Mr. Secretary, read the bill, please.

SECRETARY:

Senate Bill 1415.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is the second bill that Senator Philip and I assumed the sponsorship of as the request of the Governor. It originally contained the telecommunication excise tax. The bill as amended in committee does absolutely nothing, has no impact on anything or anybody except Senator Netsch and I urge an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Any discussion? If not...the question is, shall Senate Bill 1415 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 33, the Nays are 10, 11 voting Present. Senate Bill 1415 having received the required constitutional majority is declared passed. These nothing bills are having trouble...Senate Bill 1417, Senator Barkhausen. On the Order of Senate Bills 3rd Reading is Senate Bill 1417, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 1417.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, Senate Bill 1417 is the Real Estate Time Share Act. It is proposed by the Department of Registration and Education and the Illinois Association of Realtors and also by the American Land Development Institute. All of these three groups have sought...sat down over a period of months and worked out this Act which for the first time requires disclosure of that which is being sold by those who...who sell interests in time sharing developments. There is...there are some definitions set forth, disclosure requirements, escrow provisions for the deposits that are made and a right of rescision for a period of five days by any purchaser buying one of these interests. I know of no opposition and would ask for passage.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Discussion? If not, the question is, shall Senate Bill 1417 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present...1 voting Present. Senate Bill 1417 having received the required constitutional majority is declared passed. 1421, Senator Newhouse. On the Order of Senate Bills 3rd Reading is Senate Bill 1421, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 1421.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Newhouse.

SENATOR NEWHOUSE:

Thank you, Mr. President. This Senate Bill 1421 is an apprenticeship training bill. It's...it's designed to take care of the problem that I mentioned a few moments ago, the large number of unemployed and unemployable people who are capable of working and should be in the work force. I must say to you all that there are some of the unions who are opposed to this bill, they are the building construction...unions. There are certain...as you all know, unanimity even from that sector in opposition to these bills. I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Any discussion? If not, the question is, shall Senate Bill 1421 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 29, the Nays are 22, 3 voting Present. Senate Bill 1421 having failed to receive the required constitutional majority is declared lost. Senator Newhouse. Senator Newhouse requests consideration postponed. Senate Bill 1422, Senator Marovitz. On the Order of Senate Bills 3rd Reading is Senate Bill 1422, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 1422.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. This bill is designed to end the escalating problem

of tenants being obligated to pay for utility service other than their own...other than their own. During the past year...an increasing number of tenants have reported to the state's attorney's office that they're receiving utility bills which include charges for utility service which does not service their own dwelling unit. Many tenants have complained that they have not been notified either by the landlord or the utility company that they're responsible for paying utility service other than for their own dwelling unit, and the legislation addresses this problem by requiring a landlord to enter into a written agreement with the tenant if the tenant is to be responsible for...utility service other than to their own. I've...talked with Commonwealth Edison about this bill and I would solicit your Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall Senate Bill 1422 pass. Those in favor vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are none, none voting Present. Senate Bill 1422 having received the required constitutional majority is declared lost...declared...declared passed. Senate Bill 1422 is declared passed. Top of page 18 is Senate Bill 1425, Senator Luft. On the Order of Senate Bills 3rd Reading is Senate Bill 1425, Mr. Secretary, read the bill.

END OF REEL

REEL #5

SECRETARY:



(Machine cutoff)...Bill 1425.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. Senate Bill 1425 creates an intergovernmental agreement for public building commissions. The bill provides that any two or more municipalities with three thousand more inhabitants, county seats or counties or any combination may pursuant to an intergovernmental agreement set forth in a resolution provided by the corporate authorities of each such municipality, county seat or county organize a single public building commission. I'd try to ask...answer any questions or ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, any discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Would the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Geo-Karis.

SENATOR GEO-KARIS:

Under your bill, would that mean that the municipalities that got together could tax without a referendum?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft.

SENATOR LUFT:

There is nothing here outside of the original...original law on public building commissions. The only thing this does is allow them to get together. For example, and this came out of your area, Senator, that if the infrastructure is so bad in your area, if you had two cities that wanted to get together and form a public building commission or two counties or two cities or whatever, they could do so, and, yes,

they would have the taxing right that exists between any public building commission.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, I don't care whether it came out of my area, sometimes some of the requests from my area aren't exactly what I like, however...

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, wait...Senator Geo-Karis. Senator Luft, for what...what purpose do you arise?

SENATOR LUFT:

Senator, let me read what's in the analysis and maybe this will make sense.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft.

SENATOR LUFT:

"A public building commission issued a...issues interim notes and revenue bonds to fund a project. The only taxing power involved is if a municipal corporation with taxing powers enters into a lease with the commission, then the governing body of the municipal corporation must levy a tax sufficient to pay the rent," and that's the only taxing that it has.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and...Gentlemen of the Senate, our analysis says, "It is important to note that any...municipal corporation which has the power of taxation under the law in any part of whose area of jurisdictions is within the territorial limits of that county seat may join in that organization of the public building commission and no

referendum is required," which I think, by inference, gives the power of taxation without referendum. That's what I'm concerned about.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Luft may close.

SENATOR LUFT:

Well, I just read that a PBC does not have the power of taxation presently and we're not changing that. We're only allowing two cities, counties or whatever to get together...perform the same duties of a PBC in a single city. I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall Senate Bill 1425 pass. Those in favor vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 36, the Nays are 10, 4 voting Present. Senate Bill 1425 having...having received the required constitutional majority is declared passed. 1426, Senator Zito. 1428, Senator Sangmeister. On the Order of Senate Bills 3rd Reading is Senate Bill 1428. Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 1428.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sangmeister.

SENATOR SANGMEISTER:

Thank you, Mr. President and members of the Senate. The analysis on your Calendar is very accurate. It does two things, increases the penalty for unlawful restraint from a Class 4 to a Class 3 felony; but more important, the second part of this legislation addresses the Supreme Court decision of the People of the State of Illinois versus Enos Liles

AB 1429  
3rd Reading

wherein the Supreme Court held that under the aggravating circumstances that the defendant was not eligible for the death penalty because the first murder he committed he was under the age of eighteen. Very quickly, the facts were that this young man was convicted of murder and tried as an adult, convicted as murder but he was a juvenile, was released at the end of his...his time and went back out in the community several years later again and killed three people...convicted of two more murders and a voluntary homicide; and when the jury gave him the death penalty for that, the Supreme Court said, no, you can't do that because under the multiple murders section, the first time that he committed a murder, he was a juvenile and the...and the Statute says eighteen. Simply what this legislation does is it states in that Paragraph 3 on the multiple murders that if you did commit a murder and you were under the age of eighteen, it will qualify you with the additional murder for the death penalty. Be happy to answer any questions. If not, a...a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall Senate Bill 1428 pass. Those in favor vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53,...on that question the Ayes are 55, the Nays are none, 2...none voting Present. Senate Bill 1428 having received the required constitutional majority is declared passed. 1429, Senator...Joyce. On the Order of Senate Bills 3rd Reading is Senate Bill 1429, Mr. Secretary, read the bill, please.

SECRETARY:

Senate Bill 1429.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce. Senator Joyce...Jerome...Jeremiah.

SENATOR JEREMIAH JOYCE:

Thank you, Mr. President and members of the Senate. The description in the Calendar is correct on 1429. State's Attorney of Cook County has caused this bill to be introduced in this Body. It's because they have a problem with juveniles who are serving periods of probation or conditional discharge and violate the conditions placed on them, then complete the period prior to receiving a hearing on the violation and, therefore, the State's attorney's office cannot seek sanctions for the violation because once the juvenile completes his period of probation, the court loses jurisdiction to address the violation of probation or conditional discharge. I ask for your favorable support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Any discussion? If not, the question is, shall Senate Bill 1429 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are none, none voting Present. Senate Bill 1429 having received the required constitutional majority is declared passed. 1434, Senator Savickas. On the Order of Senate Bills 3rd reading is Senate Bill 1434. Mr. Secretary, please, read the bill.

SECRETARY:

Senate Bill 1334.

(Secretary starts to read title of bill)

PRESIDING OFFICER: (SENATOR DEMUZIO)

... 1434... 1434.

SECRETARY:

Okay, I'm getting tired. Senate Bill 1434.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas.

SENATOR SAVICKAS:

Yes, Mr. President and members of the Senate, this is just technical change and I would appreciate your support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Keats.

SENATOR KEATS:

Just a...a quick question to save time. Frank, we have no objection to sending out a vehicle bill but could we have a little hint as to what the vehicle will come back...it will be a Cadillac or will it be a Porsche or what?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas.

SENATOR SAVICKAS:

I'm hoping that we can join Senator Chew and have Rolls Royces.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, the question is, shall Senate Bill 1434 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On the...on that question, the Ayes are 31, the Nays are 23, 3 voting Present. Senate Bill 1434 having received the required constitutional majority is declared passed. 1435, Senator Savickas. On the Order of Senate Bills 3rd Reading is Senate Bill 1435, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 1435.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

*SB 1436  
3rd reading*

Senator Savickas.

SENATOR SAVICKAS:

Yes, this is a technical change for the counties and I would appreciate your support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall Senate Bill 1435 pass. Those in favor vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 29, the Nays are 24, 2 voting Present. Senate Bill 1435 having failed to receive the required constitutional majority is declared lost. 1436, Senator Joyce. On the Order of Senate Bills 3rd Reading is Senate Bill 1436. Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 1436.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Thank you, Mr. President and members of the Senate. Senate Bill 1436 was caused to be introduced in this Body by the State's Attorney of Cook County. It is similar in every respect to Senate Bill 1429 with the exception it applies to supervision rather than probation and conditional discharge. I ask for your support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall Senate Bill 1436 pass. Those in favor vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. Senate Bill 1436 having received the required con-

stitutional majority is declared passed. 1442, Senator Sangmeister. On the Order of Senate Bills 3rd Reading is Senate Bill 1442. Mr. Secretary, read the bill, please.

SECRETARY:

Senate Bill 1442...Senate Bill 1442.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sangmeister.

SENATOR SANGMEISTER:

Thank you, Mr. President and members of the Senate. This bill is absolutely identical to last Session's Senate Bill 510 which passed out of here 42 to 11 but was held by the House Judiciary Committee. What it does very...very simply...or very basically but not too simply is it moves the State of Illinois from transactional immunity to use immunity. I don't know...remember how many of you can remember the discussion we had the last time, but very succinctly transactional unity is much broader than use immunity and it is thought by many in this State, particularly prosecutors, that we ought to go to a use immunity. I'd be happy to answer any questions or give an example of that if you want; if not, I'd like the same roll call we had a year ago.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. Maybe we should play the tapes back. If I recall correctly, I stood up in opposition to the bill a year ago. The...the problem with this is that all of...most of the control dealing with the jeopardy that the witness is put in because of these highly technical approaches is the average guy is going to get nailed. The big time, wealthy, organized crime person has got all the legal talent in the world that can differentiate between use



immunity and transactional immunity, and they're holding their hands in front of that grand jury and they don't let them say anything without clearing with their high-priced lawyers. Now, we don't have any of those kind of guys around here, so what we need...what I'm suggesting to you is that there is no reason to change the law from its present posture. That...the State's attorney has all the tools that he presently needs and what you're doing is expanding...is expanding a...what should be a very limited exception. Now, let me just point out to you that this is an exception to the Fifth Amendment privilege against self-incrimination, and I would think that this Body and any other legislative Body ought to look very carefully before you expand the tools which, in fact, infringes upon our rights against self-incrimination, and this is a substantial broadening of that exception to our Fifth Amendment privilege. I don't think they need it. They've got all the tools that they need at the present time. I urge a No vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Barkhausen.

SENATOR BARKHAUSEN:

Yes,...a question of the sponsor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR BARKHAUSEN:

Senator Sangmeister, as a former prosecutor, I wonder if you could answer the question as to what you feel the implications of this change in the law are from the standpoint of the most effective law enforcement?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Sangmeister.

SENATOR SANGMEISTER:

Well, what it does is it gets the person...that is being given immunity, it makes them tell the whole story. Under

transactional immunity is...once you're given that immunity, anything the defendant or the...the possible defendant would say in his testimony...throws a blanket over him for anything that may come out of that transaction. Whereas in use immunity, if you don't reveal the whole story and you're guilty of another crime somewhere, you're not prevented from being prosecuted for that crime. For example, let's talk about a dealer in narcotics. You give that dealer immunity. Okay, if that dealer, under present transaction...once he talks about the activity of his dealing in narcotics, he now has a blanket over him for anything that might have happened. For example, let's say it later is revealed that he killed one of his suppliers that he's getting his drugs from, he would be given immunity and could not be prosecuted for that even though he did not mention it in his testimony before the grand jury or any other jury. Whereas if use immunity was involved in here, if he didn't own up when he was given immunity to the...the killing of his supplier, he could still be prosecuted for it. I trust that that is a simple enough explanation to give you an idea of the difference between use and transactional. Again, to specifically answer your question, it makes the person who's been given immunity to talk, to bring out the full story because if he doesn't, his immunity is not going to fully protect him.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Barkhausen.

SENATOR BARKHAUSEN:

But doesn't it...I...I may be a little bit confused, but doesn't it cut a little bit both ways? I mean, on the one hand, you were...if you're further immunizing him or giving him a more blanket immunization maybe you're giving him more incentive to talk; but on the other hand, if you're giving him that blanket immunity, maybe you're...you're preventing the prosecution of another crime or by the use of...of evi-

dence which...if given the blanket immunity, you wouldn't be able to use. So, isn't it sort of a double-edged sword in...which...which way are we better off?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Sangmeister.

SENATOR SANGMEISTER:

No, I disagree with you because with transactional immunity, you've given it to them as soon as you give it...given them immunity. It's there, the whole blanket is there at that point.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

I think...I think the sponsor has persuaded me that this is the most effective step we could take for law enforcement, and I would encourage members of this side of aisle and the whole Body to support this legislation.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is...is there further discussion? If...if not, Senator Sangmeister may close.

SENATOR SANGMEISTER:

Well, if the electrician is within hearing of this thing, my microphone keeps drooping for one reason or another. I'd appreciate him tightening it and it has nothing...who said it comes with age? It has nothing to do with this bill. All right. I think we have had adequate discussion on this and, like I say, you approved this the last time around. I suppose that's no reason to have to approve it this time, but I've tried to explain to what it is. It is definitely a more of a prosecutor's tool. It does tighten up...in the area of immunity and would ask that you approve it once again.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Question is, shall Senate Bill 1442 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open.

AB 1452  
3rd Reading

Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 36, the Nays are 7, 3 voting Present. Senate Bill 1442 having received the constitutional majority is declared passed. Senate Bill 1443, Senator Joyce. 1444, Senator Joyce. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1444.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce says take it out of the record. Senator...1452, Senator Joyce. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1452.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Thank you, Mr. President and members of the Senate. Senate Bill 1453 provides that phone companies will provide telecommunication devices...TTD's to deaf and hearing impaired Illinois residents. There are approximately eighty percent of the deaf and hearing impaired Illinois residents are unable to afford telecommunication devices. This legislation is modeled on legislation in other states, provides for a maximum of the Commerce Commission to...to charge up to a maximum of three cents per month for this service. I ask for your support of Senate Bill 1452.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall Senate Bill 1452 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who

wish? Have all voted who wish? Take the record. On that question, the Ayes are...54, the Nays are none, none voting Present. Senate Bill 1452 having received the constitutional majority is declared passed. Senate Bill 1454, Senator Kustra. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1454.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President and members of the Senate. Senate Bill 1454 implements Executive Order No. 3 which essentially renames the Department of Law Enforcement to the Department of State Police. I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Is there discussion? If not, the question is, shall Senate Bill 1454 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 51, the Nays are 1, none voting Present. Senate Bill 1454 having received the constitutional majority is declared passed. Senate Bill 1458, Senator Collins. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1458.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

Yes, thank you, Mr. President and members of the Senate.

This is the last of the substantive bills in the...in the package. I've already explained it. I would be happy to answer any questions and move for its adoption...I mean, I ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator...is there discussion? Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President and members of the Senate. Question of the sponsor..

PRESIDING OFFICER: (SENATOR SAVICKAS)

She indicates she'll yield.

SENATOR KUSTRA:

Senator, is it true that the existing Illinois Development Finance Authority has thirteen members and they're unpaid and your proposal cuts that membership down to five members and sets the salary of the chairman at forty-two thousand dollars a year and the other board members at thirty-five thousand dollars a year?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

You are partially right...it is true, I have not cut the board down. We have expanded that board. The advisory board which exists now still exists. It is in this...in the amendment. It's put back in the bill in the same form that it was in. We merely...expanded the board. You're talking about a very...one of the most important boards or agencies in this State and there's just no way you're going to get any...get the job done with a...on a volunteer basis. So, what we've done is created a five-member pay board and the existing thirteen-member board will serve in a...still serve in an...an advisory capacity.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Kustra.

SENATOR KUSTRA:

Well, I...I would just suggest that this is radical surgery on an existing State agency, and I don't know why we would want to hand out those kinds of salaries at this particular point in time. I...I think this is a bad idea.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Further discussion? Senator Fawell.

SENATOR FAWELL:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR SAVICKAS)

She indicates she will.

SENATOR FAWELL:

I noticed that you have added an amendment to this and that you've changed the unemployment rate from four and a half to six percent in the definition. Is that right?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

Yeah.

SENATOR FAWELL:

And you now have...you expand the Illinois Venture Investment Fund to allow for loan guarantees up to a million dollars?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

...no...no...that...you have the wrong amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Fawell.

SENATOR FAWELL:

That's...that's what our analysis says, Earlean.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator...well, I guess your analysis is wrong. Senator Collins.

SENATOR COLLINS:

It's a loan guarantee of fifty percent up to...up to that million dollars.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Further discussion? Senator Hudson.

SENATOR HUDSON:

Just one more word on this bill, if I may, Mr. President. It seems to me that...Senator Collins, you've been on a roll this afternoon, but maybe...I think something...something in addition should be said and that is that it seems...it seems that what we're doing here is adding one more layer to the bureaucratic cake. We now make at two-tier...two-layer cake out of what should be one. I think it can be reasonably argued that the original oversight board, as it was was doing a credible job, and now we are adding something else, a superstructure to the whole business which would have the Governor appointing three and the mayor one and so on, narrowing it on down and adding salaries and adding expense. I don't think, frankly, Senator Collins, that this is necessary to do what we need to do here in the State of Illinois and would suggest a No vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schaffer.

SENATOR SCHAFER:

Well, I note with interest that this bill also requires the establishment of incubators, which I'm kind of intrigued at, in Chicago and East St. Louis and a couple of other places. That's gone? Okay. Well, I, frankly, think we have an agency that's been doing a very good job, and I think we have an attempt to regionalize the impact of that agency in such a way that would be detrimental to downstate Illinois; and I would suggest those of us from downstate Illinois in both parties would be well-advised to take a look at the makeup of this new, highly paid board and the implications of



this shift in what was formerly a Statewide responsibility.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Our analysis...question of the sponsor, Mr. President.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Indicates she'll yield.

SENATOR SCHUNEMAN:

Our analysis indicates that the bill requires the department to establish incubators in Chicago, East St. Louis, Rock Island and...and Danville. Is that...is that taken out, Senator? Okay, thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

If there's no further discussion, Senator Collins may close.

SENATOR COLLINS:

Yes, thank you, Mr. President and members of the Senate. I have to take...I have to differ with my colleague on the other side of the aisle, the minority spokesman, as to whether or not this agency was functioning properly. That is not true. They have not even used any of the Venture...Investment Fund at all...it has not even been functional. We cannot expect an agency as important as the Illinois Financial Developmental Authority to operate with a voluntary organization. If we are really serious about...the...the problems of this State, and...and we have to get serious because they...because of the whole nature and foundation of our economy has changed in this State and we've been sitting here whittling away, talking about all kinds of other things as to why businesses are moving from Illinois or why businesses are not coming into Illinois, and at the same time, thousands and thousands of people are out of jobs and...with antiquated skills, with no hope of ever getting another job and...and while we watch our...our base of our

economy dwindle away, we can't afford to talk about putting it in the hands of a voluntary group to talk about planning the economic...future of this State...for funding the...economic initiatives in this State. What we've done for this...organization is to make it functional and accountable. I think this is a good piece of legislation and I would urge a favorable roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Question is, shall Senate Bill 1458 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 24, the Nays are 30, none voting Present. Senate Bill 1458 having failed to receive a constitutional majority is declared lost. Senate Bill 1460, Senator...Senator Collins seeks leave of the Body to put Senate Bill 1458 on the Order of Postponed Consideration. Is leave granted? Leave is granted. 1460, Senator Collins. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1460.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

Yes, thank you, Mr. President and members of the Senate. This is a two million dollar appropriation for the experimental program of vocational enterprise training. I move for its...I mean, I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall Senate Bill 1460 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting open. Have all voted who wish?

Have all voted who wish? Have all voted who wish? Take the...take the record. On that question, the Ayes are 27, the Nays 25, none voting Present. Senate Bill 1460 having failed to receive the constitutional majority is declared lost. Senator Collins seeks leave of the Body to put Senate Bill 1460 on the Order of Postponed Consideration. Hearing no objection, leave is granted. All right, we'll return to the beginning of Senate bills 3rd reading at the bottom of page 2. The bottom of page 2, Senate bills 3rd reading. Senate Bill 3, Senator Joyce. Read the bill, Mr. Secretary.  
SECRETARY:

Senate Bill 3.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEROME JOYCE:

Thank you, Mr. President. This...Senate Bill 3 requires local government approval before the Department of Nuclear Safety can acquire land where radioactive waste may be stored and disposed of. It also provides for the appeal of the site disapproval or approval to the Pollution Control Board. It prohibits the licensing of a low-level radioactive waste disposal site or commercial spent nuclear fuel reprocessing site without...authorization by State law and it clarifies that radioactive waste may be stored...stored at the owner's facility without General...Assembly approval. This bill came about really because last session when we were dealing with the compact in Kentucky and when we were debating that, Senator Schuneman has asked that local county boards have...have the...some say in what happens in their community, and that's the genesis of this bill. I'd be happy to answer any questions, if there are any.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Rigney.

SENATOR RIGNEY:

Well, Mr. President, I hate to blame this on my colleague, Senator Schuneman, but what we're talking about here is that we're going to go essentially through the old Senate Bill 172 process now when we're talking about locating some location for low-level radioactive waste, and we're going to have to do that one of these days. That means that county fathers are going to be asked to have to vote yes to locate that site in their county, assuming that this is where the State would like to locate it. They're going to be faced with that kind of a decision. Obviously, I don't think they're going to make that decision. I don't think they're going to willingly want to vote yes. If they turn it down, then, of course, by a committee or by a Floor amendment now apparently there would be an appeal procedure that would go on to the Pollution Control Board and they would have to defend their actions before that Body, so that at least does kind of modify a little bit the county position on the legislation, but then the real kicker is that after you've done all of those good things, then you got to come back to the Illinois General Assembly and if, for instance, the...the chosen county were Kankakee County or someplace like that, I imagine there would be a tad bit of lobbying that would go on despite the merits of the...the location of the site. We're going to do all those things now rather than to go about how....how we provide for it at the present time. On the basis of the present law it says you shall do it on the basis of geological and hydrological studies. So, we're going to throw that overboard and we're going to...to bring in here the political process, first of all at the county level, then at the State level, and I don't think this represents an improvement over the way we're doing business right now.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman.

SENATOR SCHUNEMAN:

Yeah, thank you, Mr. President. A couple of days ago, we established that when Senator Rupp doesn't understand a bill, he checks with me, and now, Senator Joyce is introducing a bill at my suggestion. I just hope the rest of you are paying attention. In my district resides a county...a bureau which was the location of Illinois' first and only low-level radioactive waste site and, believe me, this issue is a very important one in...in that district and, of course, anyone that's had...been burned with this once would like to have the opportunity to have some local input, and that's the reason that I'm supporting that concept.

PRESIDING OFFICER: (SENATOR SAVICKAS)

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

SENATOR JEROME JOYCE:

Well, we are about to go into a...an agreement here with Kentucky and we're also about to become an agreement State which gives us much more authority on...on radioactive waste within our boundaries, and...and I think there is just a growing popular desire by people at the local level to have a maximum amount of control over things that are going to affect them in...in this area. So, with that in mind, I'd ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall Senate Bill 3 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 43, the Nays are 13, none voting Present. Senate Bill No. 3 having received the constitutional number of votes is declared passed. Senate Bill 11, Senator Joyce. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill...Senate Bill 11.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Thank you, Mr. President and members of the Senate. Senate Bill 11 requires that all 1987 model vehicles or later be equipped with air bags if they are sold or manufactured in the State of Illinois. We have had considerable debate on this in committee. Part of this was debated last year when we were talking about seat belts. I would like to address myself to those statements and comments that I've had in opposition to this legislation and see if I can...clear some of that up. First of all, the...opponents of this legislation say that these air bags do not function properly. There is a study by General Motors which concludes accidental inflation seldom occurs and those accidental inflations when they do occur are harmless. With respect to the argument that...that I have heard that they are not effective, there are studies from the United States Department of Transportation and from the Insurance Institute which conclude that the air bags work effectively and that air bags are superior to harness restraint systems. And the other argument which was raised in committee had to do with the cost and...and the price that would be...that a new vehicle would be...would be raised to if this legislation were enacted. There are studies that indicate that a mass produced system could be...could deliver these for approximately a hundred dollars per unit. As some of you know...some of you on the committee know that on some of the Mercedes-Benz models this is standard equipment. Most importantly, the most conservative studies would hold...most conservative estimates would hold that over three

hundred lives per year would be saved in this State if every vehicle were equipped with an air bag. We understand...I understand very clearly what went on with the seat belt legislation and Secretary of Transportation Dole and all of the other ramifications of that. Senator Kustra and myself have joined in sponsoring this legislation. I'll be happy to answer any question that you may have. If there are none, I would ask for your favorable support.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Coffey.

SENATOR COFFEY:

Thank you, Mr. President and members of the Senate. I rise in opposition to this bill and would like to point out just two or three things. First of all,...the sponsor, I think, in good faith and I think many of the comments he made is...is probably well-taken and I'm not against the use of...of air bags, but I feel at this time, because of some problems still with the manufacture of those air bags, the cost of the manufacturing while I think in the near future maybe will get down to a hundred dollars but as the companies that I have talked to...there's between four and eight hundred dollars for those air bags presently. Number two, the...if the air bag for some reason or another or some kind of impact has been released, the cost of getting that air bag repaired is quite costly. I feel that the...prior to us making any mandatory air bag law that we first of all need to spend more time in research and then make it available to those people to use on those automobiles, and I'm not sure that if they were made available I might even choose to put one on myself; but I, for one, have a General Motors plant in my district and I know we've been threatened many times about what's going to happen, but I know additional costs to those manufacturers in my area and we've had significant layoffs at the General Motors plant in Danville and we're only

about half of production...or half of the employees have been hired back for the present production at this time and...and a cost to that company could...cause a...increased unemployment in the Vermillion County area as well as many of the other areas throughout the State. So, I think that it would be best if we would oppose this bill at this time and at some future time maybe this should be considered again.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Kelly.

SENATOR KELLY:

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

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR KELLY:

Okay...it says here that these are air bags. I was advised that cars were equipped...with one air bag, and I...on the driver's side only, and I...I'd just like know, have we ever gotten an answer on that? Are there air bags in...in these cars or is there one air bag?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

This legislation contemplates an air bag for the driver.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Kelly.

SENATOR KELLY:

Thank you. The...the only thing I have concerns on this is a...an older vehicle, that's where I'm concerned about if it gets old and antiquated and some people drive those around that...if they might hit a bump with an old car that's got a hundred thousand plus miles on it that possibly it might release it and might cause an accident. Other than that, I think the Senator has a...a good bill and



well-intended legislation.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President and members of the Senate. As a cosponsor of this bill, obviously, I rise in support of it. I don't have any doubt that the only long-term solution to the problem of...traffic deaths on our nation's roads and highways is the...the air bag. We can debate when or if or how it should happen; the fact is, that with the passage of the mandatory seat belt law in this State last year, we did nothing but defer, defer those manufacturers from really dealing seriously with the research and development necessary to make sure that one day an air bag is in each and every car. I feel strongly that this is one area of public policy where we've entered blindfolded and backwards and it's time that we face up to the real problem here and the real solution. Anybody who's seen the Allstate Insurance film, anyone who has seen the 60 Minutes film, the test, over and over again, which have documented that these things do not open prematurely, which have documented that an air bag's costs can be brought down when you mass-produce it to a hundred to a hundred and fifty dollars per unit has to believe that instead of running around in the State trying to enforce mandatory seat belt usage, which you're never going to get anyway, maybe no more than fifty or sixty percent, that the best solution is an air bag in every car, one behind the driver's seat in that steering wheel and one on the passenger side. To wait a round and hope that the Federal Government or hope that General Motors or Ford or whoever it is is going to get together and do something about this would be folly. Folly as long as hundreds of thousands of lives are lost every year on our nation's highways. As far as I'm concerned, the only way to really address this fact is to force it on

the manufacturers. I don't like to do it that way, but believe me, I think it's a lot better than mandating seat belt usage. For that reason, I joined Senator Joyce in the sponsorship of this bill. I think it's good legislation and we ought to be voting for it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rupp.

SENATOR RUPP:

Thank you, Mr. President. I, too, rise in support of this and since the other day when Senator Kelly asked a question about how you could tell the cars with the air bags in them, I've come up and found out those are the cars that have the orange license plates on them.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schaffer.

SENATOR SCHAFFER:

Well, I think I'm going to vote for this bill but I have to admit my logic is somewhat convoluted...which won't surprise many people. I really still have problems with the mandatory seat belt bill, and my guess is, if we can get this bill to the other House and get it moving, the automobile people will be so happy to come back and repeal the seat belt bill to kill this one that we can kill them both and go back to letting people do what they wish. So, I think I'm going to support this because I think this is the one thing that'll pull the automobile manufacturers off spending all their time and money trying to impose the mandatory seat belt on every citizen of this State.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Darrow.

SENATOR DARROW:

Thank you, Mr. President. I would agree with Senator Schaffer. I think he has the right idea. I was very strongly opposed to the seat belts. I think if we pass this

legislation, the car...auto industry, which is opposed to it, will come back down here. I...I would suggest that everyone who is opposed to seat belts vote this good legislation. I think we owe it to the auto industry. I think that this is a good step forward to kind of get a little revenge for what they've done to our constituents.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Topinka.

SENATOR TOPINKA:

Yes, Mr. President and Ladies and Gentlemen of the Senate, I think Senator Schaffer and Senator Darrow did very, very well. Between Senator...or between Representative Vinson and myself we have forty-three thousand names asking that seat belts be repealed and that, obviously, is going nowhere. So, maybe there's forty-three thousand people out there who would love to stick it to the automobile manufacturers and put their names on this wonderful piece of legislation.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Bloom.

SENATOR BLOOM:

Thank you, Mr. President. This is nuts. This is absolutely nuts. We're going to mandate air bags to send a message and all of us represent communities in the Saturn sweepstakes. I don't...I don't know exactly the...the logic of some of the prior speakers escapes me, but I think that a very mixed message goes out and then people stand up and say, it's the nasty old automobile manufacturers that are forcing us all to buckle up. Everyone in this Chamber knows very well that the mandatory buckle-up law was passed and it was driven by Federal regulations, and if people are really serious about abolishing mandatory buckle-up laws, they ought to get onto their Congressman and have their Congress...have the Congress pass legislation keeping the U.S. Department of

Transportation out of the area, if they don't like it, but the kinds of explanations given in support of this legislation are just crazy, and I think everybody in this Chamber knows it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Briefly, Mr. President and Ladies and Gentlemen of the Senate. I understand the logic very well of the prior speakers, no...not...notwithstanding what my estimable colleague on this side has just said, because the automobile companies reneged on their promise to furnish air bags and they went in deviously to the various Legislatures to get them to pass the buckling of seat belts, and for your information, I had a poll taken. Do you want seat belts? The answer was yes, two to one. Do you want to be forced to buckle your seat belts? The answer was three to one against it. Now let me tell you something,...I think this bill is a good one. I'd like to see these lobbyists come in from the big automobile companies and, you know, nine approached me and I thought that...that's all they had, they had twenty-one fighting to pass the mandatory buckling and, incidentally, we didn't have to do that because of a Federal rule. The Federal rule was only that if they had about thirty-six states that did it, then it could be mandatory. I...speak in favor of the bill and I'm glad Senator Joyce has got it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

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

SENATOR JEREMIAH JOYCE:

Well, just a couple of points. Senator Bloom, you're beginning to sound an awful lot like...like your tall friend on the second floor with this, every time we...there's an issue, we drag Saturn out. So, to that argument, you may be

as nutty as...as the people that you're talking...talking about. This legislation will save lives. There's no question about that. There's no one in this Body that can dispute that. I do not presume to be the conscience for this Body...on any day, at any time, but for whatever reasons you want to vote for this, I will accept your vote and I ask for your support.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Question is, shall Senate Bill 11 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 23, the Nays are 30, 3 voting Present. Senate Bill 11 having failed to receive the constitutional majority is declared lost. Senate Bill 12, Senator Keats. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 12.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Keats.

SENATOR KEATS:

Thank you. Hopefully, this one will be a little shorter and a little less controversial. Senate Bill 12 deals with absentee voting by members in the United States Armed Services and certain...basically, their dependents. According to the Department of Defense who did a survey...after the 1980 election, a hundred and eighty-two thousand military personnel who tried to vote in the 1980 elections were unable to do so because they couldn't get their absentee ballots, too late, didn't arrive at all, the...you know, the mail couldn't get them back fast enough. So, there's a very legitimate problem. For any of you who are military veterans

and I know it's in the majority here, I had an example in 1974, I had to fly home to Chicago to vote 'cause we were unable to get me an absentee ballot in time; luckily, I was stationed within the United States at the time and was able to get back. So, what this bill does is...sets up voter eligibility standards that they have to be ascertained within a couple of days, the official ballots have to be mailed out in a set time and that they have to be made available, you know, a set number of days in advance. Originally, the bill was opposed by the County Clerks Association because somehow or other in between my notes and the drafting, they put in criminal penalties that shot clerks at dawn if they didn't do this. I don't know where those criminal penalties came from, so when we put the amendment on on the Floor, those criminal penalties were removed and we also stretched out what it said twenty-four hours specifically stated two working days. Say with...with that, my staff informs me the county clerks have removed their objections. Support for the bill comes from various veterans and military groups and from the AFL-CIO who have been very concerned with being sure that people had the opportunity to vote. With that, I would be more than happy to answer any questions anyone has except Senator Rock.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President and members of the Senate. As Senator Keats mentioned, this bill...after being amended did delete the penalties and it's somewhat better and certainly it's very meritorious to allowing for more participation by our armed service personnel. There was some concern about the time element, and I might ask Senator Keats if the twenty-four hour period that he had, what extension of time are you allowing for these election authorities...county?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Keats.

SENATOR KEATS:

Instead of twenty-four hours, which the county clerks did say they thought was probably difficult for them to do, their recommendation was within two business days, and that was their recommendation and we put it in, it's in Section 20-4...actually, it's in two different spots there, but that's the key one. Their recommendation was, they said, we can do it in two business days.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Kelly.

SENATOR KELLY:

Well, I think it's legislation that probably would help for stronger participation and suppose it's...it's needed, but I do think that...possibly in the House, it may get a closer look because I'm not sure that even with the two days that'll be adequate, but I am going to support it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch.

SENATOR NETSCH:

The only question I had and I'm not sure this is totally answerable in the context of what you're doing, is there now a set time within which the process must be completed that is different from the prior time? One reason why I ask this is that I know that there is concern particularly about the military absentee voting and there is a Federal guideline for that in which a lot of states are having trouble complying with. Do you have a maximum range?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Keats.

SENATOR KEATS:

See, initially it...what the law says now is immediately...I mean, the Federal stuff, that's why some states are having trouble, it's not the time frame, it's immediately.

What we say is, you got two business days and then give forty-five days if they...you know, so that they have the ballots ready in advance. The Federal one which is a great idea is something we all occasionally see has become unworkable in some states 'cause some county clerks in big counties have a hard time doing immediately.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch.

SENATOR NETSCH:

You haven't changed the forty-five day period though. Okay. I...that's what I was trying to get clear. Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

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

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR ROCK:

What is the current law?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Keats.

SENATOR KEATS:

...see, there's both Federal and State. Forty-five days is what existing is.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Please, spare me, don't tell we're amending Federal law here. What I asked was, what is the current law?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Keats.

SENATOR KEATS:

Forty-five days.



PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

To do what?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Keats.

SENATOR KEATS:

Have to have the ballot prepared in advance so it can be mailed. Had...had you been in the military and served in Korea, you'd realize it takes a month just to get from where we had the troops in Korea just back to Seoul.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

That is not the current law, that's what's in your bill. I'm asking what is the current law? The current law says, if I am the county election authority, that immediately upon the...one of these applications coming in, I'm supposed to send it out to ensure that it gets done. Now you strike immediately and say, well, within two business days, that's plenty of time. How does that make it better?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Keats.

SENATOR KEATS:

Because, to be quite frank, it isn't being done immediately. It is not being done. What we are trying to do is setting up a framework to get it done.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

...am truly missing something. How in the world does within two days speed it up? The duty is there on the election authority to do it immediately. It neither say, no...no, now we want to speed up the process, so don't do it

immediately, do it within two business days.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Keats.

SENATOR KEATS:

What we've...done, too, to make sure it's enforceable, if the State Board of Elections determines that an election authority has not complied with the provisions, they have the right to be sure the ballots are counted.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Well, that...that's my next point. You are putting, it seems to me, an unreasonable burden upon the election authorities and you are...imposing or giving the State Board of Election now authority to impose an unreasonable regulation, because the...the...the thing you have to try to change, it seems to me, is how in the world do I, as an election authority, have a ballot printed when I don't know who's suppose to be on the ballot because I haven't received the certification as to who's to be on the ballot.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Keats.

SENATOR KEATS:

Okay, that's handled simply in several other states, but let me run through what you said. They...some of them send out blank ballots, but at least it gets out and they have a list of who's there. If you've got a blank ballot, it's easier to write-in than receive no ballot. What it also does, your saying, in terms of the election authorities...remember the county clerks are not in opposition. By giving them a time frame they can work in and an oversight panel to make sure it is done, in this case, the State Board of Elections...gives them the right to see when things were mailed out and if it was complied with. The county clerks

say they can do that. I...I give you credit for protecting the position of someone who doesn't agree with you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there...Senator Rock.

SENATOR ROCK:

Well, I hope you'll give me more credit than that. I want you to go back to your county clerk and say,...look what I have done for you. I have now given the State Board of Elections authority over your every action in the processing of an application for an absentee ballot and I'm sure they will all, in the hundred and one counties, be delighted. I am not delighted. I think this is a terrible bill, obviously, well-intended because everything you do is well-intended, but it's terrible.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

...question of the sponsor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR DeANGELIS:

On whose side were you on when you were in the armed services?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there...Senator Weaver.

SENATOR WEAVER:

Senator Keats is the sponsor of this bill and I think it's probably the only bill that he sponsored that the ALP-CIO is for. So, I'll have to be for it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Macdonald.

SENATOR MACDONALD:

Well, I find it interesting that some of the former speakers just seem to say that it's absolutely impossible for

us to have our Illinois servicemen be able to vote absentee. Now, this happens to be a national problem. Other states and their election authorities have been able to comply, and certainly with modern communication systems, it seems incredible to me that we are disenfranchising the number of our servicemen that we are are...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock, for what purpose do you arise?

SENATOR ROCK:

Point of order. I object to the fact that somebody doesn't...apparently doesn't want servicemen to vote...nobody said that ever.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator, would you confine your remarks to the bill itself? Senator Macdonald.

SENATOR MACDONALD:

Well, I would say that we have worked...this is...this is the fourth year, actually, that I have been on an Election Committee that this problem has been addressed. I think that with the agreement that Senator Keats has on this bill at this particular time, if there does need to be further work on it, possibly the House Election Committee will be able to make some further suggestions, but I think that it is a meritorious bill and one that deserves...the problem at least deserves our attention and I think that this bill should go on over to the House and we should see what we could do, because as it is, indeed, we are disenfranchising Illinois servicemen from voting, and I think it's the best that we could do with our amendments and I hope that...and...and urge you to vote for this bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Further discussion? Senator Fawell.

SENATOR FAWELL:

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

question?

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will.

SENATOR FAWELL:

Yeah...have you got any idea how our election commissioner feels on it...Dan Nelson in DuPage?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Keats.

SENATOR KEATS:

...they have not called me and said anything about it but they have not registered in opposition and the county clerks are no longer...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Fawell.

SENATOR KEATS:

...in opposition now that we took out the...

PRESIDING OFFICER: (SENATOR SAVICKAS)

...Senator Fawell.

SENATOR FAWELL:

I think there's only, to my knowledge, a couple of counties that have got election commissions and I happen to represent one of them and I'm...I'm...you have not contacted our election commission at all?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Keats.

SENATOR KEATS:

I did not ask permission to introduce the bill, no.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schaffer.

SENATOR SCHAFFER:

Frankly, I think Senator Rock may have gone to the heart of the problem. I think the problem with the absentee ballots isn't that our county clerks are somehow shiftless or lazy, it's simply that the process we have in place doesn't

always get them a ballot printed and certified in time to get it out in a timely fashion. I would suggest to...and I'm not on the committee so this may be...gratuitous advice, I would suggest that what we need to do is take a look at that timetable and...take...make the changes necessary to get the ballots printed in time so the clerks can get it mailed out. I would also suggest to you that I am informed that this is the only bill on this subject and that I think we ought to advance the bill with the understanding it be cleaned up in the House to make it possible for our military men overseas to vote. I, for one, am not going to vote against the only bill to ensure our people getting a chance to vote on Memorial Day weekend. I'm sorry, I'm not going to put that in my speech Monday. Let's get this bill out of here and get it cleaned up in the House.

PRESIDING OFFICER: (SENATOR SAVICKAS)

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

SENATOR KEATS:

My...my staff corrected me on one thing. Bev, a mistake on my part. Dan Nelson of the DuPage Board was there when the bill was heard. So, I mean, he is completely aware of it. I'm...I did not know the man, so I didn't realize...apparently, I even talked to him. I just didn't know who he was. Sorry about that. Okay. In terms of a correction, first of all, for...for the President, this doesn't deal with putting the State Board of Elections in on all absentee ballots, it deals with the military problem alone. This has been a huge problem. It is a nationwide problem and you are dealing with hundreds of thousands of people who are being kept from voting. Okay. That is the issue. We are not saying someone's incompetent or crooked or lazy or whatever for keeping them from voting. The point is, it has been technically difficult to get the job done. This

is a way to, hopefully, do it. If it is inconvenient for one county clerk, I am sorry if allowing people to vote is an inconvenience for one county clerk. The rest of the county clerks doesn't find it inconvenient to be sure that other people get to vote; and so with that, I...I really would just like to conclude by saying, if you really are concerned...and I have to give the AFL-CIO credit, you know, they don't back many of my bills, but they have had a consistent position in terms of...of making it easier for people to vote and they even showed up and testified in favor of my bill. I got to give them credit. I don't think you'll see that happen very often. It's a legitimate attempt to clean up a problem for an awful lot of people. It happened to me, it could have happened to many of you when you were in the service. I think it is important that this gets to the House because there is no other option. If there is a problem, we'll look at it. I ask an affirmative roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall Senate Bill 12 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 45, the Nays are 3, 2 voting Present. Senate Bill 12 having received the constitutional majority is declared passed. Just as a reminder, Senators, it's three o'clock, we've gone through eighty-eight bills. We have a hundred and sixty-five more to go. There's a question on what time we will return tomorrow morning. Senate Bill 14, Senator D'Arco. For what purpose Senator Keats arise?

SENATOR KEATS:

I thank you for the roll call. After seeing the roll call I apologize for being so long-winded.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Well, Senator, it's not the first time. Senator D'Arco

on Senate Bill 14.

PRESIDENT:

On the Order of Senate Bills 3rd Reading, Senate Bill 14.  
Read the Bill, Mr. Secretary.

SECRETARY:

Senate Bill 14.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. This bill extends the boundaries of Grant Park to include territory bounded on the east by the 1984 Lake Shore Drive relocation and on the west by the current eastern boundary of Grant Park and on the north by Randolph Street and on the south by Monroe Street. There's no opposition to the bill. It...it's good for the City of Chicago and it's...I ask for a favorable vote.

PRESIDENT:

Any discussion? Is there any discussion? If not,...Senator Netsch.

SENATOR NETSCH:

Senator D'Arco, would you mind explaining what this is all about? It's...somehow...are we; A, committing ourselves to the World's Fair; B, committing ourselves to the relocation of...of the outer drive; C, committing ourselves to anything if this bill passes? It just sounds sort of peculiar.

PRESIDENT:

Senator D'Arco.

SENATOR D'ARCO:

Oh, I'm getting tired here. No, this...this is a simple bill. You know, the...the lake...the Lake Shore Drive S-curve is being...is being relocated, so to speak...by...rerouted, that's a good word, by the State of



Illinois; and in the process of doing that, a certain portion of landfill has been created that the City of Chicago owns that is adjacent to Grant Park, and what the city wants and what the park district wants is to make that landfill area a...a part of Grant Park. It has nothing to do with the World's Fair. It...

PRESIDENT:

Senator Netsch.

SENATOR NETSCH:

You're talking then about some land that is, in effect, freed up or reshaped or...or created by the...the S-curve project, not anything else. Is that correct?

PRESIDENT:

Senator D'Arco.

SENATOR D'ARCO:

I like the way you put that. Yeah, that's very good.

PRESIDENT:

The question is, shall Senate Bill 14 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 56 Ayes, no Nays, none voting Present. Senate Bill 14 having received the required constitutional majority is declared passed. 17, Senator D'Arco. On the Order of Senate Bills 3rd Reading, Senate Bill 17. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 17.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. Senate Bill 17 provides that

after ten years has lapsed from the time that a person has served a sentence for committing a misdemeanor in the State of Illinois, that person has the opportunity to have that record of conviction expunged by the circuit court in the county where the...conviction took place, and this is at the discretion of the judge who sentenced the person initially, and it does provide that ten years must have elapsed from the date of the completion of the sentence. The Supreme Court in one of its opinions has indicated they feel that if a person only commits a misdemeanor and he hasn't committed any other crime in ten years from that time, why should that be a permanent stigma on his record and let's...let's get rid of it and do right by this individual, and I would ask for a favorable vote.

PRESIDENT:

Any discussion? Senator Barkhausen.

END OF REEL

REEL #6

SENATOR BARKHAUSEN:

Mr. President and members, just to point out that this...one, that this bill was amended from its original form which covered an addition to misdemeanors, also Class 4 felonies. But a couple of...points about the bill. One is that there was some testimony from the circuit court clerks in committee when the bill first came up that they would have preferred to have the expungement period limited to a five-year period because of their record keeping responsibilities. Also, I think that even though the bill is limited to misdemeanors, I think there is perhaps a philosophical question of...as to whether you want someone with say a Class A misdemeanor conviction to be able to have the records expunged at some point. This could affect a whole series of convictions such as a conviction for drunk driving and a number of other offenses. So those of you considering supporting this legislation may at least want to ask yourselves that question.

PRESIDENT:

Further discussion? Senator Marovitz.

SENATOR MAROVITZ:

Just to clarify, Mr. President. This...this legislation in misdemeanor form only, which is what it is, we did amend it so that the felonies are out. This legislation was recommended by the Supreme Court and I would...I would support it and ask everybody to join me.

PRESIDENT:

Further discussion? Senator Dudycz.

SENATOR DUDYCZ:

Yes, sir, Mr. President. Ladies and Gentlemen of the Senate, I...I support this bill because it...it does limit

expungement to misdemeanors. There was a question about the felony before and we took care of that in committee. And it does not make expungement automatic, it's still discretionary with the court. So it's up to the discretion of the judge after ten years. So I urge you to pass it.

PRESIDENT:

The question is, shall Senate Bill 17 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 46 Ayes, 7 Nays, none voting Present. Senate Bill 17 having received the required constitutional majority is declared passed. On the Order of Senate Bills 3rd Reading, Senate Bill 32. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 32.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Thank you, Mr. President, members of the Senate. Senate Bill 32 seeks to address a very specific problem involving approximately fourteen widows of police officers killed in the line of duty between 1940 and 1969. The...pension fund is not opposed to this legislation. The amounts involved...there are varied estimates, one roaming around is two hundred thousand dollars. Our belief is that it is far less than that, somewhere closer to a hundred thousand dollars. Since this legislation first began, two of the widows have since passed away. The...the payout is based on what the police officer would have received had he lived throughout that time. I ask for...I'll be happy to answer any questions and I ask for your support of this legislation.

PRESIDENT:

The question is, shall Senate Bill 32 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. All voted who wish? All voted who wish? Have all voted who wish? Take the record. On that question, there are 54 Ayes, no Nays, none voting Present. Senate Bill 32 having received the required constitutional majority is declared passed. On the Order of Senate Bills 3rd Reading is Senate Bill 36. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 36.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Well, the Calendar description of Senate Bill 36 is indeed accurate. We have had this bill before us on a...couple of occasions, we have passed it our of here with substantial majorities. If there are any questions, I'd be happy to answer them; otherwise, I ask for a favorable roll call.

PRESIDENT:

Any discussion? Senator Bloom.

SENATOR BLOOM:

I would rise in support of this. As you may have recalled the debate yesterday on removing one of the volitional prongs, you may recall that many times a person is put before a judge as opposed to a jury because they can do these kinds of gymnastics. I think in this instance it will cut down on those kinds of defenses, and I think that this is a good tool for the prosecutors. Thank you.

PRESIDENT:

The question is, shall Senate Bill 36 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 54 Ayes, 2 Nays, 1 voting Present. Senate Bill 36 having received the required constitutional majority is declared passed. On the Order of Senate Bills 3rd Reading, Senate Bill 39. Read the bill, Mr. Secretary.  
SECRETARY:

Senate Bill 39.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Hall.

SENATOR HALL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. At long last, at long last, we have now arrived to a bill that for ten years has been coming over here. We started here and we going to send that ball on over to Leroy. Now, what has happened? That this is a bill that everyone has agreed to, the Governor is going to be happy with it now, DCCA is going to be happy with it now, the Minority Leader, Senator Philip, is going to be happy and the Executive Committee is going to be happy because it was said that they should delete the condemnation procedure and we deleted that out of the bill. Also that the authority will have no power to pledge the credit of the State of a municipality. Obligation authority should not be of the State or any other unit of government. This is something that we've been waiting on for a long time to pass a bill out of here over to the House rather than that bill come over to the House and you have been confronted with. And I'd ask your most favorable support of this bill.

PRESIDENT:

Question is, shall Senate Bill 39 pass. Those in favor

SB 42  
3rd Reading

will vote Aye. Those opposed will vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 43 Ayes, 13 Nays, none voting Present. Senate Bill 39 having received the required constitutional majority is declared passed. On the Order of Senate Bills 3rd Reading is Senate Bill 42. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 42.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Topinka.

SENATOR TOPINKA:

Yes, Ladies and Gentlemen of the Senate, Senate Bill 42 is one of four bills regarding the Illinois High School Association that have been floating around both the Senate and the House this Session. This one particularly prohibits school boards from paying dues to any association which has as one of its purposes providing for athletic competition among schools and students if that association prohibits those students from participating in athletic competition or activities which are conducted outside the jurisdiction of that association unless the decision regarding that student athlete's participation and the extent of that participation is made collectively by the affected school coaches, the athlete's parents and the student athlete. It is done...designed specifically to address the rather restrictive rule of the Illinois High School Association that prohibits high school athletes on teams to participate in outside athletics of the same vein in the same season. I would ask for your favorable vote or answer any questions.

PRESIDENT:

Any discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

I'd rise in support of this bill because there have been some awful things done by the High School Association.

PRESIDENT:

Further discussion? Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President and members of the Senate. I would just add my strong support of this bill, and again underline the fact that Senator Topinka was willing to work out...somewhat of an agreement on this, and for that reason, there is a provision in that bill that requires the school coaches and the parents to play a role in addition to the individual athlete. This is a good bill and we ought to pass it out of here.

PRESIDENT:

Further discussion? Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President, Ladies and Gentlemen of the Senate. This bill has been talked about for some weeks now, a lot of emotion involved in this, a lot of accusations have been made. But let...let me remind the Body that the Illinois High School Association is an...an association created by the member high schools. They pay dues to the organization, they pay dues to police themselves. And for the Legislature to get involved in telling, first of all, the Illinois High School Association what they should do and, more importantly, to begin to set standards with respect to athletics is absolutely inappropriate. I think, fellow colleagues, that we are opening the door here for some very serious things to happen. First of all, the association provides a very proper balance between...academia and athletics, and high school athletics simply can't be...can't be the only thing. And all of this concern arises out of the fact that one of the regulations states that you cannot play on an



independent team while you're playing on a high school team. And that's there for a reason...that's there for a reason. Think, for example, situations like church basketball where young athletes who can't make the high school basketball team have an opportunity to play basketball in another area. If we're allowed to do this, then what we will say is, those high school...those students playing basketball for the high school will also be permitted to play high school...basketball with that church basketball team. This isn't right, it's simply wrong. And it doesn't keep everyone on the same keel, not at all. We all know the concerns that we have with college basketball. Year after year there are problems with the NCAA, with teams that are taking advantage under the table of the rules and regulations. We all have to abide by rules and regulation. Here is a rule and a regulation that is promulgated by an organization made up of those high schools. They make the decision. What's happening here is, disenchanted parents in a particular school are going to their legislator and saying, change the law, change the rule. Where they should be going is to their high school, to their high school principal who's a member of that association. That's the way it should be done. This is a most inappropriate position for the Legislature to be in, and I would urge your consideration of a No vote.

PRESIDENT:

All right, eight...eight members...eight additional members have sought recognition. Further discussion? Senator Mahar.

SENATOR MAHAR:

...thank you, Mr. President and members. I rise in support of this bill. I understand to a certain extent what Senator Maitland is talking about. I didn't think as a newly elected member...this is a...a situation that we would be dealing with. But nonetheless, I am very surprised and...and

disappointed by the arrogant attitude that the principals have taken and the fact that they don't...do not even wish to discuss this with Senator Topinka. And I would remind you that I think it's wrong for a...as an example a student who is involved in track or cross-country not being able to run in a simple 10K race on a Sunday morning in their own community when their amateur status is not being affected. And what is happening, the byproduct of this is they're running in those 10K races anyway. So, we are, in fact, by enforcing the rules, we're teaching these students how to avoid the rules. I think that's wrong.

PRESIDENT:

Further discussion? Senator Keats.

SENATOR KEATS:

...thank you, Mr. President, being very brief. One of the big points that was raised by the...IHSA is saying, gee, it's the academic standards we're concerned about. The only trouble is most of the high schools that have tried to withdraw from the IHSA, although now they've backed off a little, tend to be the top rated high schools. The argument in terms of academics simply is...is not an accurate argument. My local principals might even say, Rog, good idea, give them a kick in the teeth; but, boy, I don't dare say anything, these guys are heavy-handed. I mean, they are afraid to even publicly complain about some of the problems we have had. Let me give you one example of the kind of problems. A local high school swimming power had an alumni meet every Christmas, only their own alumni would come in...they tried to disqualify that high school swimming team for illegal outside competition for their varsity and their alumni having a Christmas swimming meet, that's the kind of thing. And the last point I bring up...remember the average high school athlete, the...overwhelming majority never play college sports, man, this is their last shot. Why do you take away the

chance for kids to participate in the sports where they'd like to? It's a difference between college, world of difference for high school. The majority of these high school athletes, it's the last time they're going to play basketball, et cetera. I would ask for your affirmative vote.

PRESIDENT:

Further discussion? Senator Schaffer.

SENATOR SCHAFFER:

This bill should not be before us. We should not have to consider this bill. The reason we are considering this bill and the reason we're getting this much verbiage is because of the way this particular organization has operated. I think a previous speaker used the word that best describes it, arrogance; arrogance for the athletes, for the students, for the schools, for the coach and particularly, I might add, for the parents. Honest to gosh, the way they talk about the parents, like parents hate kids, it's absolutely disgusting. This organization deserves to be tightened up. It's a shame we have to be involved, it's a shame its leadership hasn't got the sense to run their organization in such a way so that it doesn't have to clutter up our Calendar and our busy days. But occasionally one of these little quasi-government kingdoms needs to get a good swift kick in the behind. This organization has had that kick coming for a long time, and I urge as many members in this Body as possible to help us give them the message.

PRESIDENT:

Further discussion? Senator Dudycz.

SENATOR DUDYCZ:

Question of the sponsor.

PRESIDENT:

Sponsor indicates she'll yield, Senator Dudycz.

SENATOR DUDYCZ:

Let me get this straight now. You're saying that accord-

ing to current law, if my child belongs to a baseball team in the school, they will be forbidden from engaging in any other type of baseball activities outside that school?

PRESIDENT:

Senator Topinka.

SENATOR TOPINKA:

During the baseball season.

PRESIDENT:

Senator Dudycz.

SENATOR DUDYCH:

Well, I think this is a...well, in that case, I applaud your efforts and I support your bill.

PRESIDENT:

Further discussion? Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. I'm pleased to stand in support...in support of Senator Topinka's bill. I would just point out to you that one of beauties of this bill is we're not imposing government into this operation. What we are doing is suggesting by this bill that in addition to the autocratic approach of these principals who are responsive to no one that we are bringing into play the school coach, the athlete's parent and the student himself, I think that's a great approach. I urge an Aye vote.

PRESIDENT:

The question is, shall Senate Bill 42 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? Have all voted who wish? Take the record. On that question, there are 31 Ayes, 23 Nays, 1 voting Present. Senate Bill 42 having received the required constitutional majority is declared passed. Senator Maitland, for what purpose do you arise?

SENATOR MAITLAND:

Thank you, Mr. President. Let's just see if all the affirmatives are here.

PRESIDENT:

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

SECRETARY:

The following voted in the affirmative: Barkhausen, Berman, Bloom, Carroll, Collins, D'Arco, Dawson, Degnan, Dudycz, Fawell, Friedland, Geo-Karis, Hudson, Jones, Jeremiah Joyce, Keats, Kustra, Lechowicz, Luft, Macdonald, Mahar, Marovitz, Nedza, Netsch, Newhouse, Rigney, Schaffer, Schuneman, Smith, Topinka, Weaver.

PRESIDENT:

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

SENATOR MAITLAND:

Senator Fawell.

PRESIDENT:

Senator Fawell on the Floor? Senator Fawell on the Floor? Strike her name, Mr. Secretary.

SENATOR MAITLAND:

Senator Collins.

PRESIDENT:

Senator Collins on the Floor? Senator Collins on the Floor? Strike...

SENATOR MAITLAND:

Senator Friedland.

PRESIDENT:

...strike her name. Senator Friedland is on the Floor.

SENATOR MAITLAND:

Senator Friedland. Senator Jeremiah Joyce.

PRESIDENT:

Senator Joyce on the Floor? Senator Joyce in the phone

booth, Senator Maitland.

SENATOR MAITLAND:

Senator Lechowicz.

PRESIDENT:

Senator Collins is back on the Floor.

SENATOR MAITLAND:

Senator Lechowicz.

PRESIDENT:

Senator Lechowicz is filling up the doorway. Fawell has already been stricken. Senator Fawell is back on the roll, Mr. Secretary. All right. The roll has been verified. On that question, there are 31 Ayes, 23 Nays, 1 voting Present. Senate Bill 42 having received the required constitutional majority is declared passed. Senator Sangmeister on 48. On the Order of Senate Bills 3rd Reading, Senate Bill 48. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 48.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Sangmeister.

SENATOR SANGMEISTER:

Yes, this piece of legislation comes around on the base of a school attorney pointed out to me that there was a conflict in publishing the notice for the annual budget. And...we said one thing in Chapter 100, paragraph 2 and another in Chapter 122, paragraph 17-1. The purpose of this legislation is to straighten that out. That's all it does.

PRESIDENT:

Any discussion? Discussion? If not, the question is, shall Senate Bill 48 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish?

Take the record. On that question, there are 54 Ayes, no Nays, none voting Present. Senate Bill 48 having received the required constitutional majority is declared passed. On the Order of Senate Bills 3rd Reading, Senate Bill 54, Senator Marovitz. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 54.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President, members of the Senate. This bill increased the supplemental benefits for teachers from a hundred dollars to one hundred and eighty dollars for each year of service. It...it applies to eight hundred and eleven teachers only and amounts to five hundred and ninety-four thousand dollars. That's the figure that we were given when we...some...some incorrect figures were given and we did some research on it. It does apply to eight hundred and eleven teachers and five hundred and ninety-four thousand dollars, the cost. It will go down each year because it...it applies only to the oldest people who were at the bottom rung of the ladder and getting the least amount of dollars out of their pension. Downstate got an increase last year and Chicago now is asking for this increase. There's a cap on it of fifty-five hundred dollars. It only applies to those who retired before 1973, and I'd ask for a favorable roll call.

PRESIDENT:

Any discussion? Any discussion? If not, the question is, shall Senate Bill 54 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish?

Take the record. On that question, there are 45 Ayes, 8 Nays, none voting Present. Senate Bill 54 having received the required constitutional majority is declared passed. On the Order of Senate Bills 3rd Reading, Senate Bill 55. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 55.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President, members of the Senate. This brings...the Chicago teachers in line with the downstate exactly. It applies to teachers who have ten or more years of...of creditable service, increases the minimum survivor benefit from forty dollars a month to two hundred dollars a month. This again is for people who are on the lowest...this is for people who are on the lowest rung for the oldest survivors and it applies to, the survivors of...of teachers. There's five hundred and thirty-six individuals who it applies to and survivors of pensioners, there's five hundred and thirty-three people that it applies to. There is a State Mandate's Act exemption on here. This is totally paid for by the locals and there's a desperate need for this, and I would ask for your Aye vote.

PRESIDENT:

Any discussion? Senator Rupp.

SENATOR RUPP:

Thank you, Mr. President. I'd like to ask, Senator, you indicate that this brings the...this in line with the downstate. It does as far as the benefits are concerned, but in the situation now, this only requires a member to have completed eighteen months of creditable service; yet,



downstate it requires...to do the same thing, it requires ten years of service. I don't think that's...bringing them together, and we have had so many instances where we have been urged to go along with this particular thing because it now matches up outstate with Chicago or Chicago with outstate. I think that this bill should be corrected. If we're going to make it the same in one place, I think we ought to make it that there's a requirement for ten years of service in order to comply.

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

Well, this isn't changing the number of years of service that's been in...in the pension, Chicago Teachers' Pension Fund all along. We're not changing this at all, we're just increasing the benefits and it's all paid for locally, there's no State funds whatsoever. There's a Mandate's Act a...exemption on this which was asked for in the Education Committee. Again, it only applies to I think about a thousand people, the people who are on the lowest rung of the ladders, the oldest teachers, the oldest survivors and their children. And, again, each...each year the number will go down and it is paid for locally.

PRESIDENT:

Senator Rupp.

SENATOR RUPP:

Yeah, but it...again, we're not doing what you indicate, we're not making it the same. We have the same situation and the same needs outstate.

PRESIDENT:

Further discussion? Senator Netsch.

SENATOR NETSCH:

Thank you. The...at least according to the actuarial analysis that we were presented, it seems...I think what this

bill does is not a usual thing; that is, to provide this kind of a minimum is not usual in a pension system. And this is actually a fairly significant increase although the total amount of money involved may not be enormous but it is going to increase the accrued liability by about eight hundred and sixty-five thousand dollars. Admittedly, it is a fixed group and...so that it's not going to be a continuing thing but it is a fairly significant amount at the present time, and it is a principle that is not one that is normally applied.

PRESIDENT:

Further discussion? Any further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Just one other point, Mr. President. There is something happening in pensions around here all the time that I choose to call it creeping pensionitis. And what it amounts to is that if we give this benefit to this group, all the other groups in the State are going to want to get it if they don't have it now, and we ought to be aware of that when we begin to break that chain of...of uniformity.

PRESIDENT:

Further discussion? Any further discussion? Senator Marovitz may close.

SENATOR MAROVITZ:

Thank you, Mr. President and members of the Senate. Well, this is fixed group, it's estimated that the increase in the first year payout would be only a hundred and thirty-three thousand dollars. There are only a...a thousand individuals involved in this, survivors of teachers and survivors of pensioners, the people who are on...on the lowest rung of the pension ladder, and I would solicit your Aye vote.

PRESIDENT:

The question is, shall Senate Bill 55 pass. Those in

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favor will vote Aye. Those opposed will vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 33 Ayes, 20 Nays, none voting...1 voting Present. Senate Bill 55 having received the required constitutional majority is declared passed. 57. On the Order of Senate Bills 3rd Reading, Senate Bill 57. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 57.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much...Mr. President and members of the Senate. This bill applies to those...those teachers who are on leave from the Board of Education working for professional organizations such as the union, and it would allow them to pay in at the rate that they're making with the professional organization. The organization would pay the...whatever the increase is, it'll be borne by the union itself or the professional organization and I would ask for your Aye vote.

PRESIDENT:

Any discussion? Any discussion? If not, the question is, shall Senate Bill 57 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 53 Ayes...54 Ayes, 3 Nays, none voting Present. Senate Bill 57 having received the required constitutional majority is declared passed. 60. On the Order of Senate Bills 3rd Reading, Senate Bill 60. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 60.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. This bill raises the limit on punitive damages for unreasonable and vexatious delay by an insurance company from five thousand dollars to twenty-five thousand dollars. This was a compromise that we arrived at with the insurance companies. I don't think it's enough but it's the best we could do right now and I would ask for a favorable vote.

PRESIDENT:

Any discussion? If not, the question is, shall Senate Bill 60 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 53 Ayes, 3 Nays, none voting Present. Senate Bill 60 having received the required constitutional majority is declared passed. On the Order of Senate Bills 3rd Reading, Senate Bill 61. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 61.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Dawson.

SENATOR DAWSON:

Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 61 appropriates seventy-four thousand eight hundred and seventy dollars for...the Board of Higher Education for a grant to the Board of Governor's State colleges to

study feasibility of establish an engineering school at Chicago State University.

PRESIDENT:

Any discussion? Senator Bloom.

SENATOR BLOOM:

Well, reluctantly, I have to rise in opposition 'cause I'm the designated hitter for our side. It's five million dollars that's not in the budget...excuse me.

PRESIDENT:

You didn't listen...Senator Dawson.

SENATOR DAWSON:

Senator Bloom, it's seventy-four thousand eight hundred and seventy dollars, it's not five million, we didn't get that yet.

SENATOR BLOOM:

I apologize...I apologize...my...my handlers...I was looking at the wrong part of my handlers sheets. It's unbudgeted, and I understand Chicago State has not got its physics program going. Thank you.

PRESIDENT:

The question is, shall Senate Bill 61 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 33 Ayes, 23 Nays, 1 voting Present. Senate Bill 61 having received the required constitutional majority is declared passed. On the Order of Senate Bills 3rd Reading, Senate Bill 62, Senator Dawson. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 62.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

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3rd Reading

Senate Dawson.

SENATOR DAWSON:

Mr. President, Ladies and Gentlemen of the Senate. This provides for a voluntary income checkoff for individuals to contribute in part of their tax refund for...appropriate it to the Public Health to be awarded as research grants for alzheimer's disease.

PRESIDENT:

Any discussion? Any discussion? If not, the question is, shall Senate Bill 62 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 Ayes, 1 Nay, none voting Present. Senate Bill 62 having received the required constitutional majority is declared passed. 77. On the Order of Senate Bills 3rd Reading, Senate Bill 77. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 77.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President, Ladies and Gentlemen of the Senate. This is a part of...of the school district reorganization packages that are going around...it...it...the bill purports to encourage consolidation. We have added an amendment that requires that the question of consolidation be asked after five...five years. I would...would seek your support.

PRESIDENT:

Discussion? If not, the question is, shall Senate Bill 77 pass. Those in favor will vote Aye. Those opposed will

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End meeting

vote May. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 51 Ayes, 2 Nays, 1 voting Present. Senate Bill 77 having received the required constitutional majority is declared passed. Senator Dawson, for what purpose do you arise?

SENATOR DAWSON:

Mr. President, behind us we have the Joseph Warren Elementary School and teacher...Carolyn Curry, one of my...and I'd like to invite them to Springfield.

PRESIDENT:

Will our guests please stand and be recognized. Welcome to Springfield...Senator Hall, for what purpose do you arise?

SENATOR HALL:

...okay, it's all right.

PRESIDENT:

Senator Vadalabene, on 79. Top of page 4. 91, Senator Marovitz. Senator Marovitz, going once. On the Order of Senate Bills 3rd Reading, Senate Bill 99. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 99.

(Secretary begins reading title of bill)

PRESIDENT:

91.

SECRETARY:

Senate Bill 91.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

...thank you, very much, Mr. President, members of the Senate. Senate Bill 91 is the product of many, many hours

and meetings among the bar associations, the judges, the Child Support Task Force, the Illinois Department of Public Aid, the State's Attorney's Office of Cook County; and finally, we've come up with an agreement which clarifies the confusion created by the passage last year over the mandatory child support guidelines. I would make it very clear at the beginning that mandatory child support guidelines that we passed last year remain. The child support guidelines do, in fact, remain. The guidelines for...for child support are set forth and the court is directed to apply the percentage guidelines that we passed last year, same percentage guidelines, against net income unless either party presents evidence as to...as to why the guidelines should be deviated from. Evidence presented regarding deviation from the guidelines may be from any one of five relevant factors; the financial resource of the child, the financial resources and needs of the custodial parent, the standard of living the child would have enjoyed had the marriage not been dissolved, the physical and emotional condition of the child and his educational needs, and the financial resource and needs of the noncustodial parent. It allows the court to consider debts of the parties in determining child support. The repayment of debts representing reasonable and necessary expenses for the production of income, business debts, medical expenses and other expenses to benefit the child may be deducted from gross income to arrive at net...net income. I repeat, this is an agreement of all the parties involved and I would solicit your Aye vote.

PRESIDENT:

Any discussion? If not, the question is shall Senate Bill 91 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Ayes, no Nays, none



voting Present. Senate Bill 91 having received the required constitutional majority is declared passed. Senator Fawell, Senate bill...on 3rd reading, Senate Bill 99. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 99.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Fawell.

SENATOR FAWELL:

Thank you, very much. This is...bill basically does what it says in the Calendar. It gives one day of good time for every week...every week that a man who is in a correctional institution passes a school program with a maximum of twenty-five days. This is what the American Bar Association in 1976 in the House of Delegates has said that we should be doing. It is also what Chief Justice Warren Berger of the U. S. Supreme Court has said, and let me just quote, "One type of educational program that needs to be implemented in the prisons would make certain that every inmate who cannot read, write, spell and do simple arithmetic would be given that training not as an optional matter but as a mandatory requirement. The number of our young functionally illiterates in our institutions is appalling. Without these basic skills, what chance does any person have of securing a gainful occupation when that person is released and begins to search for employment. For those of you the mandatory aspect is harsh and some will. I suggest that the total work and study hours of inmates be no more than the demand of fifteen hundred young American cadets of our military academies." And he also goes on to say that the way we should get these in is...these inmates in school is to give them good time. I move for a favorable vote.

PRESIDENT:

Discussion? Senator Davidson.

SENATOR DAVIDSON:

Question of the sponsor.

PRESIDENT:

Sponsor indicates she'll yield, Senator Davidson.

SENATOR DAVIDSON:

Senator Fawell, your bill calls for a good-time...credit if they attend school or whatever it is that week. What happens if that individual doing that week violates part of the prison rules which would remove the good time? Which one supersedes?

PRESIDENT:

Senator Fawell.

SENATOR FAWELL:

This would be in addition to the...to the normal good time that they get, if they...if they have violated a...a...a...a...rule, then actually what happens, of course, is they don't get good time for that particular day under the normal circumstances.

PRESIDENT:

Senator Davidson.

SENATOR DAVIDSON:

But what happens to the good-time credit they're supposed to get for being in school that week? Now, if they violate the rule that loses good time, does that also make them lose the good time regardless whether they were in school or not?

PRESIDENT:

Senator Fawell.

SENATOR FAWELL:

Every person gets one day of good time for every one day that they behave themselves, that's the law right now. All right? If they do not behave themselves, then obviously they will lose that day of good time.

PRESIDENT:

Further discussion? Senator Rupp. Oh, Senator Davidson, I'm sorry.

SENATOR DAVIDSON:

You haven't answered my question. What happens to that day for that week of school, do they lose it or not? I...the Department of...I mean, excuse me, Corrections has a real problem on...on this...this point, and you have not yet answered my question.

PRESIDENT:

Senator Fawell.

SENATOR FAWELL:

If they pass the...the...the whole week of school and they get...they will get that one day. All right? Now, if...they will also lose a day of good time that they would normally get because of the fact that they have misbehaved, no big deal. That's what they would do anyway.

PRESIDENT:

Senator Rupp.

SENATOR RUPP:

Thank you, Mr. President. My question goes the other way. Is this...can I get both credit for good behavior plus this? I'd really be having a good time.

PRESIDENT:

Senator Fawell.

SENATOR FAWELL:

It...it's a maximum...it's a maximum of twenty-five days for the entire year. It's not, you know, it's not one...yes, you can get...this is an additional twenty-five days above and beyond what you would normally get, if you finish the school. If you finish twenty-five weeks of school and you have passed every single week and perhaps you have learned to read and write, and right now about eighty percent of our prisoners are...are functionally illiterate, then. yes, you

will get that additional twenty-five days.

PRESIDENT:

Senator Rupp.

SENATOR RUPP:

Well, looks like, if I...Mr. President, if I am real good, I'm going to get day for day, then I'm going to get twenty-five, you're going to owe me twenty-five days.

PRESIDENT:

Senator Fawell.

SENATOR FAWELL:

No, you still have to serve at..at least half your sentence minus twenty-five days. I mean, that's...that's the absolute minimum. You know, we spend twenty-three to...nineteen to twenty-three thousand dollars per...per year to put a prisoner in...to keep a prisoner in prison. The average man is in there for two and a half years and he...forty-one percent return within two and a half years. Eighty percent of the felons return within four years. The system we have now got doesn't work. I have talked to people who...people who work with these ex-cons all the time, including Father Kiley and...and including Saint Leonard's House, including the Saver Foundation, they have all said, indeed, this is exactly what is needed. We are sending these men out with absolutely no skills, a hundred dollars in their pocket, they have no place to go, they couldn't read a want ad if their life depended on it, and they couldn't go to...and they couldn't get a...a job application filled out if somebody even tells them where a job is. If we don't start doing something with these men, we're going to have nothing but prisons all over the State of Illinois.

PRESIDENT:

Further discussion? Senator Hall.

SENATOR HALL:

One question, Senator. You mentioned men, what about

women?

PRESIDENT:

Further discussion? Senator Sangmeister.

SENATOR SANGMEISTER:

Well, originally, as I recall in committee, the Department of Corrections came in because they thought they were going to have a problem, but basically I think this is a pretty decent idea. I think so we...so we get some legislative intent here to clear up Senator Davidson's problem. Apparently if you screw, up you're going to lose your regular good time, but if you've been a good student for that week you're going to get your one day. Okay? I think this has been cleaned up from when it was originally put into the standpoint that you've got to do the schooling, right, Senator? And you got to complete the courses or you don't get that extra day. Maybe that will be enough incentive to get some of these people into school and at least learn the basics when they get out. I don't think it's all that bad an idea. I support the bill.

PRESIDENT:

Further discussion? Senator Marovitz. Further discussion? Senator Newhouse.

SENATOR NEWHOUSE:

I rise in support of the bill, Senator. I simply want to say that I thought...didn't think it would roll quite this long, but I think it's a good idea. We want to give these youngsters some skills, get them out of jail get them back into productive life and that's the purpose of this bill. And I support it.

PRESIDENT:

Further...further discussion? Senator Macdonald.

SENATOR MACDONALD:

Just in brief, I want to say that I certainly commend the chief sponsor, while we're hyphenated cosponsor, she has done

a great deal of work and research on this bill and I think it is a very meritorious piece of legislation.

PRESIDENT:

Further discussion? Senator Coffey.

SENATOR COFFEY:

Question of the sponsor.

PRESIDENT:

Sponsor indicates she'll yield.

SENATOR COFFEY:

The twenty-five week course, although they've been a good student, do they have to...is there any...do they pass the course or can they fail the course and still get good time?

PRESIDENT:

Senator Fawell.

SENATOR FAWELL:

These men need instant gratification, in a way. So what they...what they do is, they get one day of good time for every week that they...they pass. I have talked to the superintendent, he says that's fine...the superintendent of schools and prisons, that's no problem whatsoever with him.

PRESIDENT:

Further discussion? Senator Dudycz.

SENATOR DUDY CZ:

I have one question of the sponsor.

PRESIDENT:

Sponsor indicates she yield, Senator Dudycz.

SENATOR DUDY CZ:

Are we sending these convicted felons to prison or to college?

PRESIDENT:

Senator Fawell may close.

SENATOR FAWELL:

We have...we have already got the schools in place, the problem is nobody is using them according to...the super-

intendent in the prison system. I have checked with Harris Fawell's Congressional Office, he claims there is five hundred million dollars sitting in the Justice Department that...that we can tap into if the prison system will at least make the effort to apply for it. I think it's a good bill. I think the system that we are using right now doesn't work and I would solicit your Aye vote.

PRESIDENT:

The question is, shall Senate Bill 99 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 47 Ayes, 6 Nays, 4 voting Present. Senate Bill 99 having received the required constitutional majority is declared passed. Senator Hall. Senator Bloom, 103. On the Order of Senate Bills 3rd Reading, Senate Bill 103. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 103.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Bloom.

SENATOR BLOOM:

Thank you, very much, Mr. President and fellow Senators. The bill does exactly what the Calendar describes it doing. All of the issues were worked out about a month ago. There was some language added after the Department of Public Aid which is in charge of selective contracting went through the administrative procedure process to allow the purchase review...the contracting board to review the reasonableness of the various contracts negotiated...in Executive Session. Answer any questions, otherwise seek a favorable roll call.

PRESIDENT:

Question is, shall Senate Bill 103 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Ayes, no Nays, none voting Present. Senate Bill 103 having received the required constitutional majority is declared passed. On the Order of Senate Bills 3rd Reading, Senate Bill 109. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 109.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Sangmeister.

SENATOR SANGMEISTER:

Thank you, Mr. President and members of the Senate. As many of our ideas come from, they come from one of the problems that we face in our district, and one that I have faced and was inundated with calls on is the failure of the EPA to be able to respond quickly to problems concerning waste disposal. It was with that in mind that this bill was introduced to allow counties to enact an ordinance and charge a fee, and for these counties to enforce the existing regulations of the EPA. I want to make it very clear that there is nothing in this bill that allows a county to put on any new rules or regulations so that we got one county doing one thing and one doing another. All they can do is enforce what is in existence. And I think many of you have heard from your county boards that they would like to have this authority to be able to locally enforce these rules and regulations. The problem is, of course, the State does not have enough people, it's too far to...from Springfield and their other offices to get to the areas to get the complaints handled and, of course, people don't know where to turn to.



They do know where to turn when it comes to a local problem, they turn to their local government. This would give the county boards the right to enact an ordinance if they see fit, they're not mandated to do so, in order to enforce these local ordinances. We have...amended the bill to make sure that we...are not talking about publicly owned facilities and the...of course, the MSD in Cook County is...is not covered by this legislation.

PRESIDENT:

Any discussion? Senator Rigney.

SENATOR RIGNEY:

Question of the sponsor.

PRESIDENT:

Sponsor indicates he'll yield, Senator Rigney.

SENATOR RIGNEY:

You mentioned fees for this local service, how high can they be, Senator?

PRESIDENT:

Senator Sangmeister.

SENATOR SANGMEISTER:

As the bill was originally introduced, Senator Rigney, there was no figure put in there at all. I put the figure of two hundred and fifty thousand dollars in there meaning a one...one...a annual one-time assessment not per facility to be regulated but...totally two hundred and fifty thousand dollar fee in order to operate the department. And I might say, there's no magic in that number, I just picked a figure that I think would probably be reasonable to assess to properly operate the department.

PRESIDENT:

Senator Rigney.

SENATOR RIGNEY:

Well, there may not be any magic in it but I think there's probably a little pain and suffering here when we're

talking about two hundred and fifty thousand dollars to allow the counties to go into a program of this kind. I think it's very clearly a double taxation to set the counties up in this fashion. My handlers also are pointing out to me that there might be a little problem as far as...our ability to see...to receive RCRA funds in that it was the expressed intent at the Federal level that there be one State program and that authorities of this kind would have Statewide powers and would be able to go anywhere within the State of Illinois. This clearly would not be the case under the intentions of your bill. So I'm not just exactly sure what we're going to do to our funding in that particular area. So, here we go again, I mean, yet another layer of bureaucracy as far as...another legitimate business, a needed business is concerned back in our local areas...a very high fee structure, one that, frankly, I don't think can be justified and it looks to me it's the type of bill that I hope that we will not enact into law.

PRESIDENT:

Further discussion? Senator Joyce.

SENATOR JEROME JOYCE:

Thank you, Mr. President. Senator Rigney, you mentioned that Washington and the RCRA and so forth, and I think that's probably one of the reasons for this legislation. You know, the old, old saying that the Federal Government knows best and...and leave it to them, you know, it just hasn't worked. It hasn't worked so well in the Springfield level either. People are wanting...more local control as they...they want a maximum amount of control over the decisions and the formulations of rules and the, you know, which...govern them. And they...they want...their safety they feel is being threatened. And they...it's not getting there quick enough through the State Government and through the Federal Government and...and as...as we go on, people are...are trusting

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less and less in governments that are farther away from them. I think this is a good piece of legislation. It brings it home where people can see where the problems are, they know what's going on out there. So I think this is just something that we ought to do, it's...it's something that's...it's coming back...it's coming back into...to local control and I...I applaud that.

PRESIDENT:

Further discussion? Further discussion? Senator Sangmeister may close.

SENATOR SANGMEISTER:

Well, thank you, very much. I just want to reemphasize when we talk about bureaucracy...first, I want to make it clear that there's nothing about RCRA's money that's being jeopardized here. All we're doing is allowing local authorities to be able to enforce existing regulations, there's no new bureaucracy here whatsoever. Same rules and regulations that we have are...are there, they'll only be locally enforced. Request a favorable roll call.

PRESIDENT:

The question is, shall Senate Bill 109 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 33 Ayes, 16 Nays, 3 voting Present. Senate Bill 109 having received the required constitutional majority is declared passed. 134, Senator Carroll. On the Order of Senate Bills 3rd Reading, Senate Bill 134. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 134.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen...of the Senate. This is a twelve thousand seven hundred dollar study for higher education. They have a bill available for when we need it. I would move for a favorable roll call.

PRESIDENT:

The question is, shall Senate Bill 134 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 55 Ayes, no Nays, none voting Present. Senate Bill 134 having received the required constitutional majority is declared passed. 145. On the Order of Senate Bills 3rd Reading, Senate Bill 145. Bead the bill, Mr. Secretary.

SECRETARY:

Senate Bill 145.

(Secretary reads title of bill)

2nd...3rd reading of the bill.

PRESIDENT:

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This bill is to appropriate all the money necessary to reimburse local governments for those issues that we mandated is now, therefore, at one dollar. I would ask for a favorable roll call.

PRESIDENT:

The question is, shall Senate Bill 145 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 54 Ayes, no Nays, none voting Present.

Senate Bill 145 having received the required constitutional majority is declared passed. On the Order of Senate Bills 3rd Reading is Senate Bill 167. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 167.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is an appropriation to DCCA for a study of economic development so that we also have another bill available should we need it later. I would ask for a favorable roll call.

PRESIDENT:

The question is, shall Senate Bill 167 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 56 Ayes, no Nays, none voting Present. Senate Bill 167 having received the required constitutional majority is declared passed. 169, Senator Savickas. On the Order of Senate Bills 3rd Reading, Senate Bill 169. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 169.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Savickas.

SENATOR SAVICKAS:

Yes, Mr. President and members of the Senate, this bill

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would be an addition...appropriation to the Metropolitan Exposition Authority. It would be for McCormick Place. It was amended to accommodate a concern of Senator Watson and Welch. And at this time, I would let Senator Watson handle explanation on Amendment No. 1.

PRESIDENT:

Any discussion? Is there any discussion? If not, the question is...I beg your pardon. Senator Watson.

SENATOR WATSON:

It increases the...available...money available to civic centers from seventy-five million to a hundred million. Simply, that's all it does...the amendment, and I'm for it, yes.

PRESIDENT:

The question is, shall Senate Bill 169 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 49 Ayes, 5 Nays, 2 voting Present. Senate Bill 169 having received the required constitutional majority is declared passed. 171, Senator Netsch. On the Order of Senate Bills 3rd Reading, Senate Bill 171. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 171.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. Senate Bill 171 is the partial public financing of gubernatorial campaign bill. It is in all respects, except a couple that I will mention, identical to the bill which this Senate passed with thirty-nine votes

last Session. And I might say that thirty-nine votes included votes on both sides of the aisle which is the way I would like to see it. It is certainly not a partisan matter. The couple of differences are; one, obviously, the election to which the bill is to apply has been extended into the future since we've lost two years now; secondly, one of the objections that the Governor had in his Veto Message was the...that it required reporting and certain other restrictions applicable to inauguration committees, that section has been removed entirely. Third, there is a provision which allows for certain precampaign expenses, typically expenses of an exploratory committee. That seemed to be a little difficult for some to deal with and so we have tried to clarify that language and I believe had. Finally, and if I might ask several of you to note this, one of the provisions that some of you had had a concern about in the past was that if the Gubernatorial Election Campaign Fund in the State Treasury had not accumulated enough money from the checkoff that money would be transferred from the General Revenue Fund into it to meet all of the obligations. That was the provision in prior drafts, that is no longer the provision. The amendment that I put on the other day made it clear that there can be no transfer of funds from the General Revenue Fund into the Gubernatorial Campaign Fund if the checkoff does not provide adequate funding. If that should be the case, there would be a pro rata reduction of the amount to be used for matching funds. Now those are the basic provisions. That, of course, is extremely important and I...question that many of you had raised before. Basically what we have is a check off provision very similar to the presidential that will allow candidates for Governor and Lieutenant Governor to have a dollar for dollar match of contributions up to a hundred and fifty dollars once they have met a one hundred thousand dollar threshold in order to...to finance Gubernatorial Primary and

General Elections. Along with it there is a restriction on the amount that can be contributed by individuals of one thousand dollars; of corporations, unions and PACS of five thousand dollars. In addition, there is a limitation on the amount that can be spent in each Gubernatorial Primary and General Election of a million and a half in the Primary two million dollars in the General Election with those amounts to be adjusted by inflation over a period of years. Obviously, they would have to increase as inflation increased. Without this kind of approach, first of all, there is no way to restrict the amount that is being spent on our campaigns. The last gubernatorial campaign had a total expenditure of over eight million dollars. We cannot restrict that unless we do it in the context of...partial public financing. Secondly, the only way that we can lessen the dependence of our elected officials on the need to go to special interests to finance their campaigns is through this device. It is not a perfect solution to all of the problems of the amount of money that it takes to finance campaigns today but at least it is a step in the right direction. I'll be happy to answer questions.

PRESIDENT:

Discussion? Senator Dudycz.

SENATOR DUDY CZ:

Have a question of the sponsor.

PRESIDENT:

Sponsor indicates she'll yield, Senator Dudycz.

SENATOR DUDY CZ:

Senator, the Internal Revenue Service forms allow one dollar checkoff of the taxpayer's refund. That is correct? Is that...is that...of the refund...the Federal taxes now?

PRESIDENT:

Senator Netsch.

SENATOR NETSCH:



No, that is not correct. It's a one dollar checkoff and it applies whether or not you have a refund coming.

PRESIDENT:

Senator Dudycz.

SENATOR DUDYCH:

This...this State tax, this checkoff, will that be tax money or is this a refund?

PRESIDENT:

Senator Netsch.

SENATOR NETSCH:

It is not from refund, it is exactly comparable to the checkoff on your Federal tax return for Presidential Campaign Fund.

PRESIDENT:

Senator Dudycz.

SENATOR DUDYCH:

Well, I just want to make one...one correction on your...opening statement, Senator. This is not the same General Assembly that...that passed a similar bill last Session, and I am one of the differences that you stated. And I'm in opposition to this bill.

PRESIDENT:

Further discussion? Senator Macdonald.

SENATOR MACDONALD:

Well, thank you, Mr. President. While some of the amendments were certainly amendments that did make an attempt to make this bill a better bill, I have to stand in strong opposition to the principle and the concept of this bill. It still does take public monies, it still does take money from the General Revenue Fund just by virtue of the check-off...provision in the bill. I might add that the check-off systems because there are becoming so many of them at this point in no way guarantee that the funds will be there to have public financing. I also would point out to you that

this is just a beginning, why not all of the executive officers? Why just the Governor and in time, why not each of us? I think that this is a concept that...that in time could lead to...really an entire change of the political system in Illinois. And while I, too, regret that there is no cap or there is no limitation on campaign spending, I certainly do not believe that this is the way to go and I strongly oppose this bill.

PRESIDENT:

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President, Ladies and Gentlemen of the Senate, I made a mistake once voting for the bill. It was supposed to come back from the House with a...amendment so that the State would not have to pay any money. But as Senator Macdonald says, it's still State tax money, money that we pay for taxes. We already have earmarked different funds to...to take money out of, and I think we've gone too far. I also feel that I don't want to pay for the Governor's campaign. I don't...I don't want anybody to have to pay my campaign with tax money, I don't see why we have to pay the Governor's or anyone else's. I think common cause is a great organization but this is one time I disagree with them and I speak against the bill. Let people raise their own money.

PRESIDENT:

Further discussion? Senator Smith.

SENATOR SMITH:

Thank you, Mr. President and members. A...a question to the sponsor, please.

PRESIDENT:

Sponsor indicates she'll yield, Senator Smith.

SENATOR SMITH:

Thank you. Senator Netsch, I'd like to find out, will there be a cap on your...checkoff?

PRESIDENT:

Senator Netsch.

SENATOR NETSCH:

It's a one dollar checkoff.

PRESIDENT:

Senator Smith.

SENATOR SMITH:

Will you still have a cap?

PRESIDENT:

Senator Netsch.

SENATOR NETSCH:

Yeah, well, that is the cap. It's an absolute cap.

PRESIDENT:

Senator Smith.

SENATOR SMITH:

I know...I know that, but I'm talking about for what length of time? I...we had some checkoffs here and if they...and they say that that if...in the first year you do not receive at least one hundred thousand dollars then the next year will not approach. That's what I'm trying to find out.

PRESIDENT:

Senator Netsch.

SENATOR NETSCH:

No, it's different from that kind of...of checkoff. In that sense...I...I misunderstood your question. In that sense, there is no cap. The...the average...the experience of other states is that we can expect from twenty percent to a thirty-eight percent participation. That gives us an average of about a million and a half a year moving up, if the...percent of participation moves up which it tends to do in most states.

PRESIDENT:

Any further discussion? Further discussion? Senator

Netsch may close.

SENATOR NETSCH:

Thank you. Let me just emphasize, and, Senator Geokaris, this is directed...in part at you because you had raised this question before. The bill has been amended so that the only public funds that go into the partial public financing are those that the taxpayer voluntarily says, I am willing to have go to this purpose. There is no transfer of general revenue funds other than those that the taxpayer voluntarily contributes. I think that is for you a very significant difference. No one else has suggested a way that we can meet the problem of financing campaigns except this. I solicit your support.

PRESIDENT:

The question is, shall Senate Bill 171 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? Have all voted who wish? Take the record. On that question, there are 27 Ayes, 26 Nays, none voting Present. Senate Bill 171 having failed to receive the required constitutional majority is declared lost. 173, Senator Schaffer. On the Order of Senate Bills 3rd Reading, Senate Bill 173. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 173.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Schaffer.

SENATOR SCHAFFER:

Mr. President and members of the Senate, this is a supplemental appropriation to the various agencies of State Government for FY '85. The bill has had several forms but its most recent form includes a series of amendments that

were put on a couple of days ago including some additional money; twenty-five thousand dollars for Secretary of State Grant from private funds, Contractual transfer in the Board of Regents for twenty thousand, forty thousand dollars for SSU the...Sangamon State for the...Commerce and Community Affairs Program, seventy-two thousand for Department of Labor amusement ride, forty-two...the only big item on here is ten million seven hundred thousand for the State boards to fully fund some educational line items which is somewhat controversial, I should mention it.

PRESIDENT:

Question is, shall Senate Bill 173 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 56 Ayes, no Nays, none voting Present. Senate Bill 173 having received the required constitutional majority is declared passed. 174, Senator Hall. On the Order of Senate Bills 3rd Reading, Senate Bill 174. Read the bill.

SECRETARY:

Senate Bill 174.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Hall.

SENATOR HALL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This appropriates money to the Department of Children and Family Services for study in the use of electronic data processing in their investigated procedure. I'd ask your favorable support of this bill.

PRESIDENT:

Question is, shall Senate Bill 174 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is

*SB 175  
3rd Reading*

open. Have all voted who wish? Have all voted who wish?  
Have all voted who wish? Read the...take the record. On  
that question, 55 Ayes, no Nays, none voting Present. Senate  
Bill 174 having received the required constitutional majority  
is declared passed. On the Order of Senate Bills 3rd  
Reading, Senate Bill 175. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 175.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Hall.

SENATOR HALL:

Thank you, Mr. President, Ladies and Gentlemen of the  
Senate. This appropriates to the Department of Public Aid  
money for evaluating the impact of Federally funded job  
training program reductions on unemployment. I'd ask your  
most favorable support of this bill.

PRESIDENT:

The question is, shall Senate Bill 175 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 55 Ayes, no Nays, none voting Present.  
Senate Bill 175 having received the required constitutional  
majority is declared passed. Top of page 5, on the Order of  
Senate Bills 3rd Reading, Senate Bill 191. Read the bill,  
Mr. Secretary.

SECRETARY:

Senate Bill 191.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

Thank you. Senate Bill 191 as amended does only one thing. It says that...this is an amendment, by the way, to the Chicago School Article, not to the rest of the State. Principals shall be employed to supervise the operations of the...of the attendance center as the board shall determine necessary. It eliminates the word, "educational operations." What it does is to say that there is one authority figure in the school and that is the principal. That is the way it is in every other school in every other part of the State of Illinois except Chicago. The Superintendent of Schools, Manford Byrd, wants this bill; the Chicago PTA wants this bill, Chicago United wants this bill...the Chicago Principals Association, which I might add is a union, also wants this bill, and all of the principals in schools that I have talked to in my district and in many other parts of the city want it. It is not intended to...to punish anyone, it is not intended to say that someone is not necessarily doing their job. What it is...intended to say is that there must be one person who is responsible for the conduct of the school. And there is one person who always gets the questions about what goes on in the school, that is the principal and this confirms that the principal is in charge.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Jeremiah Joyce.

SENATOR JEREMIAH JOYCE:

Would you...would you take me through that a little bit about the principal in charge of the attendance center and how the engineers fit into this?

PRESIDENT:

Senator Netsch.

SENATOR NETSCH:

Well...yeah the...I'm not quite sure of the nature of your question, but...the way the Statute would read is,

"Principals shall be employed to supervise the operations of attendance centers as the board shall determine necessary." The supervision is only in the sense that the principal supervises all of the personnel. And, incidentally, it's not just operating engineers, it's also the food service which are not responsible to the principal right now. The principal would have general supervisory authority over all of them, and that is exactly the way it is in every other school in the State.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Well...I have a number of...number of points I'd like to make and...and a question. First of all,...you are putting people in charge of functions over which they have no knowledge, no training and no experience. If you want to do this, then why don't you provide that the principals shall be trained in these areas, that the principals shall be tested in these areas? The fact of the matter is, if I went down to St. James Hospital here and I said I was going to take the chief of surgery and he was going to be responsible for seeing that the floors are clean and the washrooms are clean, that the light bulbs are put in and all these things, you'd tell me I'm out of my mind. We have a system in the City of Chicago that is functioning properly. I mean, if there's one thing...if there's one thing that works well, it is that the schools are heated, that the snow is removed from the sidewalks. Those things have been attended to. So now when we have all these other problems and because the principals have some problems with compensation and the...working through the summer and they got together and came up with this idea, we are now going to change that part of the system that functions, that operates effectively when we have all of these other things that we're going to be spending the next



month debating here, I just don't...I...I'm strongly opposed to this, I don't think it makes any sense at all.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Newhouse.

END OF REEL

REEL #7

SENATOR NEWHOUSE:

Thank you, Mr...thank you, Mr. President and Senators. As hyphenated cosponsor, I rise in support of this bill. There's one...one aspect of this bill I think ought to be pointed out and that sort of goes to the initial remarks of Senator Joyce and that is that in...in talking with the engineers it was...one of the points that was brought out was that in those areas that...in which the principal lacks competence; that is, in those technical areas that it was unwise to have the principals supervise that aspect of the job. That seemed to me to be a legitimate...request and in...at my request, Senator Netsch deleted that portion of supervision from the bill, so that exists no longer, but I'm not representing that that satisfies all the objections of those who are opposed to the bill, it doesn't, but that particular aspect of the bill seemed to me to be a legitimate request and it was done. I rise in support of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? The lineup is Savickas, Nedza, Dudycz, Berman and Rock. Senator Savickas.

SENATOR SAVICKAS:

Yes, Mr. President, I rise in opposition to Senate Bill 191. Fourteen years ago, the legislation was introduced to take it away from the principals or to clarify the language so that the principals were not involved. I introduced that legislation fourteen years ago because then, as now, the principals have enough problems trying to run our education system and our educational programs. Senator Newhouse's amendment that would remove the evaluation, not the supervision. I question the comment by Senator Netsch that Super-

intendent Byrd is in favor of this. The...the board of education, the board itself, is preparing a program to...to make a district superintendent responsible for three different areas, the area of education where the principal would report to the district superintendent, the area of maintenance where to...engineer will report to the district superintendent and the area of food service where the food workers would report to a district superintendent. These are the items that the board of education now are...getting ready to propose or have proposed already. This bill, I think, is wrong at this point. When we talk about Chicago United back in March of 1981, their special task force recommended giving principals full responsibility for all operations of their school; however, this recommendation could only be made if their recommendation, which was number seventeen at a time, was put in place, and that was that they create another job for another person to supervise these engineers. Now, to just take it out of context and say, well, no, the principal will handle it and that's the way United wanted it, that is wrong, they wanted the other recommendation to hire more people to supervise these engineers. I think this bill is premature. The board of education, they, themselves, should be allowed to determine the policy on...on the managerial structure of their operation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Vadalabene has moved the previous question. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. We have Nedza, Dudycz, Berman, Collins, Jones and Rock. Senator Nedza.

SENATOR NEDZA:

Thank you, Mr. President and members of the Senate. I would...I have to rise in opposition to the bill. I wouldn't like to see a...a truck driver, an operating engineer, a painter, a carpenter teaching subject matters to our children

in the classroom anymore than I would want the educator supervising those specific trades so, therefore, I oppose the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dudycz.

SENATOR DUDYCZ:

Mr. President, I just want...wish to echo the sentiments of the previous speakers, Senator Joyce, Nedza and Savickas. I'd like to add that the Chicago Republican Delegation stands in unified opposition to this legislation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman. Senator Berman.

SENATOR BERMAN:

I want to share...thank you, Mr. President. I want to share with you some of the comments that arose in committee. I directed a request to the lobbyist for the Chicago Board of Education to come back and tell us what the position of the Chicago Board was as to whether the Chicago Board of Education was in favor of Senate Bill 191. For those of you who constantly talk about local control, let me advise you that I have received no communication from the Chicago Board regarding their support of Senate Bill 191. Also, I would point out to you that the recommendations of the improvement commission, the legislation of which we passed out of here the day before yesterday,...stresses that the principals should be the educational leader in the school; and I would suggest, as was mentioned in committee by Senator Poshard, that with the obligations to expand the role of the principal in the educational arena is more than a full-time job. I'm not sure that adding additional responsibilities at this time makes any sense. I'm going to not...I am not going to support Senate Bill 191.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Collins.

SENATOR COLLINS:

Yes, thank you, Mr. President and members of the Senate. I rise in support of Senate Bill 191, not because I don't believe in...letting the...the board make policies determining who is to be responsible for the various areas of the school operations; and as a matter of fact, I think I could support if, in fact, that it was very clear policy that...that the principal would be charge of education and that there would be someone as chief engineer and someone head of other divisions, but what is happening right now in the...in the Chicago schools is that it seems to be that no one is in charge of the engineers. It is...the information that I have in talking with the principals that the engineers walk through the schools and that a principal can tell one to do something or something needs to be done and that that person acts if though the principal don't even exist, and it is not true as someone said that an administrator of a hospital is always a physician, that is not true....there...I've known many cases where there have been administrators and they have not had any medical degrees, that is also the same principle that operates in some of your major corporations. It is not true that that particular person has all of the expertise to run the various departments under that person's administration. What they do, they go out and they find the best persons qualified to head up those departments, but yet that person serve as the overall administrator and coordinate the activities and is responsible for what happens in that institution. I think that's all Senator Netsch's bill is trying to do is put up someone in charge of running the various local schools and I think it's a good idea in the absence of anything else.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Jones.

SENATOR JONES:

Yeah, thank you, Mr. President and members of the Senate. I rise in support of Senate Bill 191 for...for many reasons. Number one, when we're talking about school reform we always talk about the City of Chicago and its public school systems. For those of you who are not in the City of Chicago and you want to do something to help the education in their...in their system, then you would support this bill because...because the...actually administering that school goes hand in hand with the duties of everyone that works there. It is very difficult for a principal or teacher when they need a classroom opened or...or a room heated and...and the engineer act as though it doesn't even exist. There are instances wherein...wherein the room...the classrooms are dirty, the snow don't get picked up and the principal has...has no jurisdiction whatsoever. I know, my friends, that a laborer...been laboring, they're working very hard to kill this bill. I wish they had worked as equally as hard to try to get some money for the system. So, if you're really concerned about improving the quality of education in the Chicago public school system, you would support this bill, but if you want everything to remain status quo, then don't vote for the bill, but let's not talk about educational reform and everything and yet and still not do what you...you're supposed to do to help bring about better quality education in the...in the public school system. You can only have one head of anything. When these...when the astronauts go up in...in...in the rockets and on those planes, only one person is in charge, even though they may have equal responsibility, one person is in charge. You need one person to run the public school system in the City of Chicago, and I urge an Aye vote for this bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I rise in strong opposition to Senate Bill 191 and would point out to some, particularly on this side, who piously mouth the benefits of collective bargaining for public employees and point out that this is something about which this union and this food service workers both bargain who will be their supervisor, and to do something like this simply skirts the entire collective bargaining system. The system has worked. It is continuing to work and this is, in fact, kind of a power grab on the part of a very few of the existing principals in the City of Chicago. We are directing apparently now the activities of the Chicago Board of Education, which I know my friends on the other side are loathed to do with any board of education anywhere in the hundred and two counties, and I simply think we ought not do it. I am asking that everyone cast a No vote so that this question will be resolved overwhelmingly.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch may close.

SENATOR NETSCH:

Thank you, Mr. President. Could I have a little attention? I'm about to go down but I'm not going to go down except in flames, 'cause I'd like to make a few points. I've just been told that all the...virtually all of the Republicans have been pulled off of this bill and I assume it's by the Governor, I don't know specifically, but I'm sure I'll find out one of these days, and anyway that's precisely what I have been told...and I realize that the operating engineers are opposed to the bill. Let me suggest to you that the operating engineers are the only ones in the world with a...perhaps the participation of the Governor who are opposed to the bill. The Principals' Association, which is a union, is in strong support and was here. Chicago United is in strong support, that is a major business group in the City

of Chicago, and they have strongly supported this and it has nothing to do with their recommendation for an assistant principal. They were our principal witness, as a matter of fact, if you would look at the record, Senator Savickas. The PTA is in strong support. I think every teacher in the City of Chicago, practically, has talked to me since this bill was introduced and they are in strong support. The only opposition is the operating engineers. I have no quarrel with them. I am sorry that we are at loggerheads on this. I happen to think they are dead, dead wrong in saying that it is not the principal who should be the...the authority figure. Finally, I have talked just within the past forty-five minutes to Manford Byrd, the superintendent of schools in Chicago. His exact words were, "I am foursquare in favor of this." He sees no problem at all. It is absolutely consistent with his reorganization proposal. As he pointed out, the principal already supervises shop, art, music, band, a whole lot of other things that does not...that requires special training for the participants but not for the principal. This is a very simple proposition. The principal...it is a school. It is not a...a...shop for anything else...just shut up, Chew...it is a school and it is the principal who ought to be in charge of that school, and if you haven't got the courage to stand up and say so, be my guest.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall Senate...Senator Weaver, for what purpose do you arise?

SENATOR WEAVER:

A point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

State your point.

SENATOR WEAVER:

I just wanted to point out to the Body that the Governor has no position on this bill and there's been no message sent



down to ask us on the Republican side and maybe he's talked to you, but he...certainly hasn't talked to us on it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, we're delighted to learn. Senate Bill...the question is, shall Senate Bill 191 pass. Those in favor vote Aye. Those opposed 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 12, the Nays are 36, 5 voting Present. Senate Bill 191 having failed to receive the required constitutional majority is declared lost. 193, Senator Smith. On the Order of Senate Bills 3rd Reading is Senate Bill 193. Mr. Secretary, read the bill, please.

SECRETARY:

Senate Bill 193.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Smith.

SENATOR SMITH:

Thank you, Mr. President and to the members of the Senate. Senate Bill 193 has been before us and it...I can...the Department of Children and Family Services shall make it known that requiring all adopted agencies for forwarding the department's names and addresses of all persons who have applied for and have approved for adoption of a hard to place or handicapped child, and the names of such children who have been placed for adoption, addresses shall be maintained by the department...a coded list which maintains the confidentiality of the person seeking to adopt the child shall be made available without charge to every adoption agent in the State to assist the agencies in placing such children for adoption and this is merely voluntary. If they do not wish to follow this trend, they do not have to do so.

So, I'm...with that, I would like to ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall Senate Bill 193 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Senator Savickas. Have all voted who wish? Take the record. On that question, the Ayes are 39, the Nays are 15, 1 voting Present. Senate Bill 193 having received the required constitutional majority is declared passed. 199, Senator Newhouse. On the Order of Senate Bills 3rd Reading is Senate Bill 199. Mr. Secretary, read the bill, please.

SECRETARY:

Senate Bill 199.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Newhouse.

SENATOR NEWHOUSE:

Thank you, Mr. President and Senators. This is one in a series of bills which are intended to put together an apprenticeship training program for the purpose of preparing some young people to participate in our economy. Senate Bill 1421, which lost, was presented for that same purpose. Since that time, we have had some conversations and I have agreed to put...to get these bills out and to meet with labor and with the DCCA and whoever else would like to participate and try to come up with some kind of an agreement. If we do not come up with an agreement...Senator Weaver...I've talked to Senator Weaver, if we do not come up with an agreement, then these bills will not be...will not be moved. These will be...at least we'll have some point of discussion and I would ask for a favorable roll call for that purpose.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall Senate Bill 199 pass. Those in favor vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 25, the Nays are 27, 4 voting Present. Senate Bill 199 having received the...having failed to receive the...the required constitutional majority is declared lost. 200, Senator Newhouse. On the Order of Senate Bills 3rd Reading is Senate Bill 200. Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 200.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Newhouse.

SENATOR NEWHOUSE:

Thank you, Mr. President. The same remarks I made on the previous bill are applicable to this bill, but I'd like to say a couple of things, because I made that arrangement in good faith in the hope that there would be a discussion point from which to take off to address a very serious problem. Most of you have on your desks some research that's been done by some very reputable people that go to a point that everyone in here at some point has talked about and that is the increase of taxpayers in this State and that is the issue; and if we're serious about that, then we've got to look at how we get people into the economy. If we are not looking at that, we're saying on the other hand that we're going to have a one stratum economy that...may I get some...may I get some attention, please?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Can we have some order, please.

SENATOR NEWHOUSE:

That we want a one stratum economy that specifically, that specifically, keeps out of the labor market a group of young people who in the absence of the kind of training and the employment possibilities that we're talking about here are going to...are...are already creating some problems that are almost insurmountable and I got to tell you that this economy cannot stand that much longer. Every time we set down and we talk about a bill, we talk about what it's going to...cost the taxpayer; and yet, we're looking at a bill here that would add people to the taxpayers' rolls, that's what we're looking at. Now, if you want to deliver the message back on your side of the aisle...on the Republican side of the aisle that we're not interested in economic development, then that's what you're doing. On this side of the aisle, if you're...if you're saying that we want to keep out of the economy a specific group in this State that is being excluded, that's exactly the way it's interpreted. As for my union friends who have disappeared all at once after having made this kind of an agreement, I would say to you that nobody is going to be fooled by this and if we want warfare, we can have it. That's not what I would prefer and I went forty miles to try to put together something where we could have a reasonable and rational discussion. I'm sorry you finked out on me. I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Collins.

SENATOR COLLINS:

Yes, thank you, Mr. President and members of the Senate. Senator Newhouse has worked hard over a number of years, about fifteen years, trying to open up the craft, the trades so that minority young men and women can have an opportunity to participate in the building of the State and at a time

when we were talking about building Illinois and the World's Fair in the City of Chicago and trying to get people equipped with skills to go out and be self-supporting, I think we have to seriously take a look at any laws that we have or the lack of laws in this State that in some way inhibit those people from the opportunities to learn the...various crafts and trades so that they may be able to support themselves and their families. This is a serious problem. I...I don't know the answer to it. I have met with the unions...all of the trade unions and I had hoped that somehow we would be able to come to some kind of agreement as to how we were going to open up that field so that more minorities can, in fact, get into the apprenticeship trade programs. That has not happened. It is my understanding that Senator Newhouse did have some kind of an agreement that these bills would move on to the House and that he would continue to work on them...and...and apparently...that agreement has broken down and I'm just sorry that has taken place, but I would urge an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. You can see now that what has happened, we passed a number of bills out of here to say that we got to bring the people up into the 20th Century. We have all these electronic affairs. They claim if you can't work computers, if you can't do these things today, you're in the old age. Now, what needs to be done is people...and this is supposedly America, this is where everybody is supposed to have the life, liberty and pursuit of happiness. Now if we can't encourage people, if we can't open the door, if you...it's just like, you can't play in the world series unless you win the pennant. How are you going to bring the people aboard?

Now, the way to bring them aboard is to put them in a training program. If you make a person able to qualify for a job...to do a job, then that person becomes productive. This is a program that has been worked on long and hard and I know all of you are very fair people sitting here, so let's get this program on the way. Let's make productive, paying citizens out of people and they must be given the chance. This is a good bill and it should be supported. I ask your most favorable support of this bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Fawell.

SENATOR FAWELL:

Thank you, very much. You know, I've been sitting on this side of the aisle all my life, and all these years, we, on this side of the aisle, have always said, if a man wants a job and he's willing to work, we should be willing to give him that job and allow him...as our colleagues have said on the other side of the aisle, pull himself up by his own bootstraps. I don't think what is being asked today is being unreasonable. What these men and women want is not welfare, at least the one's I've talked to, what they want is a job. There's more than enough work out there. All you have to do is go down and look at...whole sections of our city that need carpenters, that need plumbers, that need electricians. Every single year we are pulling down more and more and more of our housing, housing that could be reconstructed, remodeled and have decent housing for our people in our State. I personally think if we are truly believers in the capitalist system, which we on our side of the aisle claim we are, then there shouldn't be one red vote that is a Republican.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President and Ladies and Gentlemen of the Senate. I apologize for rising on this bill but it seems to me that the...it's being insinuated that we are...we are anti-jobs, anti-jobs for the minorities. And, Senator Collins, I would...would direct a comment to you. Both you and I serve on the Statewide Coordinating Council with JTPA, we both serve on the legislative committee of that body. I...I've...I don't know but I don't believe I've ever seen you at one of those meetings. Now there perhaps are reasons that you can't be there and the chairman of the Statewide Coordinating Council, Mr. Curry, an outstanding, brilliant black man who chairs that council does a marvelous job. My concern here, Senator Newhouse, is we're duplicating the Job Training Partnership Act, and I just don't think that's what we're all about and we...we just shouldn't do that.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator...Senator Collins for a second time.

SENATOR COLLINS:

Thank you. I have to respond to that. I have been to that meeting one time, but I have read almost every report and I have had my staff to attend the meetings in my absence, but the primary reason, if you want to know the truth why I'm not going, because I think the whole council is a bunch of hogwash. I don't see nothing really happening with that job training program. It's just like CETA and everything else and I'm not going to waste my time.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Newhouse may close.

SENATOR NEWHOUSE:

Thank you. I was trying to get to see my friend, Senator Maitland...but...so let me say it to you openly because I

think you raised the proper issue and you got the proper response. People don't have any faith in that anymore because the artificial restrictions that exist won't permit the plan to work, and that's one of the reasons it has been a failure all these years because the intervening cause is the absence of a mechanism for the acceptance of your trainees into the market. You can't...and what has happened is that we've got affirmative action programs which don't mean anything, and we've had a bill go out of here today that was designed to prevent fraudulent minority companies from operating and that's what's going on because the people of the...skilled people do not exist to support the kind of programs that we're talking about, and until those skilled people exist, we're kidding ourselves. For those on this side of the aisle I want to say, I just went outside and...and again reaffirmed with Rich Walsh the conversation that we had had. He gave me permission to say this on the Floor again, that we talk that we want...that we have agreed to have a talking mechanism out of which something might arise that's constructive. As it is, what we have now is an extremely destructive system and if we continue that destructive system, there is no logical way, there's no logical way, to address this very serious problem so that there's no real exchange that can take place. We're asking for a...a medium on which an exchange can take place. We went to the extent of saying, put it in a...a posture where the Governor can be the hero in this State, for goodness sake, and bring people together. I could care less as long as the result is produced, but the fact is, that in the absence of us in this Chamber doing something at sometime that the numbers of people that we're allocating to the trash pile is going to escalate. It's at serious proportions right now. This isn't a frivolous bill at all, it's a very serious one, and I would ask you for your favorable support.



PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall Senate Bill 200 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 30, the Nays are 17, 6 voting Present. Senate Bill 200 having received the required constitutional majority is declared passed. Senate Bill 220, Senator Marovitz. On the Order of Senate Bills 3rd Reading, Senate Bill 220, Mr. Secretary, read the bill, please.

SECRETARY:

Senate Bill 220.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. Senate Bill 220 addresses a problem that has been prevalent in the nursing home industry and that we've been dealing with people in the nursing home industry on and reached a...an accommodation pursuant to some amendments. It requires the Department of Law Enforcement to conduct the criminal background investigations of current employees and of applicants prior to employment in nursing homes. Employees found who have been convicted of specific offenses, and the offenses are specified in the legislation, shall be terminated. An applicant or employee is prohibited from being hired if he or she has been convicted within five years of the date of application of committing or attempting to commit an offense as defined in Abused and Neglected Long-term Care Facilities Residents Reporting Act, homicide, kidnapping, forceable felonies, sex offenses within Articles XI and XII of the Code; forceable felonies, treason, murder,

rape, manslaughter, arson, burglary, aggravated battery, any offense within the Controlled Substances Act and any felony offense which bears a reasonable and rational relationship to the...performance of a nursing home facility employee. Investigations are conducted every five years after initial employment and it requires the Department of Public Health to supply DLE with information on applicants and employers to conduct the investigations. I've spoken to the nursing home industry, I've spoken to Jim Zagle of DLE and he is hopeful of getting a new methodology to improve the ability to do fingerprint checks. I think this is an important bill and will...assist the quality of care in nursing homes throughout the State of Illinois, and I would solicit your Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Schaffer.

SENATOR SCHAFFER:

As I understand it, the bill either started out or has been amended to say that you can hire someone, take their fingerprints and send it in and you have so many days...what's the timetable before you have to let somebody go?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

...there is no specific timetable, but as...as soon as you...as soon as you are notified by DLE, then you have to let them know. Originally in the bill you couldn't hire them. This was unfair to the nursing home industry. We put an amendment in there so that they could be hired, but upon finding out from DLE that they have been...convicted of these crimes, they would have to be terminated.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schaffer.

SENATOR SCHAFFER:

How big a problem is this is? How many cases do we have on record at date...to date of...on a Statewide basis of employees of nursing homes who have...would fall in this category that would be denied employment?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

I...I...I can't tell you how many cases we have on record of those who have been convicted of these felonies.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schaffer.

SENATOR SCHAFFER:

Well, let me...let me say, is it ten people on a Statewide basis? Six? I mean, that would have...you know, that this bill would have otherwise presumably prevented from being employed?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Well, I can tell you for certain, it's a lot more than ten because I've gotten close to seventy-five phone calls from people after this bill was introduced...from people who found out subsequently that their...their loved ones were...were abused or assaulted in some way and found out subsequently that the individual who did so had a...a criminal background.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schaffer.

SENATOR SCHAFFER:

Well, frankly, Senator, I don't think this bill...other than the fact that it costs a million dollars, a million dollars a year and that's...that's a guesstimate and our guesstimates usually be...are fifty percent low, so we probably figure a million and a half dollars, and I think that's

just our expense. It doesn't count the...the...nursing home's expense...I think probably...totally is probably five million dollars by the time you get the whole thing, and I have to admit, I just pulled that figure out of air but we do a lot of that down here, by the time you figure how much it's going to cost, I don't know if it's a five million dollar problem; obviously, if it's one...your loved ones, it's twenty million dollar problem. I don't think it's going to have a terribly large impact in my area other than the fact that it'll add a buck and a half a day to the nursing home care or whatever, and it's...we've been doing a lot of that lately and that, of course, we pay a sizable percentage of that so it'll all come back to haunt us; but my guess is with the turnover and employment problems that we already have in the nursing homes, that in some parts of the State, and I think you might represent one, you may be just making it a little more difficult to run a nursing home and maybe a little more impossible to run a nursing home. We've gone nuts. We have absolutely gone nuts. We have wiped out the small nursing home industry, they're now all being bought up into big, large chains and we heap regulation on top of regulation on top of regulation, all of it individually sounding nobler than noble, but the cost of nursing homes is now to the point that we can keep people in hospitals cheaper and it isn't because they're getting better care in the nursing homes, it's because of our regulations in that...corps of Gestapo agents that we've assembled in the Department of Public Health to go out and harass people. I think we've just gone far enough and unless someone can really document a problem, not two incidents that one of the local newspapers has decided to make a big to-do about for three weeks, I'm not sure that the...the cure isn't overkill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Well, thank you, Mr. President. I'm not sure how to say this kindly, Senator, but I...you know, I'm...I'm sure you think that you're curing something here and probably you have some instances, perhaps in your own community, where there have been some abuses, but...you know, it seems to me you ought to go to the...to the Chicago City Council with a whole lot of this stuff because downstate you're simply adding uncountable costs on us and if you continue to help us, we may not have any nursing home industry in downstate.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Hall.

SENATOR HALL:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Hall.

SENATOR HALL:

Senator, would you answer this for me, please. Now, I understand here that if a person has committed a felony and that they...could never be hired if...suppose that I had committed one and I had come back and I'm a model person, come back into society, because I had once committed that, I would be denied a job at the nursing home?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

I'm glad you asked that question. I will reiterate what I said in my opening statement. It's only certain kind of felonies, which I specified in my opening statement, not just any felony, a certain kind of felonies that would be particularly abusive to a nursing home resident and only within the last five years, only within the last five years.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Marovitz may

close.

SENATOR MAROVITZ:

Thank you, very much, Mr. President. Well, I heard my friend, Senator Schaffer, talk about small homes being bought off by large companies. Yes, those small homes are being bought off and, you know, I wish I owned a nursing home so I could be bought off at the million dollar price tag that they're selling for. Those poor, small homes are selling off to the large companies who are coming in and they can't wait to sell and put all the bucks in the bank. Senator Schaffer, I don't think there's anybody in this Body who has more nursing homes in their district than I do. Just come up to uptown any time and I'll be glad to...to chauffeur you around there. The price tag is not what you said. The Department of Public Health said the first year the price tag was five hundred thousand dollars. We have read an awful lot of stuff in the...in the newspapers and I have heard an awful lot...from not only my district but from around the State and I, as you know, sponsored the Nursing Home Reform Act of 1984 about abuses in nursing homes. You talk about unemployment, I don't think we're here to protect those people who are...have been convicted of felonies and want to go into nursing homes...having...been convicted of certain felonies within the last five years. If that's what you're talking about as an unemployment problem, I just have to disagree with you. I don't think those are the people that we're here to protect. I think we're here to protect the citizens who have no alternative but to go into nursing homes and rely on us to make sure that their quality of care is going to be upheld and that's what this Body is all about. We've worked with the nursing home industry, we put the amendments on that they wanted, and I think this bill is protective of its citizens throughout the State of Illinois at a very minimal price tag, making sure, just like we're doing with the day-care centers,

we're going to do it with the nursing home residents. Solicit an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall Senate Bill 220 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 30, the Nays are 22, 1 voting Present. Senate Bill 220 having received the required constitutional majority is declared passed. Senator Schuneman, for what purpose do you arise?

SENATOR SCHUNEMAN:

Verify the affirmative roll, please.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schuneman has requested a verification of the affirmative roll. The members will be in their seats and the Secretary will read the affirmative vote.

SECRETARY:

The following voted in the affirmative: Barkhausen, Berman, Chew, Collins, D'Arco, Darrow, Dawson, DeAngelis, Degnan, Demuzio, Geo-Karis, Hall, Jones, Jeremiah Joyce, Kelly, Lechowicz, Macdonald, Marovitz, Nedza, Netsch, Newhouse, O'Daniel, Poshard, Sangmeister, Savickas, Smith, Vadalabene, Welch, Zito, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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

SENATOR SCHUNEMAN:

Senator Darrow.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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

SENATOR SCHUNEMAN:

Senator Luft.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft did not vote.

SENATOR SCHUNEMAN:

Oh, I'm sorry. Senator Chew.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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

All right, Senator Darrow has returned to the Floor, so restore his name.

SENATOR SCHUNEMAN:

Senator...Senator Barkhausen.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, you want to finish with Chew?

SENATOR SCHUNEMAN:

I beg your pardon.

PRESIDING OFFICER: (SENATOR DEMUZIO)

You want to finish with Chew?

SENATOR SCHUNEMAN:

Let's do that, yeah.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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

Now, Senator Schuneman.

SENATOR SCHUNEMAN:

Barkhausen.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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

SENATOR SCHUNEMAN:

That's all.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, on that question, the Ayes are 28, the Nays are 22, 1 voting Present. Senate Bill 220 having failed to receive the required constitutional majority is declared lost. Senate Bill 226, Senator Savickas. On...Senator Rock, for what purpose do you arise?



SENATOR ROCK:

Mr. President and Ladies and Gentlemen of the Senate, obviously, it's a Friday of Memorial Day weekend. The hour is growing late. I have arranged for a plane for a number of my members from Chicago, which plane...necessity leaves at six o'clock. It's pretty apparent we are not going to get through the entire Calendar. I've spoken with Senator Weaver, I've also spoken with the Speaker, it appears that the House is in the same dilemma. So, I would now suggest, with leave of the Body, if we can go to the...Order of Motions for a single motion. I am prepared to move that we extend the rule for the Senate appropriation bills only. The appropriation bills currently on the Order of 3rd Reading only to be considered by the Senate on Wednesday, May 29th. That would leave us remaining on the Calendar only thirty substantive bills which I am convinced we can handle with some dispatch; some of it, I am convinced, will not be called, but those there are, if we could move with some expedited schedule, I think we could at least afford the members, those who wish to call their bills, the opportunity to have them heard while there are still people remaining on the Floor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Rock has moved to go to the Order of Motions for the purpose of a single motion. I assume that's it yours. Is leave granted? Leave is granted. On the Order...on the Order of Motions, Mr. Secretary.

SECRETARY:

I move to suspend Senate Rule 5 for the purpose of allowing Senate appropriation bills currently on the Order of 3rd Reading to be considered by the Senate on or before 6:00 p.m., May the 29th, 1985. Signed, Senator Rock.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President. The motion is self-explanatory. It will just extend the deadline for the eighty or so appropriation bills until the close of business on Wednesday. I...I think it's a rational thing to do and it will afford all of us an opportunity to get out of here while we still have our sanity. I would urge the adoption of this motion.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Rock has moved to suspend the rules. Is...those in favor signify by saying Aye. Opposed Nay. The Ayes have it. The rules are suspended. It's so ordered. Now, with leave of the Body, we'll return to the Order of Senate Bills 3rd Reading. Leave is granted. On the Order of Senate Bills 3rd Reading, we will return where we left off. We will skip 226. 227, Senator Savickas. On the Order of Senate Bills 3rd Reading is Senate Bill 227, Mr. Secretary.

SECRETARY:

Senate Bill 227.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas.

SENATOR SAVICKAS:

Yes, Mr. President and members of the Senate, Senate Bill 227 was introduced because of great concern of many people on what happens on McCormick Place and the operation and the appointment of its members...the Metropolitan Fair and Exposition Authority Board is the only body in the State of Illinois that does not have confirmations of its gubernatorial appointees. This bill would allow the mayor's appointees to be confirmed by the city council and the Governor's appointees to be confirmed by the State Senate as all other appointees are. I think it's a good bill. It's one that

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will tell us when we complain again what is happening at McCormick Place that we never have a voice in what their decisions are, that we would have a voice by being able to confirm the appointees. I would solicit a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Any discussion? If not, the question is, shall Senate Bill 227 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 43, the Nays are 8, 2 voting Present. Senate Bill 227 having received the required constitutional majority is declared passed. 232, Senator...Joyce. On the Order of Senate Bills 3rd Reading, Senate Bill 232, Mr. Secretary, read the bill, please.

SECRETARY:

Senate Bill 232.

(Secretary reads title of bill)

3rd reading of the bill.

SENATOR JEREMIAH JOYCE:

Thank you, Mr. President and members of the Senate. In light of the time constraints, I shall try to be brief, but this is an important piece of legislation. I realize...I recognize that the Governor is opposed to this and people on the other side of the aisle have pretty much made up their mind on it, unless there are some of those who would like send a message to the auto manufacturers about their concern for the seat belt or something like that, I would suppose we'll be looking for most of our support on this side of the aisle. This is the comparable worth bill. I suppose the best way to approach this is to just try to deal with the arguments that have been made in opposition to it. The bill provides that a plan will be put into effect for implementing by 1995 a comparable worth program for State employees and for employees of the State Library. The objections that I

have heard as I've talked to you and as we took this bill through the committee process, well, number one, that the bill was not feasible, that you...you cannot determine what someone's comparable worth is. The fact of the matter is, that we do do that now. It is done in both the public sector and the private sector and in twenty states in this union, they have undertaken to do that. Illinois should be there. The second argument that seems to carry...seems to carry an awful lot of weight has to do with costs, and the numbers that have been tossed around with respect to how much...this will cost the State are totally without foundation or basis. The...we have numbers that will show if...if...if one were interested in examining them, that the first year cost would be approximately 5.5 million dollars, that there is no state...there is no state that has had to...that has experienced the cost greater than four percent of the total personal cost after full implementation of the program. The third argument that is made has to do with the fact that the free labor market should be a...should be allowed to operate, but that is not the case. We know that in situations where there...where the...there is a free market that certain members of employee groups, nurses, teachers, et cetera where the large majority of that employee classification is female are underpaid; and then there is the argument concerning a recent decision in the Federal Court in the City of Chicago in which people are saying the court is directed that we cannot have comparable pay. That is not what that court said. There is nothing in that decision that would preclude this Legislature from acting on this matter. I will close by saying this, there is not a person in this Body who has not been affected by this...we could call it, for want of a better word, not discrimination but somewhat similar to benign neglect where because of people's dedication to a vocation, they have been taken advantage of and that

the...the...the realities of the...of the '70's and the '80's have not been addressed where we now have a lot of people working who are sole support. I don't know what more I can say to you. I know that everyone has pretty much made up their mind on this. I will answer any questions, and if you have none, I ask for your favorable support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, I want to speak on it, but first I want to move the previous question.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, there are two...there are three additional speakers. Why don't you do that at the end. Senator Geo-Karis.

SENATOR GEO-KARIS:

...Mr. President and Ladies and Gentlemen of the Senate, I have the highest respect for my...my colleague on the other side who is sponsor of this bill, but I'm a woman, I have...faced by discrimination and what have you, but I was determined to make a go of it and do my best and get there. If I can do it, others can do and I did it in a...in a generation when there were hardly any opportunities. Right today we do have the Equal Pay Act, which unequivocally says that men and women doing the same job must be paid the same. Virtually every employer in the State is covered by this Equal Pay Act. Second, we have Title 7 of the Civil Rights Act which prohibits the...discrimination on the basis of sex and which when applied would open all jobs to all qualified individuals. Lastly, there's...Illinois Human Right's Act which also prescribes discrimination recognizes as the cornerstone of a free society rests on permitting each individual freedom of choice and access to opportunity. I don't want to have comparable...I don't want to be comparable, I

want to be myself. I want to be unique, I want to be a name and not a number, and I don't think that the comparable pay bill that's here today is a...is the one that's going to eliminate discrimination. In fact, what I think it will do, it'll make more discrimination because then I think it will become more stereotype; therefore, I speak against the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Geo-Karis has moved the previous question. We have Senator Hudson, Senator Pawell, Senator Keats. Senator Hudson.

SENATOR HUDSON:

Thank you, Mr. President and members of the Senate. If we wish to deliberately plant crabgrass in our economic front yard in this State, vote for this bill. If we want to send Illinois business another message that we're perfectly willing to...hammer another nail in the coffin of Illinois business, pass this bill. If we want to take a quantum leap, a giant step in the direction of government wage fixing, then pass the measure. If we want to turn our backs on the normal competitive market factors that traditionally determine wages, then pass this measure, but don't...do it thinking it has anything to do with equal pay for equal work. If it is anything, it is equal pay for unequal work. It is, Senator Joyce, in my opinion and with all due respect to you because I have have a lot of respect for you, but it is, in my opinion and the opinion of many others, wage fixing by the number, a system whereby dissimilar job categories are given assigned points, a number, if you will, as to their supposed value to society. Now, this is where subjectivity replaces the marketplace as to what is comparable and this really is the...is the real difference, and Senator Geo-Karis has mentioned this, equal pay for equal work we already have, but now we're extending this to another concept entirely and that is where we take job classifications that are dissimilar,

dissimilar, nurses and truck drivers, for example, and we have a board, whether it's the Office of Economic Opportunity or some other board, governmental board of some kind, sit down and try to determine the value to society of these various hundreds of different job classifications. Now, granted, we're only talking about State employees now, and I guess the librarians...the library system has been added into this, but the system extended would mean that we would have to have some governmental entity sitting down comparing broad job classifications as to their worth to society and then, presumably, raise the level of pay from one to another. Nobody talks about cutting anybody down to a level but raising the pay.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator, will you bring your remarks to a close?

SENATOR HUDSON:

All right, I will bring my remarks to a close. I will simply say that if we go this route, I think were making a tremendous, tremendous mistake and would urge a No vote. It should not be a partisan issue. It should be an issue based on what is the best for everybody in the State of Illinois and I don't think this is it and would...would urge a No vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Fawell.

SENATOR FAWELL:

Thank you. I...I don't think my women friends would deny that I have always been there when the women issues...are...are needed, but I'm going to tell you, I have yet to meet one woman outside of the lobbyists who says she wants this. I think we ought to kill it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

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

SENATOR JEREMIAH JOYCE:

Well, very...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Oh, no, Senator Keats. Senator...Senator Keats.

SENATOR KEATS:

You know, I appreciate it and I'm listening and I'll be very brief. I'm going to say some things that aren't expected. I know everyone assumes all the Republicans are No votes and I guess I am too, but I want...I want to tell you something, this is a warning, fellows. This is right now only State employees and I want to tell you, you look at...Coldwell, the chairman of Ford out there, paid himself seven million dollars. The only reason his company made a dime is 'cause we wouldn't let the Japanese compete against him, but he paid himself seven million dollars. If you're working on the assembly line, male or female, what would you say? Jewel Tea...remember two years ago, Jewel Tea they...they cut the pay of all the people working on the little machines twenty percent, maybe they were overpaid. The president of the company who signed the contract took a thirty-five percent pay raise. How would you like to explain that one sometime? Don't ever say that salmonella isn't a little chance to remind them that things do come around. You play...you take basketball players or baseball players who are are illiterate and make two million dollars a year, you know, one of these days we're going to have to deal with this subject and maybe this isn't the time or the place to deal with it, but if you think this subject is going to go away when you see seven million dollars to the chairman of Ford when I can name you five hundred guys in his company who do as good a job or three hundred, four hundred thousand for the head of Com. Ed. for a company who's notoriously poorly run. One of you...these days all of us, Republicans and Democrats alike, better be ready for the fact that this issue is going



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to come home to roost.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Jeremiah Joyce may close.

SENATOR JEREMIAH JOYCE:

Well, Roger, you've...you've done it to me again. Someday this will...this bill will pass out of here, Roger, because it's....it's the fair thing to do. You cannot have something that has passed in all of these states where it has passed, you cannot have...Iowa last week and Los Angeles a month ago adopt this and stand here and make the type of arguments that are being made against this legislation because it...it's just so incongruous. It...it just cannot be that this could be what is being described by you and still be able to be adopted in other states by reasonable, rational people...for whatever reasons, you know, you are where you are. Roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, the question is, shall Senate Bill 232 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who...wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 22, the Nays are 27, 4 voting Present. Senate Bill 232 having failed to receive the required constitutional majority is declared lost. 236, Senator Newhouse. On the Order of Senate Bills 3rd Reading is Senate Bill...236, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 236.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Newhouse.

SENATOR NEWHOUSE:

Thank you, Mr. President. This bill description is abso-

lutely accurate. What it does is take care of the...of the...of the problem that arises when there are appointments that are made by the mayor and are not confirmed by the legislative body that is charged with that responsibility. What this bill says is that if those...if those...if those confirmations lie unconfirmed for a hundred and eighty days, that's six months, folks, then those slots are automatically confirmed. It makes a world of sense that when appointments are made to bodies that must make decisions that affect a very large constituency that the courtesy of either confirmation or rejection ought to be swift and sure, and this is what this bill makes arrangement for. It says that if those confirmations go...go unaffirmed for a period of six months, then the assumption is, the assumption is, that the legislative body approves of those...approves of those confirmations and, therefore, they will be affirmed. I would be glad to answer any questions on the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Lechowicz.

SENATOR LECHOWICZ:

A parliamentary inquiry, Mr. President. How many votes does this bill take?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senate Bill 236 affects the procedures for appointing officials to nonhome rule governments. This bill is not preemptive under Article VII, Section 6G and thus requires thirty votes for Senate passage. Further discussion? Senator...Senator Lechowicz.

SENATOR LECHOWICZ:

Mr. President, did I hear you that this bill only affects nonhome rule units? That's what he said.

PRESIDING OFFICER: (SENATOR DEMUZIO)

It accepts...it...it affects the procedures for appointing. The bill is not preemptive.

SENATOR LECHOWICZ:

Does that affect home rule units or not?

PRESIDING OFFICER: (SENATOR DEMUZIO)

It affects the Metropolitan Transit Authority, the Chicago Park District and the other authorities mentioned in the bill.

SENATOR LECHOWICZ:

Mr. President, doesn't it also affect the procedures of the City Council in the City of Chicago which is a home rule unit?

PRESIDING OFFICER: (SENATOR DEMUZIO)

The...my Parliamentarian tells me that the...the city council does not have the powers...the home rule powers to appoint officials to another government under our Constitution. Those are statutory powers. Senator...

SENATOR LECHOWICZ:

You made your ruling, Mr. President, but I disagree from the standpoint that the city council has to advise and consent, and what you're doing here is you're imposing another restriction on the city council as far as a timetable that they have to be governed by; and based upon the timetable that is presently within 236, I believe you are imposing another restriction on home rule units, and I would say it'll take a...a vote of...thirty-six votes, but you're the President. See you in court.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Your...your...your objections will be noted. Further discussion? Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I shared, frankly, the same concern as just expressed by Senator Lechowicz and, frankly, Senator, this bill is drawn differently than is 376. 376, in judgment, is preemptive as an amendment to the Municipal Code. This bill,

however, amends all those other Acts and merely provides that they recognize that the mayor has the power of appointment and they talk to the procedure that it has to be done within a hundred and eighty days. I would point out, however, to those of you who are disposed to vote for this to please don't. Please don't, because this is virtual if not actual legal preemption. We are dictating by virtue of the provisions of Senate Bill 236 to the City Council of the City of Chicago, and I am sure, as we have heard for the last week around here, we are mandating what locally elected officials can and can't and should or shouldn't do, and we just ought not do that. If we're going to be consistent, let's be consistent. This bill applies only to the City of Chicago and if we start mandating what the city council or what their procedures ought to be or should be, we can do that, I suggest, for literally every unit of government in every county in this State and we'll have a real mess on our hands. So, I would urge opposition to Senate Bill 236. I don't care if it's six months, six years, a year, two months, two days, whatever, it is their legislature, it is their rules, their procedures, and I dare say, that some would look askance if the Congress of the United States started to dictate to the Senate of Illinois what its rules ought to be, and it's the same principle and I urge an No vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Jones.

SENATOR JONES:

I rise to urge a Yeah vote for Senate Bill 236. I...I'm very surprised that the President of the Senate decided not to support this legislation. I noticed we just passed another piece of legislation by Senator Savickas who dealt with mayoral appointments as well as gubernatorial appointments to the Metropolitan Fair and...Metropolitan Fair and Exposition Center. It talked about confirmation. If...if we

would look at our State Constitution as it relate to gubernatorial appointments in the Executive Branch, it says that those appointments are deemed confirmed if we, in the Senate, do not act on those within sixty Session days. There is no reason why any legislative body, be it this Senate or the City Council in the City of Chicago, should wait two years to act on any appointee, so it is not an infringement on home rule units. The powers of local units of government receive their powers from the State. They are creatures of the State of Illinois, so I urge a Yeah vote on 236 because we have the power to do so.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Collins.

SENATOR COLLINS:

Yes, thank you, Mr. President and members of the Senate. I, too, rise in support of Senate Bill 236 and really hate that I have to arise to...that we are doing something like this or...or really forced to have to do this, but something has to be done. Now, while it may not...we may not...or should not infringe upon the rights of local units of government, at the same time we have a responsibility in this State is to make sure that no one deliberately disrupt any local unit of government from operating, and most certainly no local unit of government or group of people elected to run that government should have the right to obstruct and...and...and uphold the Chief Executive from carrying out his sworn duties. The other problem is that those bodies...taxing bodies such as the park district and the...and the board of education should not be legally...should not legally have the right to levy taxes and to spend taxpayers' dollars unless those boards are constituted and legal as set forth by this General Assembly, and if, in fact, vacancies are not filled on those boards and persons are still holding office whose terms has expired on

that board, then that is not a legal constituted body and, therefore, they should not be levying and spending taxpayers' dollars; and for that reason, this bill is here and I would urge an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, the final speaker, Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, I move the previous question.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right...Senator...Senator Kustra may close.

SENATOR KUSTRA:

Thank you, Mr. President and members of the Senate. I originally introduced this bill at the request of the City Club of Chicago, which is a nonpartisan club which dates back to the turn of the century. I might say, first of all, in regard to the preemption question raised by Senator Rock that we have on occasion in this Body preempted local governments and when we mandated collective bargaining, when we passed House Bill 1905 which was the RTA compromise and when we passed Senate Bill 1859, the DuPage Water Commission, and many of you who are now concerned about preempting home rule were on that vote with a Yes. This bill is supported by Crane Chicago Business who said city councils have a duty to review mayoral appointments as a check and a balance against a egregious nominations, but there really is a more important reason, I think, as a suburbanite why I stand in favor of this bill. I think that all governments in greater Chicago should be operating at full capacity, and for those of us in the RTA region, I would call your attention to the fact that just a few months ago, the RTA tried to pass a ten ticket discount and it couldn't do it because it was lacking one vote, and the chairman said then and he is saying now that the reason he lacked that one vote is because there were no

Chicago appointments sitting on that particular agency, and I have here a article from the Sun Times, just a couple of days ago, Chairman Skinner saying, "Unless city representatives are seated or the vote requirement for approval of all budget matters is lowered, there is a distinct possibility that the RTA Board will be unable to pass a budget this fall." I think that's probably the bottom line as far as this bill is concerned. This bill forces nothing on any city council across this State, and it applies to the entire State and to every city. What it says is that a city council has a duty to its people to hold hearings. That city council can then reject those appointments and send them back for another round of appointments just like we do here in Illinois State Government when the Governor sends us his appointments. I would also point out that the stalemate which we know exists in the City of Chicago right now and has impact on those regional governments which affect all of us, and I might add downstate as well because we have to fund these problems that come to us from the northeastern Illinois area, this stalemate has the potential to paralyze the city and it could become institutionalized. Once it becomes institutionalized, then it doesn't make any difference who's in power and who's out of power. This is something that could go on and on regardless of who happens to be the majority and the minority. I don't think we want that to happen. I think we want to apply a uniform standard like we've applied to ourselves. For that reason, I'd ask for your Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

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

SENATOR ROCK:

A point of order. Just to clear the record, this does not apply to any entity except the City of Chicago and a mayoral appointed by the mayor of that city. It's just not...simply not fair to say it applies everywhere in the

State. It does not.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, the question is, shall Senate...Senate Bill 236 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 17, the Nays are 22, 12 voting Present. Senate Bill 236 having failed to receive the required constitutional majority is declared lost. 274, Senator DeAngelis. On the Order of Senate Bills 3rd Reading is Senate Bill 274, Mr. Secretary, read the bill.

END OF REEL



REEL #8

SECRETARY:

Senate Bill 274.

(Secretary reads title of bill).

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. Senate Bill 274 requires that a property tax owner requesting a reduction in the assessed valuation of a hundred thousand dollars or more notify the taxing districts on his tax bill. The reason being is that represents a substantial reduction in many, many instances of the tax base of that particular unit of government, and quite frequently these units of government...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Kenny, did I...

SENATOR DeANGELIS:

...are unaware of what's going on and then find that once these changes have been made, they...suffer a severe revenue shortfall. Be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Rock.

SENATOR ROCK:

Thank you, Mr. President. We discussed this at some length awhile ago and the gentleman attempted to amend it to make it applicable only to the County of Cook. This...this, in my judgment, is not a good idea. It further confounds the paper work that abounds in the whole assessing process and literally serves the purpose only, I suppose, to afford the local taxing district the opportunity which they now enjoy,

by the way, to go in and say to Patrick Quinn and Company, don't do this, don't do this, and the fact is, he's not doing it today.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator DeAngelis may close.

SENATOR DeANGELIS:

Simply to ask for a roll call, but to...to assure the Body that we owe some obligation to our units of government, not to bankrupt them in their activities.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall Senate Bill 274 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 29, the Nays are 18, 6 voting Present. Senate Bill 274 having failed to receive the required constitutional majority is declared lost. Top of page 6, Senate Bill 282, Senator Poshard. On the...on the Order of Senate Bills 3rd Reading, Senate Bill 282. Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 682...or 282.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Poshard.

SENATOR POSHARD:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This bill will create an option for local school boards throughout the State. Currently, the teacher retirement...system offers a health insurance program that's open to all the retired downstate teachers. The retired teacher contributes fifty percent to this cost and the teacher retirement system contributes the remaining fifty percent. This bill would allow school districts, if they wish, it's

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not mandated only, if they wish, to contribute the fifty per-  
cent premium cost for the retiring teacher. The teacher  
retirement system will contribute the same amount, fifty per-  
cent, toward the premium. I'd ask for a favorable vote on  
the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall Senate  
Bill 282 pass. Those in favor vote Aye. Those opposed vote  
Nay. The voting is open. Have all voted who wish? Have  
all voted who wish? Have all voted who wish? Have all voted  
who wish? Take the record. On that question, the Ayes are  
47, the Nays are 6, none voting Present. Senate Bill 282 hav-  
ing received the required constitutional majority is declared  
passed. 293, Senator D'Arco. On the Order of Senate Bills  
3rd Reading, Senate Bill 293, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 293.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator D'Arco.

SENATOR D'ARCO:

Than you, Mr. President. I think everyone in the Chamber  
knows what this bill does. We discussed it at length on 2nd  
reading and I'd be happy to answer any questions if there are  
any, and I would ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Topinka.

SENATOR TOPINKA:

Yes, Mr. President and Ladies and Gentlemen of the  
Senate, not so much to ask a question, I suppose, but to cede  
because I assume this bill is going to go out of here. I  
just don't see how we can possibly make this bill any worse  
than it is by virtue of the amendment that has been amended

onto it. It was bad to begin with, now it's terrible. It is anti-senior citizen, it is anti-consumer, it is anti-free trade, it is probably everything that you can possibly do to a bill to just load it up in favor of one industry, to the problems that it...it creates for other people all the way across the board, right on down on to the little fellow who's old and just wants to look...down the road at his death and his funeral, and to have it done in...in the best and easiest possible way and his family involved. I cede on that front, possibly others would like to speak to it. We've done the best we can in our committee and it has just gone nowhere. Maybe I'm asking for sympathy and maybe I'm asking for that kind of a vote, but I think you ought to look very closely at this bill and what it does and whom it affects.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rupp.

SENATOR RUPP:

Thank you, Mr. President. I'd just like to echo Senator Topinka's remarks. We....there was a lot of time and a lot of effort spent on this trying to reconcile the different views. We thought we had agreements and then we thought we had an agreement that the only thing that we would handle were those areas where we agreed on, but evidently we didn't even have that agreement, but I do recommend a No vote. I think this is a bad bill the way it's rigged right now.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator D'Arco may close...whoop...I beg your pardon. Senator Marovitz...I beg your pardon. Senator Marovitz.

SENATOR MAROVITZ:

Question...question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Marovitz.

SENATOR MAROVITZ:

Senator D'Arco, does the language in the bill now permit a spouse, relative or an employee of a licensed funeral director to assist in making funeral...arrangements under...under the direction of a licensed funeral director?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator D'Arco.

SENATOR D'ARCO:

No, nothing in the bill would prohibit anyone working...a spouse, a son, an employee from working under the direction of a funeral director from engaging in any of the propositions you outlined. Nothing in the bill would prohibit that activity.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

So I just want to get the legislative intent clear in the law because there has been some questions. Then, you are saying that...that the bill would permit a spouse, relative or employee of a licensed funeral director to assist in making funeral arrangements under the...direction of that licensed funeral director. Correct?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator D'Arco.

SENATOR D'ARCO:

Correct.

SENATOR D'ARCO:

All right...further discussion? D'Arco may...may close.

SENATOR D'ARCO:

Thank you, Mr. President. This bill is not anti-consumer. It is not anti-senior citizen. The...the funeral trade is regulated by the Federal Trade Commission, so it is not anti-trade, there's nothing wrong with this bill. It's a good bill, it protects the public, and I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. The question is, shall Senate Bill 293 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 42, the Nays are 10, 2 voting Present. Senate Bill 293 having received the required constitutional majority is declared passed. 325, Senator D'Arco. On the Order of Senate Bills 3rd Reading is Senate Bill 325, Mr. Secretary, read the bill, please.

SECRETARY:

Senate Bill 325.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. This bill provides for the public...the Department of Public Health to conduct a public information campaign concerning acquired immune deficiency syndrome, commonly known as AIDS. It's an agreed...the department is doing it now, there...they want to do it. It's necessary, we've got to stop this awful disease and I would ask for a favorable...favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Marovitz.

SENATOR MAROVITZ:

Just rise in support of the legislation and ask leave of the Body to be added as a hyphenated principal cosponsor of the legislation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. You've heard the request. Leave granted? Leave is granted. So ordered. Further discussion? The question is, shall Senate Bill 325 pass. Those in favor will

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vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 51, the Nays are none, 2 voting Present. Senate Bill 325 having received the required constitutional majority is declared passed. Page 7, 368, Senator Joyce. 376, Senator Netsch. On the Order of Senate Bills 3rd Reading is Senate Bill 376, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 376.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. Senate Bill 376 applies generally to municipalities throughout the State of Illinois and it...I'll get to your ruling in just a second, Senator Lechowicz, be quite. And what it provides is that the appointments of all officers and all persons who are required to be appointed by the mayor with the advice and consent of the city council, shall be deemed...

PRESIDING OFFICER: (SENATOR DEMUZIO)

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

SENATOR LECHOWICZ:

Thank you, Mr. President. My point of order is, how many votes will...require for 376 to pass? It affects home rule units.

PRESIDING OFFICER: (SENATOR DEMUZIO)

I will discuss it with my Parliamentarian and get back to you momentarily.

SENATOR LECHOWICZ:

Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

And it provides that whenever an appointment requires the advice and consent of the city council, it shall be deemed to be approved if the city council fails to act thereon within a hundred and eighty days after the appointment. It is, as you know, identical in purpose to the provision in the State Constitution which requires that appointments submitted by the Governor shall be deemed automatically approved if they are not acted on by the Illinois Senate within sixty Session days. It is precisely the same thing. Obviously, this grew out of the current problems in the City of Chicago, but I should point out that obviously it is not confined to the City of Chicago and there are a number of other communities that some of you have even mentioned to me where a mayor, a chief executive of a city has been tied up for some period of time by inability to get action on appointments to major boards, commissions, departments or whatever. So it does have an important impact beyond that. Now, if I might save a little bit of time, I will ask you for the same ruling that Senator Lechowicz is asking for. Your ruling is that it is preemptive and requires a three-fifths vote. It is...I fully concede in the shadow land area of...of three-fifths or majority preemption. I...I legally disagree with your ruling of three-fifths and I will file a dissent, but we don't need to argue about it anymore because that's going to be your ruling. Now, having said that, I would still hope that there would be some votes on Senate Bill 376. It really is a very important and basic principle as evidenced, I think, by the fact that we impose it upon ourselves with respect to gubernatorial appointments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator Netsch, for the record since you brought it



up, under Article VII of the Illinois Constitution, Senate Bill 376 will require an affirmative vote of three-fifths of the Senators elected for passage by the Senate. Senator Rock.

SENATOR ROCK:

Thank you, Mr. President. Not fifteen minutes ago, a similar proposal received 17 affirmative votes. I hope this one gets significantly less, because this is avowedly preemptive.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Netsch, do you wish to close? The question is, shall Senate Bill 376 pass. Those in favor vote Aye. Those opposed No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On the...On that question, the Ayes are 18, the Nays are 28, 6 voting Present. 376 having failed to receive the required constitutional majority is declared lost. 392, Senator Kustra. Senate Bill...page 8, 9...page 10, skipping over to page 10...the middle of page 10 is Senate Bill 494, Senator Collins. All right. On the Order of Senate Bills 3rd Reading is Senate Bill 494, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 494.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Collins.

SENATOR COLLINS:

Take it out of the record.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Take it out of the record. 502, Senator Sangmeister. On the Order of Senate Bills 2nd...3rd Reading is Senate Bill 502, Mr. Secretary, read the bill, please.

SECRETARY:

Senate Bill 502.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sangmeister.

SENATOR SANGMEISTER:

Thank you, Mr. President and members of the Senate. I have worked with this bill with the Department of Aeronautics and I'm not saying that they are now happy with it, but I've got it restricted down to Will County and took out all of the references to political subdivisions that they didn't want in it. What...basically what the bill does is if Community A has a...a private airport and Community B wants to operate it, under the present law they can do that, which I don't think they should be able to without at least having permission of the community in which the airport is located. In other words, it's so broad in the State of Illinois that Carroll can run an airport in...in Joliet, and I just don't think that that's right; however, the Department of Aeronautics disagreed, so I restricted it down to my county for a personal problem. So it affects only Will County.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the...Senator Nedza.

SENATOR NEDZA:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Nedza.

SENATOR NEDZA:

Senator Sangmeister, how does this affect the FAA regulations relating to using...you're talking specifically of an airport or are you talking about an LSD air controllers station or...you know, what are we talking about?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sangmeister.

SENATOR SANGMEISTER:

No, only about an airport.

PRESIDENT:

The question is, shall Senate Bill 502 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 52, the Nays are none, 1 voting Present. Senate Bill 502 having received the required constitutional majority is declared passed. On the Order of Senate Bills 3rd Reading, top of page 11, 628. 709, Senator Lechowicz. 712, Senator Zito...744. I'll have to get back down there again. 726...766, I beg your pardon. On the Order of Senate Bills 3rd Reading is Senate Bill 766. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 766.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Bloom.

SENATOR BLOOM:

Senate Bill 766, we had some discussion yesterday and it's designed to require those hospitals that designate portions of their hospitals to nursing care to have them fall within the auspices of the Nursing Home Care Reform Act of '79. I guess the intent of the legislation in light of the new emphasis on competition in the health care marketplace is to ensure that nursing home beds whether hospital based or in a traditional nursing home or free-standing nursing home setting are equal with regard to inspections, licensing, administration, quality of care and reimbursement. The situation that was raised, I think, by Senator Watson

yesterday is covered to a degree within the definitions of the Federal law. I'll try and answer any questions you have, and if I'm unable to, I'm sure that Senators Carroll and Dawson can.

PRESIDENT:

Any discussion? Senator Watson.

SENATOR WATSON:

Well, thank you, Mr. President. I'd like to ask a question.

PRESIDENT:

Question of...sponsor indicates he'll yield, Senator Watson.

SENATOR WATSON:

What is the definition of a...a swing-bed hospital?

PRESIDENT:

Senator Bloom.

SENATOR BLOOM:

I'm informed it's one that's less than fifty beds.

PRESIDENT:

Senator Watson.

SENATOR WATSON:

And I understand that you're going to amend this? I...no. Is there any kind of an agreement that there's going to be an amendment put in this in the House that's going to say that a thirty-bed hospital will not have to comply with this...with a swing-beds of thirty beds...or thirty-bed hospital with swing beds will not have to comply? Is that an agreement you've made?

PRESIDENT:

Senator Bloom.

SENATOR BLOOM:

I'm perfectly willing to make such an agreement, but I think upon investigation, you're going to find out that this bill does not mess with those Federally designated swing

beds. That's what I meant by the definitions in Title 8 and 18 and 19 of the Federal Social Security Act cover that, the situation that obtains in your part of the State or the hospitals you're concerned about.

PRESIDENT:

Senator Watson.

SENATOR WATSON:

You say that there...this does not affect a swing-bed hospital?...a hospital with swing beds. This...this particular piece of legislation will not affect, then, in...actuality a hospital of less than fifty beds?

PRESIDENT:

Senator Bloom.

SENATOR BLOOM:

That's what I'm informed. Perhaps, Senator Carroll could expand upon that response.

PRESIDENT:

Senator Carroll.

SENATOR CARROLL:

Senator Watson, the answer is yes, as I understand it, that unless they have dedicated these beds to be nursing beds only, swing beds are not so defined as nursing beds only. Swing beds by definition are both and therefore it does...this Act...the Nursing Home Act would not apply to a swing bed, they would still be under the Hospital Act.

PRESIDENT:

Senator Watson.

SENATOR WATSON:

Well, I'm...I'm told that's not correct by the...the Hospital Association. So I don't how that's going to get worked out but I understand that they're...they feel they are going to have to come under compliance...okay.

PRESIDENT:

Further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. Well, I...I do want to protest rather vigorously. This is an awfully poor way to conduct public policy. This bill is the product of somebody not wanting it in the first place and at the last minute three people have taken sponsorship of this bill. I think through the benevolence of Senator...Vadalabene they let that happen, but, you know, I had a bill, 624, that was quite controversial, I agreed to Table it in the light that perhaps we ought to look at it further through some other authority. I just think maybe we ought to do the same thing with this, except in this case, since it's not voluntarily Tabled, I think we ought to help it along by destroying it.

PRESIDENT:

Further discussion? Senator Vadalabene.

SENATOR VADALABENE:

Yes, just briefly, Mr. President and members of the Senate. This bill was so bad yesterday that Senator Bloom took it out of the record and it's had one more day to get moldy, and I think we ought to kill it right now.

PRESIDENT:

Further discussion? Senator Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senator Sommer, the Big Four, you remember who...who they were, two of them are riding again. Here they go along taking poor Sam Vadalabene pushing him off, and for...people who do not know, the Big Four was Carroll, Sommer, Buzbee and Regner. All right. Now here you are back again, so now it's the Big Two riding and trying to rope in Dawson. So what...what I'm saying is this, they have...there's no reason this should be passed, and I'm asking everybody to vote No.

PRESIDENT:

Further discussion? Senator Carroll.

SENATOR CARROLL:

Just one minor comment 'cause there is a real problem. There is a high probability, I've heard it as a certainty and we're checking that, that if in fact we don't do this, if a hospital dedicates a portion of its property as nursing beds and so certifies, they would be under no regulation whatsoever. The point is that they should be and they would not be under the Hospital Act, because they have dedicated them as nursing beds, this would put them under the Nursing Act only for those beds where they've dedicated a whole area of the hospital, not every third bed or something like that but a whole section, whether it's a floor or a building, and they've dedicated it as nursing beds, the State, I believe, would want to regulate them and the only way they can do so is under the Nursing Home Reform Act. They would not be under the Hospital Act having been so designated. That's why I think this bill should be moved along and I would hope that it would be.

PRESIDENT:

Further discussion? Any further discussion? Senator Newhouse.

SENATOR NEWHOUSE:

Thank you, Mr. President. Sponsor yield to a question?

PRESIDENT:

Sponsor indicates he'll yield, Senator Newhouse.

SENATOR NEWHOUSE:

There are some indications that there are structural changes required in order to...to...to fit the requirements of nursing homes. Is that accurate, Senator?

PRESIDENT:

Senator Bloom.

SENATOR BLOOM:

There may be, there may be. Hospitals are only now looking to get into the nursing home business.

PRESIDENT:

Further discussion? Further discussion? Senator Bloom may close.

SENATOR BLOOM:

Well, the hour is late. I remind Senator Hall that he is now one of the Big Four and I would also remind the Body that, believe me, I did not seek this bill. It was...it's like Rosemary's Baby, it was a gift from Sammy Vadalabene. I think the issue has been fairly well set out. Senator Watson, I said that, you know, as far as I'm concerned, I have no problem with throwing an amendment on in the House. I think that the point Senator Carroll makes is well-taken, and that is that we may very well see that dedicated beds going the other way. Roll call, please.

PRESIDENT:

The question is, does Senate Bill 766 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 7 Ayes, 42 Nays, none voting Present. Senate Bill 766 having failed to receive the required constitutional majority is declared lost. On the Order of Senate Bills 3rd Reading, Senate Bill 848. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 848.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Dudycz.

SENATOR DUDYCZ:

Thank you, Mr. President. Ladies and Gentlemen of the Senate, I have a two-page summary which I'm not going to read. Just going to tell you that this is an administration bill, creates the Criminal History Record Information Act to



establish uniform Statewide policies for dissemination of criminal history information and try to ensure it's accuracy...hello...two amendments were added yesterday, I believe that they clarified whatever problems that were brought up...Senator Sangmeister went through them, approved of them and I hope that...I ask for your favorable consideration, and it's two minutes to six.

PRESIDENT:

Further discussion? Senator Sangmeister. The question is, shall Senate Bill 848 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. All voted who wish? All voted who wish? Have all voted who wish? Take the record. On that question, there are 45 Ayes, no Nays, none voting Present. Senate Bill 848 having received the required constitutional majority is declared passed. 868, Senator DeAngelis. 910, Senator Marovitz. On the Order of Senate Bills...3rd Reading, Senate Bill 910. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 910.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

I would move to recommit Senate Bill 910 to the Committee on Financial Institutions.

PRESIDENT:

All in favor of the motion to recommit indicate by saying Aye. All opposed. The Ayes have it. The motion carries. The bill is recommitted. 931, Senator Demuzio. 938, Senator Dawson. On the Order of Senate Bills 3rd Reading, Senate Bill 938. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 938.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Dawson.

SENATOR DAWSON:

Mr. President, Ladies and Gentlemen of the Senate, Senate Bill 938 refers to complaints against facilities, shall be in writing and shall be investigated if no identical complaint has been checked out within the past sixty days which amends the Nursing Home Care Reform Act. There's been no opposition posted by the Department of Public Health on this and let's roll it...roll call.

PRESIDENT:

Question is, shall Senate Bill 938 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? All voted who wish? Have all voted who wish? Take the record. On that question, there are 54 Ayes, no Nays, none voting Present. Senate Bill 938 having received the required constitutional majority is declared passed. 978, Senator Joyce. 989, Senator Kelly. 1000, Senator Collins. 1013, Senator Welch. 1031, Senator Friedland. 1031, on the Order of Senate Bills 3rd Reading, the middle of page 12, which is one bill from the end, is Senate Bill 1031. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1031.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Friedland.

SENATOR FRIEDLAND:

Thank you, Mr. President. The synopsis is correct on Senate Bill 1031. It came out of committee 9 to nothing and

it has nothing to do with malpractice, urge a favorable roll call.

PRESIDENT:

The question is, shall Senate Bill 1031 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are...52 Ayes, 1 Nay, none voting Present. Senate Bill 1031 having received the required constitutional majority is declared passed. 1062, Senator Rupp. Ladies and gentlemen, that brings us back to where we started at nine-thirty this morning. Any further business? Any member have anything they wish to bring before the Senate? Resolutions, Mr. Secretary.

SECRETARY:

Senate Joint Resolution 64.

(Secretary reads SJR 64)

PRESIDENT:

Senator Demuzio on Senate Joint Resolution 64 which calls for us to return to Springfield next Wednesday at the hour of noon. Senator Demuzio moves for the suspension of the rules and the immediate consideration of Senate Joint Resolution 64. Calls for us to return Wednesday, at noon, ladies and gentlemen, and don't forget...don't forget, Wednesday there will be about eighty roll calls on appropriation bills. So I'd suggest everybody make an effort to get here. Noon on Wednesday. There are committee meetings at ten o'clock in the morning on Wednesday, check the committee schedule. Three committees are meeting at ten o'clock in the morning. Session is at noon. Senator Demuzio has moved the...for the suspension of the rules and the immediate consideration of Senate Joint Resolution 64. All in favor of the motion to suspend indicate by saying Aye. All opposed. The Ayes have it. The rules are suspended. Senator Demuzio moves the

adoption of Senate Joint Resolution 64. All in favor indicate by saying Aye. All opposed. The Ayes have it. The resolution is adopted. Senator Lechowicz, for what purpose do you arise?

SENATOR LECHOWICZ:

Thank you, Mr. President. Executive Appointments will not meet next Wednesday, will not meet. Thank you.

PRESIDENT:

All right. Only two committees will meet, if that. Judiciary Committee is going to meet...Senator Marovitz promises to be there at ten o'clock sharp. Senator Smith, for what purpose do you arise?

SENATOR SMITH:

...thank you, Mr. President. You...we were instructed that if we were missed out on the vote, that we...at the close of the Session, we might be able to give it to you.

PRESIDENT:

Yes, ma'am.

SENATOR SMITH:

I'd like to be recorded for having voted Yes on Senate Bill 62.

PRESIDENT:

The record will so reflect your intent.

SENATOR SMITH:

Thank you.

PRESIDENT:

Resolutions.

SECRETARY:

Senate Resolution 264, by Senator Davidson and all Senators, it's congratulatory.

265, by Senator Jeremiah Joyce, congratulatory.

266, by Senator Maitland and all Senators, congratulatory.

267, Senator DeAngelis, congratulatory.

PRESIDENT:

Consent Calendar.

SECRETARY:

Senate Resolution 268, by Senators Kelly and Lechowicz.

PRESIDENT:

Executive...all right. All right. The only remaining piece of business, the Resolutions Consent Calendar, Mr. Secretary, has any member filed any objection?

SECRETARY:

No objection have been filed, Mr. President.

PRESIDENT:

All right. Senator Hall moves that the Senate...resolutions on the Consent Calendar; namely, No. 245, 246, Senate Resolution 247, 248, 249, 250, 251, 252, 253, 254, 255, Senate Resolution 256, 259, 260, 261, 262, Senate Joint Resolution 62, Senate Joint Resolution 63, House Joint Resolution 51, 52 and 54, and Senate Resolutions 264, 265, 266 and 267 be adopted. All in favor of the motion to adopt indicate by saying Aye. All opposed. The Ayes have it. The Resolutions Consent Calendar has been adopted. Further business to come before the Senate? If not, Senator Schaffer moves that pursuant to the...I beg your pardon. Senator Poshard, for what purpose do you arise?

SENATOR POSHARD:

Excuse me, Mr. President, I would like the record to show that on Senate Bill 1160, I was on the telephone and I would like to see that recorded as a Nay for me...or I'd like to say that I would have voted Nay on that bill.

PRESIDENT:

The record...will reflect your intent to vote negative on 1160. Senator Fawell, for what purpose do you arise?

SENATOR FAWELL:

I...I told Senator Collins that she could be a cosponsor on Senate 99, a hyphenated cosponsor.

**PRESIDENT:**

All right. Senator Fawell seeks leave of the Body to reflect the fact that Senator Collins will be a hyphenated cosponsor on Senate Bill 99. Pursuant to the adjournment resolution and Senator Schaffer's demand, the Senate now stands adjourned until next Wednesday, May 29, at the hour of noon. The Senate stands adjourned.