

84TH GENERAL ASSEMBLY

REGULAR SESSION

June 19, 1986

*HB 913
2nd Reading*

PRESIDING OFFICER: (SENATOR DEMUZIO)

The hour of noon having arised...arrived, the Senate will come to order. Our members will be at their desks. Our guests in the gallery will please rise. Our prayer today will be by the Reverend John Fearon, St. Bernardine's Church, Forest Park, Illinois. Father.

REVEREND FEARON:

(Prayer given by Reverend Fearon)

PRESIDING OFFICER: (SENATOR DEMUZIO)

Reading of the Journal. Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President. I move that the reading and approval of the Journals of Tuesday, June 17th and Wednesday, June 18th, in the year 1986, be postponed pending arrival of the printed Journals.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. You've heard the motion as posed by Senator Kelly. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The motion is carried, so ordered...we will start on the Order of House Bills 2nd Reading...when we begin here promptly, House bills 2nd reading on page 10. We will proceed through...that order of business and then we will take up recalls. Senator Barkhausen, are you ready to proceed? All right. On the Order of House Bills 2nd Reading is House Bill 913, Mr. Secretary.

SECRETARY:

House Bill 913.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Barkhausen.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen. Senator Barkhausen. All right, apparently, you're unplugged...use Senator Weaver's mike. Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, Amendment No. 1 to House Bill 913 is a technical amendment to update the Criminal Code in light of the...of the new language of House Bill 913 which passed unanimously in committee. I know of no opposition to the amendment and urge its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Barkhausen has moved the adoption of Amendment No. 1 to House Bill 913. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

Amendment No. 2, by Senator Barkhausen.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, Amendment No. 2 is identical to Senate Bill 632 which passed this Chamber overwhelmingly last year which partially to some small extent would...would broaden the application of the Illinois Death Penalty Statute to make it potentially applicable in...in situations where the murder is committed in a cold, calculated and premeditated manner pursuant to a preconceived plan, scheme or design to take a human life. We...had a debate on this bill last year but, as I say, it did...it did pass overwhelmingly with I believe forty-five votes. Be happy to answer any questions, otherwise, urge its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen, you want to briefly reiterate that amendment again. There were some members that indicated

they'd like to hear it again. Senator Barkhausen.

SENATOR BARKHAUSEN:

As I say, I'd be happy to answer any questions, Mr. President. It...the amendment proposes to add as an aggravating factor to the Illinois Death Penalty Statute a ninth aggravating factor and that is that the murder was committed in a cold, calculated and premeditated manner pursuant to a preconceived plan, scheme or design to take a human life and there is a little bit of additional language. As I said, it's identical to Senate Bill 632 which passed this Chamber overwhelmingly last year. The language is borrowed from State Statutes on the death penalty in Texas and Florida which have...the constitutionality of which has been upheld.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Barkhausen has moved the adoption of Amendment No. 2 to House Bill 913. Discussion? Senator Sangmeister.

SENATOR SANGMEISTER:

I'm sorry, I...will the sponsor yield?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield. Senator Sangmeister.

SENATOR SANGMEISTER:

I'm sorry, I just walked on the Floor, Senator Barkhausen. This is identical to what you attempted last year, is that correct?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

It is, Senator Sangmeister.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sangmeister.

SENATOR SANGMEISTER:

Again, I'm sorry,...what happened last year?...where

did...where did this die last year over in the House?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

A House committee.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sangmeister.

SENATOR SANGMEISTER:

Well, speaking to the amendment, again, I think my objections were then and they certainly haven't changed and I think this is an awful broad definition. I think we're putting the old Statute in jeopardy, was the same argument I made the last time and I really don't think we ought to be doing this, and I would urge a No vote on the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? All right, Senator Barkhausen may close.

SENATOR BARKHAUSEN:

As Senator Sangmeister indicated, we did have this debate last year and...and I responded to the questions raised about...possible unconstitutionality of it by pointing out that in a couple of cases, I could point to a Florida case, Smith versus State, and again this language here is...is very close to if not verbatim to the Florida Statute. The Florida Supreme Court upheld the language of that Statute and certiorari was denied meaning that implicitly the...U.S. Supreme Court sustained the constitutionality of that language. So I think the concerns about constitutionality are...are answered by pointing to that court case and another one, Gent versus State, also a Florida case. It went up where certiorari was denied in the Supreme Court. So I'd urge the adoption of the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen has moved the adoption of Amendment

No. 2 to House Bill 913. Those in favor indicate by saying Aye. Opposed Nay. The opinion of the Chair, Senator Barkhausen, the Nos have it. Senator...Senator Barkhausen has requested a roll call. Senator Barkhausen has moved the adoption of Amendment 2 to House Bill 913. 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 33, the Nays are 9, 1 voting Present. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

Amendment No. 3, by Senator Barkhausen.

PRESIDING OFFICER: (SENATOR DEMUZIONI)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Amendment No. 3, Mr. President, is...deals with the...somewhat controversial subject of wire tapping. The...Amendment No. 3 is...is identical to Senate Bill 2291 sponsored by Senators Karpel, Rock and the entire Senate leadership. It is part of the package that was offered by the Illinois Inspector General and the State Police. It would permit the use of electronic surveillance into very limited category of crimes, those dealing with...homicide and a category of child abuse offenses. The amendment would allow a chief judge to authorize the use of electronic surveillant...surveillance without the consent of the individuals involved upon proper application in a murder investigation and against persons suspected of committing a specified crimes against children, as I said. Current law allows court authorized eavesdropping only when one party to a conversation consents. There is not any provision currently for electronic surveillance. This places law enforcement in a tough position, for you can imagine that there would be very few and probably no situations where one of the

parties is going to consent to the eavesdropping on...in on a conversation. This bill contains the most restricted approach to electronic surveillance that has been proposed among the several proposals on this subject in the last three years. The list of offenses where the new procedure could be used is extremely limited. Outside of homicide cases only certain offenses against children are covered. There are many procedural hoops that an applicant for electronic surveillance would have to go through in order to obtain permission; thus, the new procedure will only be authorized in the most serious cases where there is strong indication that crimes are being committed and even then there are all kinds of procedural safeguards built into this Statute. I would urge the adoption of the amendment and be...and offer to answer any questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Discussion? Senator D'Arco.

SENATOR D'ARCO:

You know,...this isn't the way to change the Illinois law regarding eavesdropping, that's been the law for...as long as I can remember. This bill would open the door and allow eavesdropping to the extent that it would be totally consistent with the Federal approach to eavesdropping which is totally contrary to the Illinois approach to the problem. We are proud in Illinois of our eavesdropping law because it prevents dupes disguised as informers from allowing innocent citizens to be...to have their conversations overheard without their consent. That's what our law is all about, the right of privacy is involved in this amendment. We are violating the individual's right of privacy with this amendment and Illinois stands proud and behind their law as it is today because it protects the individual against eavesdroppers, that's what our law is all about. And what this amendment does is change our law radically and it opens the door not

only for murder, not only for child molestation, but it will change the law entirely because this is the door opener, the first instance and it will be repeated again and again. This is a horrible amendment and nobody in this Chamber should vote for it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I heard through the speaker that my name was used in vain. I did not ever agree to cosponsor a bill that called for this kind of electronic eavesdropping, and I suggested to the Inspector General or whoever conceived this idea that it was ill-conceived. And, as a matter of fact, as an administration bill it was let out of Rules - but, as a matter of fact, it was held in Senator Marovitz's committee at my request. I think this amendment is ill-advised and I would urge a No vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Hall.

SENATOR HALL:

Thank you. Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Hall.

SENATOR HALL:

Yeah, Senator, I...I'm just...I'm amazed that you would come in with things like this as a nonlawyer, but I'm just thinking, if...if...if we want to have a police...[machine malfunction]...if we...if we...if we want a police state and that looks like it's beginning to start that, you're already wired you to see what's going on right here. But the thing is that it's...it's a shame today that we have this kind of amendments and things start to coming out here. Now my understanding was that these...these bills did not get out

and here they come in and start to putting amendments on on the Floor. This is a terrible way to go something about this. No one is safe, you'll get so that you'll be afraid for anyone to walk up to each other. This is a terrible way to go, Senator, and I would ask you to please withdraw this amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Newhouse.

SENATOR NEWHOUSE:

I might...thank you, Mr. President. I wonder if the sponsor would yield for a question?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Newhouse.

SENATOR NEWHOUSE:

Does...does the introduction of this amendment have anything to do with the upcoming summit conference between America and Russia?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Absolutely none, Senator.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Newhouse.

SENATOR NEWHOUSE:

I'm sorry to hear that, Senator, because I was going to vote for it in case that it was because it seems to me a great preface for us to get together around the big brother concept, and I would applaud you if that were your purpose, but if that isn't your purpose, I'm afraid I'll have to vote against this bill. But if you are saying that in a sense of brotherly cooperation or sisterly cooperation that this nation would emulate Soviet Russia in...in its big brother concept of eavesdropping on conversation and so forth, I think it's a fine idea but if that's not the idea, I'm afraid

I'll have to vote against it. Could you assure me that is the idea?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

(Machine cutoff)...this has nothing to do with big brother as a...in fact, it's a much less restrictive version than that which is already Federal law.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Newhouse.

SENATOR NEWHOUSE:

Well, Senator, I...I think that we ought to abide by Federal law whatever it is, but if we go on the books in this State as authorizing the taping of conversations between clergymen and their constituents and between legislators and their constituents, I think we've gone a little bit overboard. This is a bad piece of legislation. I would urge everyone to vote against it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, Senator Barkhausen may close.

SENATOR BARKHAUSEN:

Mr. President and members, let me just point out a couple of things in...in closing and answer some of the concerns that were raised. First of all, preceding in...in this fashion by an amendment is...is not my first choice. There have, as I said, been several proposals on this subject over the last few years, none of them have really gotten a hearing in committee. Several of them have been promised hearings in subcommittees and none of those hearings have come to pass; hence, resort to a...what...what I consider a...as I say, not my first choice as far as the procedural mechanism is concerned in...having this bill considered. The other measures that have come before this Body have been offered by Senator

Sangmeister in the form of Senate Bill 957 and Senate Bill 634 which I sponsored last year which were the same as...or similar to proposals that were made by the Chicago Crime Commission and by the Cook County State's Attorney. And all of those proposals were...more encompassing, more elaborate, less restrictive and without some of the procedural safeguards contained in this bill. In addition, they applied to a much broader category of crimes. As I say, this particular proposal is limited to the crime of homicide and a...category of...of child abuse offenses. All of us, I know, are perhaps more concerned about this class of offenses than...than maybe we are some others; hence,...hence, we think it's important that we allow this type of procedure to be available to our law enforcement personnel to sharpen our attack against these most heinous criminals. As I said, Federal law already permits a more relaxed form of electronic surveillance not only for the type of crimes contemplated here but for a much broader range of crimes. So I'm only proposing to do by this amendment that which is already the law to an even greater extent at the Federal level to give our law enforcement personnel in this State the kind of tools that they really need and they've told us for years that they need in order...to combat these types of crimes as effectively as they might. And for those reasons, I urge the adoption of the...of the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Barkhausen has moved the adoption of Amendment No. 3 to House Bill 913. 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, the Ayes are 26, the Nays are 26, 1 voting Present. Amendment No. 3 fails. Senator Barkhausen, for what purpose do you arise?

SENATOR BARKHAUSEN:

Verify the negatives.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Barkhausen has requested a verification of the negative vote. Will all the Senators be in their seats. The Secretary will read the negative votes.

SECRETARY:

The following voted in the negative: Berman. Carroll. Collins. D'Arco. Darrow. Degnan. Demuzio. Hall. Holmberg. Jones. Jeremiah Joyce...rather Jerome Joyce. Kelly. Lechowicz. Luft...Macdonald. Marovitz. Nedza. Netsch. Newhouse. O'Daniel. Poshard. Savickas. Smith. Vadalabene. Welch. Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen, do you question the presence of any of the members who voted in the negative? Senator Barkhausen.

SENATOR BARKHAUSEN:

Senator Jones.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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

SENATOR BARKHAUSEN:

Senator Savickas.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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

SENATOR BARKHAUSEN:

Senator Lechowicz.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is Senator Lechowicz on the Floor? Senator Lechowicz on the Floor? Strike his name. Senator Jones has returned to the Floor so you may restore him to the roll call.

SENATOR BARKHAUSEN:

Senator...Senator Marovitz.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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

SENATOR BARKHAUSEN:

That's all.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Mr. Secretary. Senator Barkhausen, are you...have you concluded? All right, Senator Rock, for what purpose do you arise?

SENATOR ROCK:

Request a verification of the affirmative vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Rock has requested verification of the affirmative vote. Senator Lechowicz is been...is back on the Floor, so please restore him to the negative column. Senator Rock has requested a verification of the affirmative vote. Mr. Secretary, read the...those members who voted in the affirmative.

SECRETARY:

Barkhausen. Davidson. DeAngelis. Donahue. Dudyecz. Dunn. Etheredge. Fawell. Friedland. Hudson. Karpel. Keats. Kustra. Leitch. Mahar. Maitland. Philip. Rigney. Rupp. Schaffer. Schuneman. Sommer. Watson. Weaver. Woodyard.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Rock, do you question...

SENATOR ROCK:

Senator Davidson on the Floor? Oh, welcome to our side, Doc.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson is on the Democratic side.

SENATOR ROCK:

Senator Dudyecz on the Floor?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dudycz is on the Floor.

SENATOR ROCK:

Senator Friedland.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Friedland is on the Republican side near his desk.

SENATOR ROCK:

Senator Topinka.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka is not on the roll call.

SENATOR ROCK:

Senator Schuneman.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schuneman on the Floor? Senator Schuneman. Strike his name. Senator Rock, do you question the presence of anyone else?

SENATOR ROCK:

I would like to question the presence of Senator Watson.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is Senator Watson on the Floor?

SENATOR ROCK:

Senator Watson, I'm just going to question your presence all the time...

PRESIDING OFFICER: (SENATOR DEMUZIO)

...Senator Watson is here.

SENATOR ROCK:

...nothing personal, all right? Senator Etheredge on the Floor?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge is on the Floor.

SENATOR ROCK:

Senator Joyce.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jeremiah Joyce is on the other side of the aisle.

SENATOR ROCK:

Is this a trade, we...we get Davidson and they get Joyce?
Is that the idea? That's very nice.

PRESIDING OFFICER: (SENATOR DEMUZIONI)

Oh, just a moment, Senator Savickas has returned to the Chamber he's at...at the rear of the Chamber, restore his name to the negative roll call.

SENATOR ROCK:

Senator Maitland on the Floor?

PRESIDING OFFICER: (SENATOR DEMUZIONI)

Senator Maitland is in his seat.

SENATOR ROCK:

Senator Keats on the Floor?

PRESIDING OFFICER: (SENATOR DEMUZIONI)

Senator Keats on the Floor? Senator Keats on the Floor?
Senator Keats? Strike his name. All right, Senator Keats was in...Senator Keats is on the Floor. All right, Senator...Senator Rock.

SENATOR ROCK:

I don't see...is Senator Weaver on the Floor?

PRESIDING OFFICER: (SENATOR DEMUZIONI)

Sitting in his seat.

SENATOR ROCK:

Oh, that's...that's why I didn't see him. How about Senator Woodyard? Is he on the Floor? He's on the Floor.

PRESIDING OFFICER: (SENATOR DEMUZIONI)

In his seat. Senator Rock, have you concluded? All right, on that, there are 25 Ayes and 25 Nays, 1 voting Present and the Amendment No. 3 fails on a verified roll call. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIONI)

*HB 1321
2nd Reading*

3rd reading. House Bill 1321, Senator Netsch. Senator Netsch, 1321? House bills 2nd reading is House Bill 1321, Mr. Secretary.

SECRETARY:

House Bill 1321.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Netsch.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch:

SENATOR NETSCH:

Thank you, Mr. President. The amendment that is being proposed to House Bill 1321 is, in fact, the content of Senate Bill 2158 which passed the Senate 55 to 1 just recently and, like so many other bills, was held up over in the House. It was a recommendation of Senator Rock's...what's its name?...County Finance Study Group and, basically, what it does is to allow a unit of local government, an municipality in particular, which has set up a tort liability fund to be freed from the purposes of having to set aside a part of every tax foreclosure sale in an indemnity fund. The purposes of the two funds are exactly identical. They're to make sure that there's money there to pay these indemnities, but if you're already doing it through a more formalized tort indemnity fund there is nothing to be gained by requiring that the foreclosure money be set aside and, in fact, if we add this provision it will be possible for those units of local government to use that money for general purposes. I would move the adoption of Amendment No. 1 to House Bill 1321.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch has moved the adoption of Amendment No. 1 to House Bill 1321. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 1446, Senator Smith. House bills 2nd reading is House Bill 1446, Mr. Secretary.

SECRETARY:

House Bill 1446.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1, by Senator Marovitz.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz. Senator Smith, do you wish to handle that for Senator Marovitz? All right, is there leave granted? Leave is granted. Senator Smith.

SENATOR SMITH:

Thank you, Mr. Chairman and Ladies and Gentlemen of the Senate...Amendment No. 1 makes three changes. First, children will only have to wait five months instead of ten months to receive the first month of support due them. And, item number two,...orders for withholdings will be in dollar amounts instead of percentages for the convenience of the employer. And, three, parents can obtain a certified copy of their order of withholdings from the circuit clerk...court clerk to send to a new employer. These were requested by the Cook County State's Attorney, they support this amendment and also the Illinois Task Force on Child Support. I ask the adoption of this amendment.

HB 2409
2nd Reading

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, Senator Smith has moved the adoption of Amendment No. 1 to House Bill 1446. Those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

Amendment No. 2, by Senator Marovitz.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, is there leave for Senator Smith to handle that? Leave is granted. Senator Smith.

SENATOR SMITH:

Thank you, Mr. President. Amendment No. 2 merely allows the Illinois Department of Public Aid to contract with private attorneys to collect support for women who are no longer on AFDC, and this is supported and approved by the Department of Public Aid.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Smith has moved adoption of Amendment No. 2 to House Bill 1446. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 2409, Senator Rock. 2409. House bills 2nd reading, House Bill 2409, Mr. Secretary.

SECRETARY:

House Bill 2409.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the...amendment that was offered and adopted unanimously in committee had to do with exclusive possession of the residence and it had to do with the question of venue. I know of no objection. I would move the adoption of Committee Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock moves the adoption of Committee Amendment No. 1 to House Bill 2409. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Amendments from the Floor?

SECRETARY:

I have two amendments on 2409. One's from Senator Marovitz, the other has no name.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz on the Floor?

SECRETARY:

Amendment No. 2 offered by Senator Marovitz.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

I would ask if the gentleman is not here that the amendment be withdrawn.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. The gentleman is, in fact, not here. The amendment is withdrawn. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. House Bill 2486, Senator Weaver. Senator Barkhausen, for what purpose do you arise?

SENATOR BARKHAUSEN:

Mr. President and members, if I...just...if I could just take a quick moment to introduce Pam Vesley and her Girl Scout troop in Wildwood, Illinois, sitting above the Chamber in the back of the Chamber and ask them to be recognized and welcomed by the Senate.

PRESIDING OFFICER: (SENATOR DEMUZIO)

If our guests in the gallery will please rise and be recognized by the Senate. Welcome to Springfield. House Bill 2486, Senator Weaver. House bills...2564, Senator Jones. All right, bottom of page 10, House Bill 2-5-6-4, Mr. Secretary.

SECRETARY:

House Bill 2564.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Top of page 11, 2582, Senator Lemke. House bills 2nd reading is House Bill 2-5-8-2, Mr. Secretary.

SECRETARY:

House Bill 2582.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

HB 2644
2nd reading

3rd reading. Senator Lemke, I have a Floor amendment listed on my Calendar here.

SECRETARY:

We don't have that amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

I...all right, there is no amendments then. All right. Further amendments?

SECRETARY:

No amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. 3rd reading. House Bill 2625, Senator Fawell...all right, we're holding the appropriation bills, Senator Fawell. House Bill 2630, Senator D'Arco. Senator D'Arco on the Floor? House Bill 2644, Senator Lemke. 2644? House bills 2nd reading is House Bill 2644, Mr. Secretary, read the bill.

SECRETARY:

House Bill 2644.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1, by Senator Lemke.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

This is the amendment agreed to by the hospital association and the firemen's...which talks about failing to provide notification of a immunity for a...or a liability for a particular disease or paramedic, you bring somebody back to life. I think this is a good amendment. I think it's worth adopting.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke has moved the adoption of Amendment No. 1 to House Bill 2644. Is there discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

Amendment No. 2, by Senator Luft.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator...Senator Luft. Senator Lemke.

SENATOR LEMKE:

That,...I talked to Senator Luft, since we got Senate Amendment No. 1 on, we're withdrawing this one.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

All right. Senator Luft on the Floor? All right, withdraw the amendment. Further amendments?

SECRETARY:

No further...no, wait a minute, sorry...

PRESIDING OFFICER: (SENATOR DEMUZZIO)

...probably is another amendment.

SECRETARY:

Amendment No. 2 offered by Senator Lemke.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Lemke.

SENATOR LEMKE:

The LRB?

SECRETARY:

LRB 8407752EGCHAM06.

SENATOR LEMKE:

Okay, this is the amendment that the Department of Public Health wanted. I think it's a compromise between the...firefighters and the public health. I ask for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Lemke has moved the adoption of Amendment No. 2 to House Bill 2644. Discussion? If not, those in favor

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

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 2648, Senator Barkhausen. House bills 2nd
reading is House Bill 2-6-4-8, Mr. Secretary.

SECRETARY:

House Bill 2648.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Keats.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Keats.

SENATOR KEATS:

Thank you...this...this is a very limited amendment and
what it says is that if mandated under Federal law using the
LEADS Program which is the State police computer, you can
check the background of reserve or National Guard members who
will have...

PRESIDING OFFICER: (SENATOR DEMUZIO)

...pardon me, Senator Keats. Can we have some order,
please? This process will go much quicker if we have some
order. Senator Keats.

SENATOR KEATS:

...who have access to the arms' rooms. It's not a big
thing but it does technically allow it and I've got
the...explanation from the police why it needs to be done,
there's no opposition.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Keats has moved the adoption of

*HB 3036
2nd reading.*

Amendment No. 1 to House Bill 2648. Is there discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 2738, Senator Marovitz. 2785, Senator Marovitz. 2821, Senator Savickas. House bills 2nd reading is House Bill 2-8-2-1, Mr. Secretary.

SECRETARY:

House Bill 2821.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Page 14...page 14, House bills 2nd reading. All right. On the Order of House Bills 2nd Reading is House Bill 3036. Senator Welch, for what purpose do you arise?

SENATOR WELCH:

I would ask that I have leave to handle the amendments for House Bill 3036 and also ask that the sponsorship be changed from Demuzio-Jerry Joyce to Welch-Jerry Joyce.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Welch has sought leave of the Body to be the chief lead sponsor of House Bill 3036, so it would read Welch-Joyce-Demuzio. Is leave granted? Leave is granted. House Bill 3036, Mr. Secretary.

SECRETARY:

House Bill 3036.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch. All right, Senator...Senator Joyce on Committee Amendment No. 1.

SENATOR JEROME JOYCE:

Yes, thank you, Mr. President. I would like to Table...or I'd move to Table Committee Amendment No. 1 because it is technically incorrect.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Joyce has moved to Table Committee Amendment No. 1 to House Bill 3036. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is Tabled. Further committee amendments?

SECRETARY:

No further...committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Amendments from the Floor?

SECRETARY:

Amendment No. 2 offered by Senator Demuzio.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator Welch has sought leave to offer that amendment. Senator Welch.

SENATOR WELCH:

Thank you. I'd ask leave to handle all the amendments marked Demuzio and handle those as Welch amendments. This amendment begins by deleting the entire bill but then reenacting the same bill...reinstating the original provisions of the bill and making them in accord with this amendment. What this amendment does is prohibit the introduction of contaminants into sewage works from any nondomestic source. It requires the adoption of regulations identical to the United States Environmental Protection Agency regulations to implement provisions of the Federal Water Pollution Con-

trol Act. It requires the Energy and National...and Natural Resources Agency to file an economic impact study with the Pollution Control Board after regulations under the section are adopted. It also exempts the Pollution Control Board from conducting hearings on the economic impact study. Variance and conditional permits are deemed granted the Pollution Control Board fails to act upon a petition within one hundred and twenty days rather than ninety days. It also authorized that the Pollution Control Board to adopt regulations specific to individual person or sites.

PRESIDING OFFICER: (SENATOR SAVICKAS)

...Senator Welch.

SENATOR WELCH:

It also delays the imposition of the underground storage tank fee from July 1 of '86 to July 1 of '87.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Fawell.

SENATOR FAWELL:

Will the...sponsor yield for a question?

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will.

SENATOR FAWELL:

Where...who wants this amendment?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

The administration does.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Fawell.

SENATOR FAWELL:

The department?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

The Environmental Protection Agency, yes, and the Pollution Control Board and the ENR.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President. That was my question, I wanted to make sure this was the ENR amendment, okay.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there...further discussion? If not, Senator Welch moves the adoption of Amendment No. 2 to House Bill 3036. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

Amendment No. 3, by Senator Demuzio.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

Thank you. This amendment delays the imposition of a hazardous underground storage tank fee from July 1 of '86 to July 1 of '87.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Welch moves the adoption of Amendment No. 3 to House Bill 3036. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 3 is adopted. Further amendments?

SECRETARY:

Amendment No. 4, by Senator Demuzio.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

This amendment permits rather than requires an economic impact study of regulations implementing the Federal Water Pollution Control Act.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Welch moves the adoption of Amendment No. 4 to...House Bill 3036. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 4 is adopted. Further amendments?

SECRETARY:

Amendment No. 5, by Senator Jerome Joyce.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEROME JOYCE:

Yes, thank you. The bill as it is now prohibits new sanitary landfills in a county between four hundred thousand and five hundred and fifty thousand population, that is Lake County. This amendment removes that provision. I'd ask for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Joyce moves the adoption of Amendment No. 5 to...House Bill 3036. Senator Geo-Karis.

SENATOR GEO-KARIS:

Would you...would you repeat that, please, I'm sorry, I was tied up.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEROME JOYCE:

Yes, I would repeat it. As the bill is now, this bill would prohibit a new sanitary landfill in Lake County. This bill...this amendment removes that provision.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, will the...the...the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will.

SENATOR GEO-KARIS:

Why are you removing Lake County from it?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEROME JOYCE:

Well, I would...I respond with a question. Why do you think that Lake County should be so special that they not be eligible for a landfill when all the other counties in the State are?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Because we have an awful lot of them.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR GEO-KARIS:

We have them, you don't...have them.

SENATOR JEROME JOYCE:

Well, then, I would suggest we pass this amendment 58 to 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, ladies and gentlemen...Mr. President and ladies and gentlemen, I'm rather surprised because my colleague on the other side and I have always been pretty concurrent on landfills and...we do have...we have several landfills in Lake County and I think this amendment should be voted down. I think what you're doing in effect is making an example out of my county when we have landfills. We have a whole flock of them but there are a lot of other counties that don't have any. So I think it's only right that this amendment be stricken. I don't think you're fair to my county and I'm rather surprised.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further...

SENATOR GEO-KARIS:

...the sponsor of the bill...in fact, the sponsor of the bill happens to be Representative Matijevich from Lake County and when he sent this bill over, that provision was in there that we don't have any more landfills in Lake County.

PRESIDING OFFICER: (SENATOR SAVICKAS)

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

SENATOR JEROME JOYCE:

Well, thank you, Mr. President. I...you know,...if everybody did this, then where would we put a landfill? And I...and I think this is...this is one of the reasons that a bill that is coming up a little later on is...is being brought about because of...you know, we...everyone feels they have to protect their...their county or their district from any type of landfill. Well, you know, if we do this fairly and if...if we make these landfills safe and equitable for all, we don't have to have this type of legislation. So, you know, I...I think it's just eminently fair that we all go into this equal and not pass some bill that says everybody gets one but me. So I would ask for adoption of this amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce moves the adoption of Amendment No. 5 to House Bill 3036. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No...Senator Geo-Karis, for what purpose do you arise?

SENATOR GEO-KARIS:

I...I ask for a roll call vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis, are you joined by any others? Senator Geo-Karis being joined by the appropriate number of Senators

seeks a roll call vote on Amendment No. 5 on its adoption. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 28, the Nays are 17, 1 voting Present. Amendment No. 5 having received the majority vote is declared adopted. Any further amendments?

SECRETARY:

Amendment No. 6, by Senator Welch.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. What this amendment says is that after a final decision on a permit denial appeal, it requires the applicant for that permit to follow the current rules and regulations upon reapplication or further permit request proceedings.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Donahue.

SENATOR DONAHUE:

I would rise in opposition to this amendment as far as...as I understand it, you have to go through the whole process and then after that decision is made, you have to go back through it again under the new regulations. You're being taken to court under certain provisions and then you appeal it and you go through it and then you have to go back and have a whole new set of rules as you're judged that time. I think this is a wrong...and I would hope we would oppose it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Welch wish to close?

SENATOR WELCH:

Well, what this says is that if a person goes and gets a

permit in 1980 or 1981, stays in court for five years and then goes back to put the landfill into operation, they have to comply with the rules as of 1986 as passed by us here in the General Assembly. I don't think that's asking too much of an operator to comply with what the Legislature says should be the law of the land. So I would move adoption of this amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

All those in favor will...of adopting Amendment No. 6 to House Bill 3036 indicate by saying Aye. Those opposed. A roll call has been requested...a roll call has been requested. Will the members please be in their seats. On the adoption of Amendment No. 6 to House Bill 3036, those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 27, the Nays are 28, 1 voting Present. Amendment No. 6 having failed to receive a majority vote is declared lost. A verification has been requested. Mr. Secretary. A verification of the roll call has been requested. Senator Welch requests a verification of the negative vote. Will all the members please be in their seats. Mr. Secretary, will you please read the negative votes.

SECRETARY:

The following voted in the negative: Barkhausen. Davidson. DeAngelis. Donahue. Dudycz. Dunn. Etheredge. Fawell. Friedland. Geo-Karis. Hudson. Jones. Karpel. Kustra. Lechowicz. Leitch. Macdonald. Mahar. Maitland. Philip. Rigney. Rupp. Schaffer. Schuneman. Sommer. Watson. Weaver. Woodyard.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch, do you question any of the negative vote?
SENATOR WELCH:

Senator Jones.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is Senator Jones on the Floor? Senator Jones? Strike his name from the record.

SENATOR WELCH:

Senator Rigney.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rigney. Senator Rigney. Is Senator Rigney on the Floor? Senator Rigney has returned to the Floor.

SENATOR WELCH:

Senator Dudycz.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Dudycz is standing in the aisle.

SENATOR WELCH:

Senator Watson.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Watson has just returned to the Floor.

SENATOR WELCH:

Senator Maitland.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland. Senator Maitland is standing on the side.

SENATOR WELCH:

Senator Weaver.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Weaver is in his seat.

SENATOR WELCH:

...Senator...no, she's not on the board. That's it, Mr. President.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Mr. Secretary, will you give us the count? On that...on a verification of the roll call, there are 27 Ayes and 27 Nays. The amendment having failed to receive a majority vote is declared lost. Further amendments?

SECRETARY:

Amendment No. 7, by...

PRESIDING OFFICER: (SENATOR SAVICKAS)

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

SENATOR WELCH:

I was going to handle the next amendment for Senator Jones that's all.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Further amendments?

SECRETARY:

Amendment No. 7, by Senator Jones.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch for Senator Jones.

SENATOR WELCH:

What this amendment does is prohibit the sale, lease or transfer of any commercial property which is serving or has served as a storage site for hazardous material without...written notification to the Environmental Protection Agency prior to the transaction. It requires the Environmental Protection Agency to inspect the site, determine whether the...whether hazardous waste is present and notify the potential buyer, lessor or transferee.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President. I just have one...a couple of questions. Should I ask Emil now? All right. Senator Jones, can you give us a...what is this in reference to?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Jones.

SENATOR JONES:

If you recall the news in Chicago as it relate to the Dutch Boy Plant which is located in my district, they took that property and donated that property to Good Will, and

Good Will held the property for a certain period of time and...decided to have the building torn down. They were completely unaware of all the hazardous waste in the tanks. They were not aware of the lead in the building and et cetera, and with this amendment this would clear up that type problem because they would no longer be able to donate, sell or lease property without first...without first getting a certificate inspection from the EPA.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Donahue.

SENATOR DONAHUE:

Thank you, one more. How long do you think this inspection would take and how do you define hazardous waste or...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Jones.

SENATOR JONES:

Well, it...to the first part of your question, how long the inspection would take, that depends on the size of the property and how large it is and...to what extent they are dealing with hazardous waste. And the second part of your question is what do I...define hazardous waste, well,...any company that is having chemicals or...or...that produces hazardous waste and for a while they would have to temporarily store such things on their property and those companies who are identified by EPA, they'd know this already and, as a result, the EPA know what companies and who has similar type chemicals. And if the company is using hazardous waste or using chemicals that produce hazardous waste and that particular company go ahead and violate this...the...this Act, then they themselves will be in violation 'cause they know that they are using chemicals that produce hazardous waste. You follow me?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Donahue.

SENATOR DONAHUE:

And all you have to do, Emil, is just indicate your...by your head, the EPA is aware of this amendment and the...and the language in there? He's indicating yes.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Jones moves the adoption of Amendment No. 7 to House Bill 3036. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 7 is adopted. Further amendments?

SECRETARY:

Amendment No. 8, by Senator Welch.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. This is a amendment proposed by the Pollution Control Board. The amendment establishes that in an appeal to the Pollution Control Board, the board will not find a violation nor levy a fine for a violation of the administrative citation procedure, if the board finds that the violation was due to uncontrollable circumstances. The circumstances could include, as an example, a prolonged rain, extremely low temperatures or a wildcat strike, all out of the control of the landfill operator. Such circumstances are taken into account by the board in normal enforcement hearings, but without this addition, the board would not be able to consider them in the...administrative citation program.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Welch moves the adoption of Amendment No. 8 to Senate Bill...or House Bill 3036. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 8 is adopted. Any further amendments?

SECRETARY:

Amendment No. 9, by Senator Welch.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

This is another amendment proposed by the Pollution Control Board regarding the board's authority to authorize bond issues for sewer treatment plant improvements. What it does is...the Pollution Control Board has has the power under the Act to authorize bond issues without referendum for sewage treatment plant construction or system improvements since it came into existence on July 1, 1970, the power being used less than six time in that period and mostly at the request of local officials. In these cases a previous referendum is lost to the outcome of a referendum was considered hopeless. The power to order bond issuance without referendum by its various existence serves to get the attention of municipal and sanitary district officials to deadline since requirements of rules. Not having the power means that cities and sanitary districts will have to be sued in a court and a court order obtained. Expensive litigation to obtain that court order could be avoided by retaining the power to order bonds issued without a referendum. I move adoption of the amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Donahue.

SENATOR DONAHUE:

In this amendment there is a provision that allows for a...there is no referendum involved in the issuance of these bonds?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

No, it...what...what this does is restores the bill to the original...original language of the Act which allows

for...when a city does not go ahead and issue bonds or hold a referendum, the Pollution Control Board or EPA goes to court to get a court order, the judge...orders them to issue the bonds, then the city has to pay the added cost of the legal expenses to do so.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President. I'm more than aware of the problem. I have many communities in our area that are trying to meet compliance with the Federal Clean Water Act and I understand the problem, but I would just let the members know that this amendment does contain a provision that is...that in essence will effect a nonreferendum.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch, would you wish to close?

SENATOR WELCH:

Just briefly. It...it effects it to the extent that it returns back to the existing law is my understanding.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Donahue.

SENATOR DONAHUE:

Well, I...I'm sorry, then...well, then, what...what is it right now then, Pat? What are we...what are we going back to? I mean, you...you just explained what you're going back to what it is now? What happens now?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

Well, right now, the...the cities can be ordered. They...they shall issue a referendum, once you go court...they shall issue a bonding...they shall issue bonds by order of the court. What the bill does is change that and this amendment goes back to the existing law that the EPA or

Pollution Control Board can go to court and get the court order. It encourages them to do it more often than they are doing; in the past they've done it six times. What the Pollution Control Board is saying is, we're going to do this anyway and to avoid taking all these cities to court and to avoid the additional fees, the language requested in this amendment goes back to giving them the authority to enter an order requiring municipalities to comply with the Federal Clean Water Act by 1988.

PRESIDING OFFICER: (SENATOR SAVICKAS)

That's been very clear, Senator. Senator Welch moves the...adoption of Amendment No. 9 to House Bill 3036. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 9 is adopted. Further amendments?

SECRETARY:

Amendment No. 10, by Senator Welch.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

Thank you. This amendment initiated by the Pollution Control Board is basically a technical and clarifying change in the Act. It apparently is not substantive but merely clarifying with the exception of one provision. The amendment states that Section 28.1 of the regulation shall not be construed to affect the Pollution Control Board's authority regarding site specific regulations. This is meant to advise the courts as to how the section of the law is to be interpreted when the court has lawsuits before them.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Donahue. Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President. Since this is very confusing, I would say that, just to my members on this side of the aisle, this is a clarifying amendment. It is a good amend-

ment and I would support it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Welch moves the adoption of Amendment No...I mean, No. 10 to House Bill 3036. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 10 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. If you'll just pay attention for a few moments, Senator Degnan has a group of girls here that he wishes to introduce to the Legislature. Senator Degnan.

SENATOR DEGNAN:

Thank you, Mr. President. I am the designated hitter for Senator Topinka today who cannot be with us and I'm proud to introduce the Morton High School Girl's Softball Class AA 1986 State champions. The team enjoyed a 38 and 0 tournament record, a record for the season. They were selected the number one team by both the Chicago Sun-Times and the Tribune. We have several all-State selection,...Sun-Times and Tribune players of the year, assistant coach Art Kasak is with us, Jeff Norris, assistant coach and the athletic director of Morton, Larry Smith. Art Kasak would like to introduce some of the players and talk about the team.

ART KASAK:

(Remarks by Art Kasak)

SENATOR DEGNAN:

This...this is a true bipartisan team. They represent areas of this State that are represented by Topinka, Lemke and Degnan. Congratulations, coaches and players. Senator Geo-Karis.

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END OF REEL

REEL #2

SENATOR GEO-KARIS:

Mr...Senator...Degnan and Ladies and Gentlemen of the Senate, First of all, I want to congratulate the team and second to tell the team that the reason Senator Topinka is not here today is her father is having serious surgery, and third of all, would you like to play in place of the Senate team next year against the House? 'Cause we need you badly.

SENATOR DEGNAN:

Well-taken. Congratulations girls, let's do it again next year.

PRESIDING OFFICER: (SENATOR SAVICKAS)

On the Order of House Bills 2nd Reading, House Bill 3043, Senator Lemke. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 3043.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Jerome Joyce.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEROME JOYCE:

Yes, thank you, Mr. President. This amendment says that civic centers authorized as civic center authorities certified as eligible for State financial support...between 1-1-8-4 and 1-1-8-7 shall retain interest earned on State monies granted to them. It creates the West Frankfort Civic Center Authority and permits the Herrin and Jefferson City Civic Center Authorities to issue General Obligation Bonds,

referendum approval required and exempts from the Illinois Grant Funds Recovery Act certain appropriations to the Department of Commerce and Community Affairs. This bill was inadvertently left in Senate Rules. It passed the House 105 to 6. So, I would ask for adoption of this amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Keats.

SENATOR KEATS:

A...a question of the sponsor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR KEATS:

Are these State subsidized ones or are these just simply allowing them to do it local authority, no State money, no State anything, right?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEROME JOYCE:

Yes, they are State subsidized ones. The...ones that have already been approved.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Joyce moves the adoption of Amendment No. 1 to House Bill 3043. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

Amendment No. 2, by Senator Lemke.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

Which amendment is this? This is...

SECRETARY:

This is...S...SDS84H3043PAM3-JPH.

SENATOR LEMKE:

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2nd Reading

Just for the State's attorney appellate, okay. What this amendment does is authorize the State's Attorney's Appellate Service Commission to disburse funds up to counties as per capital basis. This is similar to a bill that was in Judiciary II Committee and which had adjourned promptly, and I was...when I was in Education Committee, it passed out of Rules, and we ask for its adoption. Similar to House Bill 33 not 49.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Lemke moves the adoption of Amendment No. 2 to House Bill 3043. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 3058, Senator Degnan. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 3058.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Degnan.

SENATOR DEGNAN:

Thank you, Mr. President. I would move to Table Committee Amendment No. 1, I have a second amendment that is much cleaner language.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Degnan moves to Table Committee Amendment No. 1. All those in favor indicate by saying Aye. Those opposed. The Ayes have it. The motion carries. Committee Amendment No. 1 is Tabled. Further amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

Amendment No. 2 offered by Senator Degnan.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Degnan.

SENATOR DEGNAN:

Thank you, Mr. President. Amendment No. 2 to House Bill 3058 amends the Land Titles Act, deals only with the Cook County Torrens Act and affords additional time for tax purchasers to complete the necessary title search. This will not affect redemption rights of taxpayers at all. It is requested by the Cook County Recorder of Deeds to smooth his work load.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Degnan moves the adoption of Amendment No. 1 to House Bill...No. 2 to House Bill 3058. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 3062, Senator Poshard. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 3062.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Poshard.

SENATOR POSHARD:

Yes, thank you, Mr. President, Ladies and Gentlemen of the Senate. Currently, the State Board of Education is required to issue an annual report on certain information regarding latchkey programs in the State. This amendment would provide that the State Board of Education require in that annual report information on the number of independent contractors that are used by school districts to operate these latchkey programs. Passed out of the committee with no opposition and I would move for its passage.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Poshard moves the adoption of Amendment No. 1 to House Bill 3062. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

Amendment No. 2, by Senator Lemke.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

What this bill does is...amendment does is...is put Senate Bill 1861 that...for some reason failed to get out of the House committee because it talks about public hearings and due process, and I assume that the reason it didn't get out is because it...they think it was a vehicle for amending Chapter 110 on tort reform. And I ask for the adoption to put this into this bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Keats.

SENATOR KEATS:

Could we get an explanation of this. I'm not saying we're for it or against it, we'd just like to know what it is.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

What this does is the same as...as 1861. What it does is allows districts and teachers that are subject to dismissal hearings are precluded from compelling the testimony of a consulting teacher at such hearings either as to the rating process or for opinions as performance for the teachers upon recommendation. This is that counseling we set up and the counseling teacher doesn't want to be a stool pigeon.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Keats.

SENATOR KEATS:

That's...that's okay, I'm with you, I just wanted to know what it was. Thanks.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke moves the adoption of Amendment No. 2 to House Bill 3062. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

Amendment No. 3 offered by Senator O'Daniel.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator O'Daniel.

SENATOR O'DANIEL:

...Amendment No. 3 would require that nontenured teachers fall within the teacher evaluation procedure set up in Senate Bill 730. According to the IEA this does not expand the rights of nontenured teachers but merely brings in within the same evaluation structure.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If...Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President. Senator O'Daniel, in...in Senate Bill 730 I'm sure you understand the provisions of the evaluation process. That...and the way we deal with tenured teachers. Does...does all of that evaluation process then immediately fall back in to the nontenured teachers that are being evaluated?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator O'Daniel.

SENATOR O'DANIEL:

This doesn't have anything to do with the tenured teachers, this...this is just a very simple amendment that would afford the nontenured teachers the...the same requirements.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR MAITLAND:

That...that's exactly what it...it says. And...and there is a certain prescribed procedure we go through with tenured teachers if they receive an unsatisfactory evaluation. My question once again is, does the same procedure phase in for the nontenured teachers if we're going to evaluate them, yes or no?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator O'Daniel.

SENATOR O'DANIEL:

Yes, I think it does.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR MAITLAND:

...is that a solid yes or yes, I...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator O'Daniel.

SENATOR O'DANIEL:

Now it's a solid yes.

SENATOR MAITLAND:

Okay.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator O'Daniel moves the adoption of Amendment No. 3 to House Bill 3062. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 3 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 3074, Senator Joyce. House Bill 3080, Senator Joyce. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 3080.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

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

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

(Machine cutoff)...mine.

SECRETARY:

Want to withdraw this? Amendment No. 1 offered by Senator Poshard.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Poshard.

SENATOR POSHARD:

Yes, thank you, Mr. President, Ladies and Gentlemen of the Senate. This amendment is identical to Senate Bill 1974

which we debated on this Floor at some length before. It requires school boards to provide training programs on hazardous materials to school personnel who work with those materials...many employees of school districts...of school districts work with hazardous material...in their daily course of work, janitors and so on, and this would simply provide in-service training opportunities whereby the school boards would have consultants or in-service training personnel make these people aware of how to handle these materials. It's strictly related to safety factors within the school environment. I would move for its passage.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President. Question of the sponsor if he'll yield.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will.

SENATOR MAITLAND:

Senator,...a question. Do you have any idea the frequency of the in-service training, daily, weekly, monthly, yearly, biyearly?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Poshard.

SENATOR POSHARD:

Senator Maitland, thank you. I...I envision this, myself, as simply being incorporated into the normal routine of in-service training that any school district is required to provide for their school personnel throughout the year. Usually, that takes place in teacher institutes which happen...on...on at least...twice a year basis. It should take no more than...than an hour long training by a State board consultant or some other professional consultant, perhaps, to enlighten these people on how to handle hazardous

materials within the school environment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR MAITLAND:

Senator, is this both certified and noncertified?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Poshard.

SENATOR POSHARD:

Yes.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR MAITLAND:

All right, then if we are concerned about the classroom teacher who is dealing with toxic paints and...and whatever else the art department may have, that may require one type of in-service training; and then as we deal with the janitors and...and the other noncertified people, that would then, in fact, require another type of training, is that correct?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Poshard.

SENATOR POSHARD:

Senator Maitland, as in the course of...of every administrative decision in a school, as you know, we have to use discretion in terms of the people that we incorporate in the different kinds of training. For the classroom teacher, a bill has already been passed, as you know, to help those people receive appropriate training in the handling of toxic materials in the classroom. It may be that in some school districts those certified personnel may also come into contact with other things in the course of gym or physical education training or whatever, I don't know, but this would not exclude them if they needed to also be included with janitors or whomever else in the system may be handling these toxic materials.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR MAITLAND:

I'm wondering, Senator, do we have any documented cases where either certified or noncertified people have in some way suffered as a result of not going through some training to...to know how hazardous some of these materials might be? I...I...what I'm trying to find out, we debated this issue once before and I think the bill's on...on postponed consideration, and I...I don't think the Body really is convinced that there's a need for this. And...if there's a way that I could support it, you know, I'd be happy to but I...I don't have any indication of that at this point.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Poshard.

SENATOR POSHARD:

Yes, thank you, Senator Maitland. I have a letter here from...some school personnel to the Environmental Protection Agency...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Can we have a little...order. Could we break up those conferences. Senator Keats.

SENATOR POSHARD:

...Senator Maitland, suffice it to say that there have been inquiries to the Environmental Protection Agency by some school districts inquiring...asking the EPA to explore toxic use in high school laboratories and how those things may be dispensed with properly and how they may be...affecting...laboratory chemicals may be affecting certain people in their use...in the schools and so on. So that inquiry has been made. But I don't...you know, I think your question begs the question, do we always wait until an accident happens before we act? Are we always reacting to these situations or are we proactive? Do we...do we look at some-

thing in advance and anticipate the possibility of an accident and then act accordingly? I think this is one of those situations where we need to be proactive in our stance and not reactive.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Maitland.

SENATOR MAITLAND:

Well, you know, I know...I guess...I guess the point is, this General Assembly simply can't be all things to all people, we just...we just can't be. I mean, if we do this, then we need to do something else and there's accidents can happen all the time. All of us went through chemistry labs, all of us survived with perhaps a burn or something like that and...and we survived. The fact of the matter is, there are no documented cases where...where...where there's been serious injury as a result of these chemicals or if training would have eliminated that...that accident. I think probably what we ought to do with this amendment is...is do the same thing we did with the original bill, defeat it by two or three votes and...and let it go down and maybe evaluate this situation next year. I think the amendment ought to be defeated.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Holmberg.

SENATOR HOLMBERG:

Thank you, Mr. President. One of the things that I found out pertaining to this bill is very related, I think, to a tour I made of our nursing homes back in Rockford where they're dealing with older people that may not be as familiar as they should be with toxic materials; and as part of our code of regulations on those nursing homes, any hazardous materials left standing in the hallway, in a room or anything can create a citation against that nursing home. They consider that so severe that they will not approve them on that

site inspection. We're dealing here with children in schools who need to be protected in the very same way from hazardous materials in a classroom, in a hallway. We need to protect them as much as we do our senior citizens. To me, this is a very obvious kind of protection, one that fits the times and our sense of awareness of toxic substance. And I believe this amendment should be put on this bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Further discussion? If not, Senator Poshard may close.

SENATOR POSHARD:

Thank you, Mr. President. I would ask for an affirmative vote on this bill. I...I honestly do not see why this bill becomes such a point of contention among us. It requires very little, if any, additional monies at all. In fact, the personnel who could administer this in-service training are already in place either at the State board level or at the local level among community or school personnel. I don't understand why this bill raises such contention when it's brought up here. It seems to me that it states the obvious. I've been involved in many teacher training institutes over the past fourteen years, I've seen...sessions presented on everything from fly and bait casting to basket weaving which seem entirely incredible to me. I don't understand why a session which deals with a very serious appropriate topic is of such concern. I would ask for your favorable vote on this...amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

A roll call has been requested. Will all the members please be in their seats. Those in favor of adopting Amendment No. 1 to House Bill 3080 will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 33, the Nays are 20, none voting Present. Amendment No. 1 to House Bill 3080 hav-

ing received the majority vote is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 3157, Senator Lemke. Senator Lemke. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 3157.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 3200, Senator Maitland. House Bill 3266, Senator Demuzio. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 3266.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Demuzio.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

Well, Amendment No. 1, in fact, should be...committee amendment because the...it was suggested by the committee; but since it's Floor Amendment No. 1, what Amendment No. 1 would do would limit the use of the Board of Governors Cooperative Computers Center to any public or private col-

lege, university, governmental, public or private, not-for-profit agency. There was a...a clarification that was asked for to assure that access to the Board of Governor's Cooperative Computer Center and this amendment, in fact, clarifies the access. I would move for adoption of Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Demuzio moves the adoption of Amendment No. 1 to House Bill 3266. Those in favor will indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Are there further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 3298, Senator Savickas. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 3298.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Whoop...Senator Savickas, my Calendar indicates a Floor amendment. Senator Savickas.

SENATOR SAVICKAS:

Yes, Mr. President,...there is to be an amendment. It hasn't been developed yet. The parties are meeting, I just spoke earlier with Jim Houlihan representing the fire alarm people...with Rich Walsh. They haven't decided on the wording yet. They want to move the bill and leave it on 3rd and

we'll bring it back once they settle on what it should be.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further amendments? Further amendments?

SECRETARY:

No...no...no amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. 3rd reading. House Bill 3302, Senator Lemke. House bills 2nd reading is House Bill 3302, Mr. Secretary. Read the bill.

SECRETARY:

House Bill 3302.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke. Committee Amendment No. 1. Can we get Senator Lemke the file, please. Senator Lemke.

SENATOR LEMKE:

What this does is strikes everything after the enacting clause and makes it similar to Senate Bill 1634 which is a bill that passed out of the Senate 57 to nothing. This is the home repair fraud bill. We worked out all the problems here in the Senate and did all the work, and I think the bill should be in the same language as ours and I ask for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Lemke has moved the adoption of Committee Amendment No. 1 to House Bill 3302. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. House Bill 3328, Senator Netsch. House bills 2nd reading is House Bill 3328, Mr. Secretary.

SECRETARY:

House Bill 3328.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr...President. The bill is the Illinois State Collection Act of 1986. It is the bill that deals with the collection of debts owed to the State. Amendment No. 1 is a...was a fairly extensive one that...that was the product of the negotiations of the Comptroller's Office, the Attorney General's Office, the Department of Central Management Services and the Auditor General; and basically it incorporates their revisions to make it, in their judgment, more workable. Probably the main thing that it does is to create an accounts receivable fund for the Comptroller. My understanding is...in fact, my knowledge is that all of those parties agreed to the substance of this amendment and I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch has moved the adoption of Committee Amendment No. 1 to House Bill 3328. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Amendments from the Floor?

SECRETARY:

Amendment No. 2, by Senator Netsch.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. Amendment No. 2 is purely technical. It eliminates the doubling up of the words "to compliance with any other Statute." They were repeated twice in the section by accident and this would remove it. I would move the adoption of Amendment No. 2 to...

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Netsch has moved...

SENATOR NETSCH:

...House Bill 3328.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

...the adoption of Amendment No...

SECRETARY:

2.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

...2 to House Bill 3328. Those...discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

Amendment No. 3, by Senator Netsch.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. Amendment No. 3 was requested by the Department of Revenue and basically what it does is to take the Department of Revenue out from under the new law and

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restore them to where they were before. They have their own authorization to deal with debts and the language that allows them to do that was, we believe, inadvertently stricken in the bill as it made its way through the legislative process. It did not satisfy anyone involved and the department asked to be restored to their previous position. We all agree and, again, this has the approval of all of those involved, the Department of Revenue, the Comptroller, the Attorney General's Office and is also...was agreed to by the Governor's Task Force on Accounts Receivable. I would move the adoption of Amendment No. 3 to House Bill 3328.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch has moved the adoption of Amendment No. 3 to House Bill 3328. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 3 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 3340, Senator Lemke. House bills 2nd reading is House Bill 3340, Mr. Secretary.

SECRETARY:

House Bill 3340.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

What Committee Amendment No. 1 does is...is...amends the place to build on its proper place in the Illinois Revised Statute. This would create a new Statute in the book and I don't think we need a new Statute. This...this passes the...the cause of action under Chapter 110. I ask for its

adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke moves the adoption of Committee Amendment No. 1 to House Bill 3340. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

SECRETARY:

Committee Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

My understanding...move to Table this, the amendment sought by the Chicago Title and Trust. This is technically flawed and will be replaced in the technical correct Floor amendment which will be Floor Amendment No. 5.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Lemke has moved to Table Committee Amendment No. 2 to House Bill 3340. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 2 is Tabled. Further committee amendments?

SECRETARY:

Committee Amendment No. 3.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

Committee Amendment No. 3, we move to Table. This amendment is a version of a Mortgage Foreclosure Act and...which is not reflected by the...any of the agreements that have been reached over the...bargaining table in...therefore, I ask to be Tabled.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke has moved to Table Committee Amendment No.

3 to House Bill 3340. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment number...Committee Amendment No. 3 is Tabled. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Amendments from the Floor?

SECRETARY:

Amendment No. 4 offered by Senators Topinka and DeAngelis.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. I move to withdraw committee amendment...no, I'm sorry, Floor amendment...Floor Amendment No. 1...Amendment No. 4 with the provision that if Committee Amendment No. 3 is put on there again, I would like to reinstitute Amendment No. 4.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

I have no qualms about that because I don't think you'll see the light of day of...Amendment No. 3.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Amendment withdrawn. Further amendments?

SECRETARY:

Amendment No. 4 offered by Senator Lemke.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

What this amendment does, it was the amendment that replaces Committee Amendment No. 2. It's a technical corrected version of the...of...of a problem that Chicago Title and

Trust...sought...sought...sought out in the bill and this corrects the problem and I ask for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Lemke moves the adoption of Amendment No. 4 to House Bill 3340. Discussion? If not, those in favor indicate...by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 4 is adopted. Further amendments?

SECRETARY:

Amendment No. 5, by Senator Lemke.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Lemke.

SENATOR LEMKE:

What's the...LRB on this? We...up and down with all these amendments.

SECRETARY:

8410726DJCHAM05.

SENATOR LEMKE:

Okay, this is the amendment which was talked about in the committee and wasn't ready. What it does is makes a change and specifies in Section 2005, "Certain rights not affected, no judgment enter pursuant to this article shall affect the rights of any bona fide purchase or mortgage, judgment, credit or auto lien holder arising prior to the date of which the transcript, certified copy or memorandum of such judgment is filed in the office of recorder deeds or register of title." This is an amendment...requested by the City of Chicago. Ask for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

All right. Senator Lemke has moved the adoption of Amendment No. 5. Discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Yeah,...question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Indicates he will yield. Senator DeAngelis.

SENATOR DeANGELIS:

I'm a little confused. What's the difference between this amendment and the previous amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

This amendment amends the original bill...that was flawed when it came from the House. This has nothing to do with the Mortgage Foreclosure Act.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

Well, the bill had nothing to do with the Mortgage Foreclosure Act and that wasn't my question either. I would like to know the difference between this amendment and the previous amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

Okay. That amendment we adopted already, this...this one should be 06, he's right, he's correct. Yes...I...I thought we...you should have...let me...LRB8410726RLKSA#06. You got that amendment?

SECRETARY:

We just adopted it awhile ago. Now we're on 05.

SENATOR LEMKE:

Well, they're in different places.

SECRETARY:

That's the way...

SENATOR LEMKE:

I'm sorry, well...let me explain the problem then, apparently the amendments got mixed up. So Amendment No. 4 is the amendment I just...recited in regards to the Chicago Title...what Chicago Title and Trust wanted. Amend-

ment...this amendment is what the City of Chicago wants and it should be explained as follows. It amends Section 2002. If the refund is not made it shall be recoverable in civil action from the person who received the compensation, benefits or remuneration or from anyone who knowingly aided such person obtaining the compensation, benefits or remuneration. Before the action is instituted pursuant to this Act, the State or local government unit shall make a good faith attempt to collect amounts owed to it by using informal procedures and methods. I ask for...adoption of this amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? All right. Senator Lemke has moved the adoption of Amendment No. 5 to House Bill 3340. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 5 is adopted. Further amendments?

SECRETARY:

Amendment...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...Senator...

SECRETARY:

...No. 6 offered by Senator Berman.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This was also discussed in the committee. What the amendment does is to delete the...the second party, the person that was described in the original bill as aiding and abetting. Nobody was able to adequately describe who that person is, so we've taken it out of the bill, give the city what they originally asked for.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Discussion? If not, the ques-

tion...the...Senator Berman has moved the adoption of Amendment No. 6 to House Bill 3340. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 6 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 3346, Senator Newhouse. House bills 2nd reading is House Bill 3346, Mr. Secretary.

SECRETARY:

House Bill 3346.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Newhouse.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Newhouse.

SENATOR NEWHOUSE:

Mr. President, let's come back to that, I don't have the amendment here.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well,...Senator Newhouse, we...do you wish...do you wish to proceed? You want to...you want to take it...all right. Take it out of the record. House bill...House Bill 3394, Senator Fawell. House bills 2nd reading is House Bill 3394, Mr. Secretary.

SECRETARY:

House Bill 3394.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Fawell.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Fawell.

SENATOR FAWELL:

Thank you, very much, Mr. President. This is basically a technical amendment, it merely tells how the liens will be placed on the...

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Discussion? Senator Keats.

SENATOR KEATS:

...next amendment, I'm sorry.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

All right. Senator Fawell has moved the adoption of Amendment No. 1 to House Bill 3394. Is there discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

Amendment No. 2, by Senator Keats.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Keats.

SENATOR KEATS:

This was requested by a local municipality. It allows their local police officers on duty time to deliver some summonses for them on duty time. There doesn't seem to be any opposition whatsoever and I'd appreciate its favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Keats has moved the adoption of Amendment No. 2 to House Bill 3394. Is there discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Page 17, 3431, Senator Hall. Senator Hall on the Floor? House bills 2nd reading is House Bill 3431, Mr. Secretary.

SECRETARY:

House Bill 3431.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Amendments from the Floor?

SECRETARY:

Committee Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Committee Amendment No. 1, Senator Hall. Committee Amendment No. 1 on House Bill 3431. Senator Hall.

SECRETARY:

Senator Hall. It's, "To the Department of Revenue which shall distribute the awards in annual lump sum payments."

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall.

SENATOR HALL:

Thank you, Mr. President. There was...in the bill it was not written who were to be the people that would distribute it and the amendment simply assigns that to the Department of Revenue to handle the distribution of the funds. I move for the adoption of the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall has moved the adoption of Committee Amendment No. 1 to House Bill 3431. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

No Floor amendments, 3rd reading. House Bill...well, with leave of the Body, we'll return to page 16, House Bill 3346. Senator Newhouse indicates he's ready to proceed. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading is House Bill 3346, Mr. Secretary.

SECRETARY:

House Bill 3346.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senators Newhouse and DeAngelis.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Newhouse.

SENATOR NEWHOUSE:

Thank you, Mr. President. This amendment clears up a funding problem. The funds were...the funds under the bill would appear to becoming from the Department of Public Aid. This amendment clarifies this so that the department could receive those funds directly, and I would know of no objection. Would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Newhouse moves the adoption of Amendment No. 1 to House Bill 3346. Is there discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it...Amendment No. 1 is adopted. Further amendments?

HB 3548
2nd Reading

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. 3rd reading. Page 17. House Bill 3548, Senator Schaffer. House bills 2nd reading is House Bill 3548, Mr. Secretary.

SECRETARY:

House Bill 3548.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Agriculture, Commerce and Energy offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schaffer.

SENATOR SCHAFFER:

Mr. Chairman, I believe the first one is a committee amendment...a short one? Big one.

SECRETARY:

It's got Joyce and Welch's name on it.

SENATOR SCHAFFER:

Is it J. J. Joyce?

SECRETARY:

Yes, I'm sure it is. And it's three and a half pages long.

SENATOR SCHAFFER:

Oh, no...okay. Is that...I believe that one needs to be Tabled, he said, looking over at the chairman who is much more knowledgeable on that particular amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Joyce.

SENATOR JEROME JOYCE:

Yes, Mr...Mr. President. I would move to Table...Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Joyce has moved to Table Committee

Amendment No. 1 to House Bill 3548. Is there discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is Tabled. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Amendments from the Floor?

SECRETARY:

Amendment No. 2 offered by Senators Schaffer, Jerome Joyce and DeAngelis.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schaffer.

SENATOR SCHAFFER:

Mr...President and members of the Senate, this amendment basically strikes the Act and recreates the bill and it is the Illinois Solid Waste Management Act, I think most of the members are familiar with this. This is the compromise program that's been worked out by industry, environmentalists, the Governor's Office, Senator Joyce, Senator DeAngelis and I and others have been involved in this process. It is a rather lengthy amendment. It sets a...a list of priorities in terms of the way we dispose of waste in the future to minimize the use of landfills. The bill...the amendment in its present form will need to be amended further and we will have to bring it back sometime next week, but I think Senator Joyce and others agree that we would prefer to get it...this on today and then we will bring it back in the future for consideration of other amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. 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 Schaffer, I've been given some information that the...we have non-for-profit groups who are getting in to the recycling business and they're doing this with funds from the State. Is that true...in this amendment?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schaffer.

SENATOR SCHAFFER:

A portion of the revenue that would be raised through this Act in the form of a...I'll call it a tipping fee on...garbage would be used among other things to encourage recycling and one of the things that...one of the groups who potentially could benefit from that would be the not-for-profit groups that do have recycling programs throughout the State.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall.

SENATOR HALL:

Well, the problem that...we have some recycling groups down there that they are in this business now, and they're saying if the State is going to come along and give revenue to others to get into the business it's jeopardizing their business.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schaffer.

SENATOR SCHAFFER:

Well, let me suggest to you that the not-for-profits are very big in this already and that the bill does not specifically provide that the...additional State funds, some of which would be used to develop markets for recyclable products...recycled products, it...it doesn't give either group preferential treatment, they would all qualify for grants and both the for-profit and not-for-profit recyclers would poten-

tially benefit from this Act. So I don't know who you're dealing with but the...all of the recyclers that I know of are quite enthusiastic about the Act including some for-profit recyclers. We're not trying to preclude anybody from recycling, we're trying to encourage everybody, profit and not-for-profit. So I...I don't perceive that as a problem, and I...I'm not sure who has talked to you, but if they would like to get in contact with either Senator Joyce or myself or...and we'll put them in touch with the people who can explain the program and my guess is they'll be pretty enthusiastic about it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall.

SENATOR HALL:

Yes, I would appreciate that we would get together and talk about this. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Joyce.

SENATOR JEROME JOYCE:

Yes, thank you. Senator Hall, to further clarify that. Amendment No. 3 that is coming is supposed to clarify that existing businesses must be given equal consideration to...to other ones. So, and I would also like to make sure that we have leave to bring this bill back from 3rd to 2nd on Monday. Is leave...

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Joyce has requested that we...you know, leave to bring this back on Monday. Is leave granted? Leave is granted. Senator Schaffer moves the adoption of Amendment No. 2...to Senate...to House Bill 3548. Further discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. All right. We will now...we have now proceeded through the Calendar of House bills 2nd reading. Passed out and on your desk is a list of bills that have been specifically requested to be recalled. Is...Senator Vadalabene on the Floor? Senator Vadalabene, do you wish to have 523 brought back? All right. Senator Vadalabene seeks leave of the Body to return House Bill 523...all right, on the Order of House Bills 3rd Reading, recalls. Senator Vadalabene has requested leave of the Body to return House Bill 523 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading is House Bill 523, Mr. Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Schuneman.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...Senator Vadalabene.

SENATOR VADALABENE:

Yes, the amendments should say Senator Schuneman and Senator Vadalabene, and I am in support of this amendment and I now will yield to Senator Schuneman.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. I appreciate Senator Vadalabene bringing this bill back. My amendment is for the purpose of changing the description of bodies of water in the bill from...a building which is located upon a pier extending into or over the waters of a commercially navigable lake or river. Actually, the amendment simply adds the word "or river" and is intended to assist the Liquor Control Commission and a business in my district in continuing their liquor

liability...or their liquor license. So, I would move adoption of the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Discussion? If not, Senator Schuneman has moved the adoption of Amendment No. 2 to House Bill 523. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. House Bill 1473. Senator D'Arco on the Floor? 1477, Senator Marovitz. All right. Senator Marovitz seeks leave of the Body to return House Bill 1477 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. House bills 2nd reading is House Bill 1477, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Marovitz.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. Amendment No. 1 to House Bill 1477 merely changes the effective date to April 1st, 1977. This was requested by the department and we've complied with that. It's merely an effective date change. I would ask for adoption of the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz moves the adoption of Amendment No. 1 to House Bill 1477. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 2544. Senator Schuneman seeks leave of the Body to return House Bill 2544 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. House Bills 2nd reading, House Bill 2544, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Darrow.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Darrow.

SENATOR DARROW:

Thank you, Mr. President. What this amendment does is allow the...Adjutant General to convey any property under his control, any realty, to a local unit of government. At the present time, he can only convey it to the State Government or Federal Government. This would allow an armory to be transferred to a municipality if necessary.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. As I understand it, this amendment is...a necessity for the City of Rock Island in some of their negotiations and we have no objection to...that attachment of the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Darrow moves the adoption of Amendment No. 1 to House Bill 2544. Further discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. House Bill 2562, Senator Etheredge. House

HB 1473
Recalled

bills on 3rd...House Bill 2562, Senator Etheredge seeks leave of the Body to return that bill to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. Now on the Order of House Bills 2nd Reading is House Bill 2562, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator O'Daniel.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator O'Daniel.

SENATOR O'DANIEL:

Mr. President and members of the Senate, Amendment No. 1 amends House Bill 2562 on page 1, in line 17 by deleting "loan" and inserting in lieu thereof "target."

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Discussion? Senator O'Daniel has moved the adoption of Amendment No. 1 to House Bill 2562. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. All right. With leave of the Body, Senator D'Arco is now on the Floor, let's...let's go back and pick up 1473, if there aren't any objections. Is leave granted? Leave is granted. On the Order of House Bills 3rd Reading is House Bill 1473. Senator D'Arco seeks leave of the Body to return that bill to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. House bills 2nd reading, House Bill 1473, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator D'Arco.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. This amendment would create an Executive Task Force on Nursing Homes. The department, of course, is involved in the quality of long-term...nursing care and it will be composed of members of the General Assembly, representatives of State agencies and local governments, nursing home facilities' residents and the general public. The purpose of the task force would be to study the delivery system of nursing home care and make recommendations concerning rates, reimbursement and quality of care. I think everybody knows that the nursing home industry...is in need of being looked at by the General Assembly and that's what this amendment does. And I would move to adopt Amendment No. 1 to 1473.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Discussion? Senator D'Arco has moved the adoption of Amendment No. 1 to House Bill 1473. If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

Amendment No. 2, by Senator D'Arco.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. This amendment provides for agreements to be entered into by mental health and the Department of Corrections for processing and expediting public aid applications and general assistance for residents who are scheduled for release. The department is currently implementing...the Public Act which...which requires expeditious processing of applications for AABD. And this amendment is the mechanism to allow the expeditious...process to take effect. And I would move to adopt Amendment No. 2 to 1473.

HB 2741
Revised

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Macdonald.

SENATOR MACDONALD:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Macdonald.

SENATOR MACDONALD:

Senator D'Arco, where is...what is the department's position on this?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator D'Arco.

SENATOR D'ARCO:

Neutral. They don't have a position on it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator D'Arco has moved the adoption of Amendment No. 2, House Bill 1473. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. All right. House Bill 2741. Senator Maitland seeks leave of the Body to return House Bill 2741 to the Order of 2nd Reading for the purpose of an amendment. Is that correct, Senator Maitland? Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading is House Bill 2741, Mr. Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Maitland.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President. I would like to Table Amendment No...withdraw it, let's just withdraw it, okay.

HB 3044
Recalled

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Maitland seeks to withdraw Amendment No. 2. Amendment was withdrawn. Further amendments?

SECRETARY:

Amendment No. 2 offered by Senator Maitland.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President. Just to check the LRS numbers. Is LRB 8408316THTCAN02?

SECRETARY:

Right.

SENATOR MAITLAND:

Okay. This, Mr. President, is an amendment that...that deals...continues to deal with the issue of...of detachment of certain areas of a school district into another one. And what this amendment does is sets up a mechanism whereby the pupils in the territory that will be included in the State aid claim with the district annexing the territory instead of the State aid claim of a district losing the territory. Currently, the...the district that is losing the students is just required to pay the other district and this simply...eliminates that and allows the receiving district to include them in their claims and we believe it to be a much cleaner...cleaner...mechanism.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Maitland moves the adoption of Amendment No. 2 to House Bill 2741. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 3044. Senator Lechowicz seeks leave of the

Body to return House Bill 3044 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. House bills 2nd reading, House Bill 3044, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Lechowicz.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Amendment No. 1 was an amendment that was recommended by Senator Weaver in the Executive Committee and at the request of Senator Weaver was drafted by our staff. It would allow the board or the...or the parties involved to seek a court order for a thirty-day extension of the hundred and twenty day election requirement, would allow all parties to extend the...hundred-and-twenty-day period if mutually agreed. This was based upon a question that was asked in committee if the matter was pending in court. It's been discussed, approved by him and Senator Netsch. And I move for the...you...you wanted this amendment. That's right. And I move for the adoption of Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Keats.

SENATOR KEATS:

...question of the sponsor?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Keats.

SENATOR KEATS:

We are extending election deadlines a hundred and twenty...we don't have a copy of the amendment. Could...I apologize that I just couldn't quite catch what you meant by that. I don't know that we want to extend election deadlines a hundred and twenty days. Please reexplain.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz.

SENATOR LECHOWICZ:

This has nothing to do with our election...guidelines. This deals with State and local labor relations boards when they have to come back with a response to the...grieved party. And initially it was...the bill called for ninety days, we extended it to a hundred and twenty, now we're giving them an additional thirty days after that or a total of a hundred and fifty days before they have to respond. And that's all this amendment does and that's all the bill does.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, Senator Lechowicz has moved the adoption of Amendment No. 1 to House Bill 3044. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 3187, Senator Berman. Senator Berman on the Floor? Senator Berman seeks leave of the Body to return House Bill 3187 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. House bills 2nd reading is House Bill 3187, Mr. Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Berman.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

Thank you. This dealt with the truancy amendment and it's been worked out between the interested groups...educational groups on this. What it does is to eliminate the lowering of grades for nonacademic reasons as a specific prohibited action which a school district may take

against a truant. It's...was requested and supported by the...by ED-RED, IASA, ISB and I move the adoption of Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Berman has moved the adoption of Amendment No. 2 to House Bill 3187. Is there discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading...with leave of the Body, we will come back to 3267. Is leave granted? Leave is granted. House Bill 3309. Senator Maitland seeks leave of the Body to return House Bill 3309 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. House bills 2nd reading, House Bill 3309, Mr. Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Maitland.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President. This is really a minor amendment. The...the assessor in...in...in Cook County came to us and was concerned about the possibility that the language that we had...had drafted in 3309 would not allow them if they leased a landfill to a producer of methane gas, for example, to tax that methane gas. And all parties agreed that this amendment was all right. This will allow them to do that and I know of no opposition.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the...Senator Maitland has moved the adoption of Amendment No. 2 to House Bill 3309. Those in

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

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 3378. Senator Vadalabene seeks leave of the Body...Senator Vadalabene...seeks leave of the Body to return House Bill 3378 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. House bills 2nd reading, House Bill 3378, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Vadalabene.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. Amendment No. 1 to House Bill 3378 is a technical change to put the Subsection C into conformity with another section at the...of the License Act. Specifically, this amendment only adds uniformity to the reciprocal licensing provisions. Only two words are deleted "after examination" and adds an initial. And I move for the adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Discussion? If not, Senator Vadalabene has moved the adoption of Amendment No. 1 to House Bill 3378. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. All right. The next bill on your Calendar is 3396. Senator Carroll has indicated that he does not wish

to recall that bill and, therefore...3474, Senator Geo-Karis. On the Order of...of Recalls is House Bill 3474. Senator Geo-Karis seeks leave of the Body to return that bill to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. House bills 2nd reading, House Bill 3474, Mr. Secretary.

SECRETARY:

Amendment No. 3 offered by Senator Rupp.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rupp.

SENATOR RUPP:

Thank you, Mr. President. This amendment is an exchange of quitclaim deeds to property between the Decatur Park District and the Lincoln Trails Boy Scouts. What it is, the...the ground was originally given to the Boy Scouts on...to be used for a camp as long as it was...it was for their use. At the end of it, the will...the original granting of the property indicated that would then go to the park board. That's the need and that's the use of this particular amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. The...Senator Rupp has moved the adoption. Senator Geo-Karis.

SENATOR GEO-KARIS:

I have no objection.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator DeAngelis. Further...Senator DeAngelis.

SENATOR DeANGELIS:

Yeah, I don't want to interrupt but we did have an amendment on 3396 that was on the recall list and when this is done I would like to discuss that.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion on this amendment? Sena-

tor Carroll.

SENATOR CARROLL:

Yes, a concern and question of the sponsor. In...the general rule in park district land conveyance, they cannot convey unless it's a swap of equal value. This changes it to allow them to give away land. It's my understanding...first of all, that's somewhat of a dangerous precedent to do where public lands are being given away. Secondly, while I recognize that this is limited to Decatur, at least our staff indicates that as of this morning the Decatur Park Board has taken no action yet. So aren't we ahead of the game in authorizing a giveaway of publicly owned lands even to a worthwhile group is still a giveaway of publicly owned lands when the publicly owned landholder has not taken any action to so give away?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rupp.

SENATOR RUPP:

...I think there is a little bit of confusion. It's not going...it's not publicly owned, the Lincoln Trails Council Boy Scouts is transferring it to the public body.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Carroll.

SENATOR CARROLL:

I thought the Act was to authorize the district to convey certain lands to the council. It's a conveyance from the park district to the council.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rupp.

SENATOR RUPP:

May I read this part of the bill? "Whereas the consideration for the use of said real estate by the Lincoln Trails Council of the Boy Scouts of America was the abandonment of the use by the Lincoln Trails Council of the Boy Scouts of

America of certain real estate located in Decatur Township, Macon County, Illinois, which lands were deeded to the Lincoln Trails Council of the Boy Scouts of America with the conditional gift over to the Decatur Park District in the event the Lincoln Trails Council of the Body Scouts of America abandoned its use thereof." The Boy Scout Lincoln Trails Council has now set up a new camp down near Pana, they are willing to abandon this and they have actually abandoned the use of this and this is a...merely a device and an okay for that conditional gift to be passed to the...Decatur Park Board.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Senator Rupp, I hate to disagree with you since it's your district, but as I read the amendment the preamble says the Decatur Park District. And I'm reading on page 1 of the amendment, line 8 where the Decatur Park District holds title...to the land and has continuously since April 15th, 1926. So it's park district land that the park district is conveying or leased. If not, then the amendment is defective. But it sure says...and it says on page 2, line 16, the president and secretary of the park district are hereby authorized to execute a quitclaim deed conveying this to the Boy Scouts. So it's the park district giving it to the Boy Scouts and, again, in general, park districts cannot give land; they can swap land, they can sell land but they cannot give land. This is a giving, and it's...of equal concern to us is the fact that, at least as we understand it, based on their calls to us, that the park district has not taken any action to so give.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rupp.

SENATOR RUPP:

Who do you think is doing the giving?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

I don't know any of them, but I read in the amendment that it's the park district, that 's the way the amendment reads. "Whereas the Park District of Decatur holds title to certain lands," and then goes on to say the president and secretary of the park district are authorized to execute a deed to give that land, that's what it says.

PRESIDENT:

Senator Rupp.

SENATOR RUPP:

That is the exchange that you are looking for. It's a...it's an exchange of quitclaim deeds.

PRESIDENT:

Senator Carroll.

SENATOR CARROLL:

No, Senator Rupp, that's not the way this reads. Other than...it is not an exchange. I mean, we had heard at one point that maybe before 1926 the Boy Scouts Council may have owned the land and gave it to the park district sixty years ago. The park district has owned it for sixty years. They're not trading something now for something they got sixty years ago. This reads, and that's the unfortunate part of it, that the park district is to give the land away and the park district has yet to take that kind of action. Why are we authorizing the park district to do something that they have not yet said they want to do?

PRESIDENT:

Senator Rupp.

REEL #3

SENATOR RUPP:

As a...Mr. President, as a courtesy to the sponsor, let the bill go to 3rd, but I would like to be able to call it back after we have a chance to explain this.

PRESIDENT:

I think that's fair. The...the bill is on 3rd, Senator Rupp, and there will...there will be another recall list, Senator Rupp, so you will have time to discuss it. As a matter of fact, there is another recall list. We will get to it. Senator Geo-Karis, for what purpose...

SENATOR GEO-KARIS:

If I...if I understand correctly, then on the...3474, Senator Rupp was withdrawing his amendment at this time and the bill is back on 3rd reading. Is that right?

PRESIDENT:

The bill is on 3rd reading.

SENATOR GEO-KARIS:

Okay, thank you.

PRESIDENT:

We'll take it out of the record. The bill remains on 3rd reading. There will be another recall list. We have been through the first recall list. The suggestion of the Chair after conferring with the minority leader...I'll get...is that we will now move to the Order of House Bills 3rd Reading. We have one other recall. Senator Demuzio asks leave to get back to 3267. Before we get to that order of business, Senator DeAngelis has a point he wishes to make. Senator DeAngelis, for what purpose do you arise?

SENATOR DeANGELIS:

Thank you, Mr. President. We had an amendment...I had an

HB 3267
Recalled

amendment on a bill that was on recall. Now, I'm going to ask Senator Carroll...perhaps he was not aware that I had an amendment; therefore, he chose not to call this because the other people who had the amendments didn't want it called, or is he not going to grant me the courtesy of trying to put that amendment on?

PRESIDENT:

Well, the question of calling or recalling is up to the sponsor. My suggestion is that you talk to the sponsor. On the Order of House Bills 3rd Reading is House Bill 3267. Senator Demuzio seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading, House Bill 3267, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senators Demuzio and Davidson.

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

...Mr...Mr. President, thank you. The amendment is...is similar to Senator Davidson's House Bill 3267 which passed the Senate 56 to nothing. This simply would afford...1984...I'm sorry, Senate Bill 1984, which would afford the Central Management Services to pay the claims from the Health Insurance Reserve Fund for our health insurance plan and I know of no opposition and move its adoption.

PRESIDENT:

Senator Demuzio has moved the adoption of Amendment No. 1 to House Bill 3267. Discussion? Senator DeAngelis, on the amendment?

SENATOR DeANGELIS:

Just on a point of personal privilege in just a minute.

PRESIDENT:

Yes, sir. All in favor of the adoption of the amendment

HB 787
3rd reading

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

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. Senator DeAngelis.

SENATOR DeANGELIS:

Well, Mr. President, we're still on the Order...we're still on the Order of Recall...

PRESIDENT:

If I can have the attention of the Body, please. Senator DeAngelis.

SENATOR DeANGELIS:

...we're still on the Order of Recalls and I thought I addressed a question and I did not receive a response other than...

PRESIDENT:

No, the Chair responded that the question of a recall is up to the sponsor. Nobody can force the sponsor to recall the bill and so my suggestion was you talk to the sponsor. Senator DeAngelis.

SENATOR DeANGELIS:

I would like to direct a question to the sponsor through the Chair then whether...since we're on the same order of the business...as to...whether he would like to be discourteous or would grant me the privilege.

PRESIDENT:

Sponsor indicates he will not yield. On the Order of House Bills 3rd Reading, bottom of page 3...on the Order of House Bills 3rd Reading, bottom of page 3, is House Bill 787. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 787.

(Secretary reads title of bill)

HB 1130
3rd reading

3rd reading of the bill.

PRESIDENT:

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. What we are doing with House Bill 787 is an attempt to eliminate a problem that the new and used car dealers in the State of Illinois have seen fit to change, that is dealing with the supplemental license that is issued to people in the State of Illinois. There are presently people going throughout the State of Illinois setting up shops in every city, selling fifty, sixty or seventy cars and then leaving. To prevent that, we're saying in House Bill 787 that the Secretary of State shall not issue that...supplemental license to...any Illinois dealer outside a franchise market area, and it requires the application for the supplemental license to be submitted at least ten days prior to the date of sale.

PRESIDENT:

Any discussion? Is there any discussion? If not, the question is, shall House Bill 787 pass. Those in favor will vote Aye. 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, there are 53 Ayes, no Nays, none voting Present. House Bill 787 having received the required constitutional majority is declared passed. Senator Netsch, top of page 4, 1130. On the Order of House Bills 3rd Reading, the top of page 4, is House Bill 1130. Mr. Secretary, read the bill, please.

SECRETARY:

House Bill 1130.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. Most of what is contained in House Bill 1130, which I should point out now also includes what used to be in House Bill 1155, is relatively technical and I think it's fair to say that a very large part of it was either requested by or worked out with the Department of Revenue. I might call attention to two points...or a couple of points. One is that it does...or we had previously created an Office of Appraisals which was a subagency within the Department of Revenue which was...intended to try to help some of the downstate assessors with somewhat more complex pieces of property. The Department of Revenue had never liked the idea and did not think it worked very well and never really used it. Again, some of the downstate areas requested that this be revitalized and it was finally worked out with the Department of Revenue in a form that is acceptable both to the county assessing officials and to the department itself, and it should be a device for providing some help to downstate assessors who may be faced with fairly complicated pieces of property where they really need a little bit of extra experience from others to be able to do the job adequately. One other provision, again, that I wanted to call attention to that was added by amendment...and particularly Senator O'Daniel and Senator Rigney...gentlemen, would you please be quiet. Senator O'Daniel and Senator Rigney, the bill does now include the provision that met a problem the two of you, among others, had encountered where two private individuals exchanged cars and the department had been requiring that the so-called used car tax, the...private vehicle tax...sales tax, be paid on the full value of each of the two cars rather than on the difference between the two. This makes it clear that it is to be paid only on the difference between the two. There are other provisions which deal with penalty parts of the Department of Revenue's enforcement

HB 1556
3rd Reading

mechanisms, but I...I think it is fair to say that everything else is pretty technical. I would be happy to answer any questions; if not, I would solicit your support.

PRESIDING OFFICER: (SENATOR LUFT)

Is there any discussion? Is there any discussion? If not, the question is, shall House Bill 1130 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, please, Mr. Secretary. On that question, the Ayes are 54, the Nays are 1 and none voting Present, and House Bill 1130 having received the required constitutional majority is declared passed. Senate Bill 1473 and 1477 are on the recall list. We'll proceed to House Bill 1556, Senator Keats. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 1556.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR LUFT)

Senator Keats.

SENATOR KEATS:

Senate Bill 1556 was a bill from last year we took off postponed and while it is a technical bill, it is a very major technical bill. It is a clean-up Act for the regional reciprocal banking bill and a series of other issues that the Commissioner of Banks has spent months working out with the various banks in the State, the various banking groups, et cetera. All the banking groups took part, everyone agrees and they all support the bill, but I still would like to mention a couple of the provisions because just 'cause all the banking groups agree does not necessarily make a good law, that's our position to take. What it cleans up is the definition of main banking premises, it sets us in...in

accordance with Federal regulations on certain...of the capital to asset ratios of seven percent, decides where the seven percent applies, gives us a...a review of the convenience...or description of the review of the convenience and needs performed by the Federal Reserve Board. It sets up five separate sections in...of what used to be one section which makes it much easier to work with, gives us the...the reciprocity comparisons, omits certain language that doesn't belong there. I could answer any questions you'd like. Several days ago I sent you a...a form that had the two amendments involved and seventeen paragraphs explaining what was in it. If you've got any questions, I'm glad to answer, but I...I don't think it's controversial.

PRESIDING OFFICER: (SENATOR LUFT)

Is there any discussion? Senator Watson.

SENATOR WATSON:

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

PRESIDING OFFICER: (SENATOR LUFT)

He indicates he'll yield.

SENATOR WATSON:

What is your definition when it talks about seven percent capital? What is the definition of capital?

PRESIDING OFFICER: (SENATOR LUFT)

Senator Keats.

SENATOR KEATS:

The definition of capital...hang on a second...one of the original problems...you know, the definition of capital came back to European and foreign banks have totally different definitions, and so they came back with...let me find the section for you...okay, we're tying it to the Federal Reserve Bank's definitions, I could read you the more specific part, but we are using the Federal Reserve's definition.

PRESIDING OFFICER: (SENATOR LUFT)

Any further discussion? Are you through, Senator Watson?

Senator Watson.

SENATOR WATSON:

I would like to have that definition. What makes up capital under the Federal Reserve definition?

PRESIDING OFFICER: (SENATOR LUFT)

Senator Keats.

SENATOR KEATS:

Let me thumb through the pages and I'll have it for you in just a second here. Okay, it's Section 3.02867, starting from the top...I'll read the part that is no change, then I'll...I will say which parts are changed. "For any bank holding company with the ratio of total capital to total assets of less than seven percent as measured," now this part is new, "and applied in accordance with regulations of the Board of Governors of the Federal Reserve System." Then again, this part is new, "In effect on the date of the filing of the application with the Board of Governors of the Federal Reserve System," now going back to what's existing law, "to acquire direct or indirect ownership or control by purchase of stock, merger, consolidation, acquisition of assets or otherwise of any Illinois bank or banks," now again, not going back to new wording, "if the application for such acquisition is filed on or after July 1st, 1986, provided that the total capital and the total assets to ratio requirements of this paragraph," that being Paragraph 6, "and of the succeeding paragraph," that being Paragraph 7, "shall be applicable only to a bank holding company which is directly acquiring such direct or indirect control of any Illinois bank or banks and shall not be applicable to any bank holding company of which acquiring company is a subsidiary." Or number seven...again, now this part is no longer new, this is existing law, "For any bank holding company with a ratio of total...okay...the answer to the question is, the exact Fed-

eral Reserve standards...off the top of my head, I do not remember them, but part of is...lost, that is part of it, I know that, just personal knowledge, but I cannot give you the...their definition off the top of my head, but the question you're asking, part of that is. I...I remember that, just personal knowledge.

PRESIDING OFFICER: (SENATOR LUFT)

Is there any further discussion? Any further discussion? If not, the question is, shall House Bill 1556 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, Mr. Secretary. On that question, the Ayes are 53, the Nays are none and none voting Present, and House Bill 1556 having received the required constitutional majority is declared passed. Next bill on the Calendar is House Bill 1675, Senator Netsch. Read the bill, please, Mr. Secretary.

SECRETARY:

House Bill 1675.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR LUFT)

Senator Netsch. Senator Netsch.

SENATOR NETSCH:

...I have it now. Thank you, Mr. President. If I might at the outset, Senator Collins had asked if she could be added as a hyphenated cosponsor of House Bill 1675.

PRESIDING OFFICER: (SENATOR LUFT)

Is there leave to add Senator Collins as a hyphenated sponsor to 1675? Leave being granted, Senator Collins will be added as a hyphenated sponsor to House Bill 1675.

SENATOR NETSCH:

Thank you. To the substance of the bill. It represents an accommodation...between and among the Department of

Revenue, the Municipal League and the City of Chicago and it is supported by them and a number of the other groups who are obviously well affected. It deals with the...an acceleration of...or an advancement and acceleration of the sales tax revenues that are collected on behalf of local governments, and basically it provides for a...an advanced distribution of those, a one-time major acceleration in March 1987 which will involve some fifty to sixty million dollars for the municipalities and counties on whose behalf the State collects the sales tax and thereafter it will be phased...worked into a regular schedule. I should point out that this will obviously be of considerable help to municipalities in their cash flow...plans. It does not involve any increase in money available to them. It is just an acceleration as we have done with respect to some of our State taxes from time to time. There is no State money involved. This is all money that is collected and kept in a separate fund for the units of local government to begin with. So, we will in no way be affecting the cash flow problems of the State of Illinois, but we will be of great help to our municipalities. I would be happy to answer any questions, and if not, I would solicit your support on House Bill 1675.

PRESIDING OFFICER: (SENATOR LUFT)

Is there any discussion? Is there any discussion? If not, the question is, shall House Bill 1675 pass. Those in favor vote Aye. Those...Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, the Ayes are 55, none voting Nay, none voting Present. House Bill 1675 having received the required constitutional majority is declared passed. On the Order of 3rd Reading is House Bill...1865, Senator Smith. Read the bill, please, Mr. Secretary.

SECRETARY:

House Bill 1865.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR LUFT)

Senator Smith.

SENATOR SMITH:

Thank you, Mr. President and members of the Senate. House Bill 1865 is better described as the keep working mothers working Legislature, for it is a small change in the State Medicaid Program to extend the length of time that former AFDC families can receive health care once they have secured employment and have stayed on the job for at least thirteen months and often longer, realizing at the same time that the primary beneficiaries will be children who would otherwise have no health benefits even though their parents are working. Currently our program provides for nine months of Medicaid after the maximum time limit for receiving AFDC to supplement extremely low paying jobs have been exhausted. Congress has provided an option for states to extend this limit to...by six months, which is what this bill does. Nine states have already established this option. The only person eligible are working parents and their children who were once AFDC recipients and whose income is extremely low, that's...minimum wage or slightly higher and who do not have employment paid health benefits. The Chicago Tribune stated in its article about..."That the number of ex-welfare families who fit this category is so small that the total annual cost to the State is estimated at only two hundred and forty thousand dollars and half of that is paid by the government, but any...disincentive to be self-supportive no matter how narrow its impact should be revised." That was quoted in the Chicago Tribune. And so I say that all of us who talk about...with our constituents know that the greatest, single concern about our State welfare program is that we need to

get more people off the welfare rolls. The greatest fear that any of us would have as parents is to have a sick child with no health benefits. This bill only begins to address the problem of the medically uninsured among working people. It makes a small step towards helping people to get off welfare. It is only a...this is the only bill pending in the Senate that would make policy changes to encourage people to take jobs. It probably does not go far enough, but it certainly takes a step in the right direction. Mr. Chairman and members of the Senate, I encourage your favorable support.

PRESIDING OFFICER: (SENATOR LUFT)

Is there any discussion? Senator Macdonald.

SENATOR MACDONALD:

Thank you, Mr. President. I reluctantly have to rise opposing this particular piece of legislation. The department is very much opposed to this concept. While it is a small beginning, it may be just exactly that and it not...is only what this particular bill might do but what precedent it might be starting for the future. At this particular time, the department feels there is just no way that they can comply with this and the estimated number of families are just exactly that, it is an estimated number and we have no assurance of exactly how much this increase will be. While the estimate is...the estimate is two hundred and forty-one thousand dollars with a matching grant from the Federal Government, we still are unsure at this point and the department has registered strong opposition to this piece of legislation.

PRESIDING OFFICER: (SENATOR LUFT)

Is there any further discussion? Senator Kustra.

SENATOR KUSTRA:

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

PRESIDING OFFICER: (SENATOR LUFT)

She indicates she'll yield.

SENATOR KUSTRA:

Senator, could you clarify just what the cost of this is? I...again, recognizing that we don't know the cost down to the last dollar, I have something on my desk; in fact, the Tribune article which you referred to, the Tribune editorial in favor of your bill, says two hundred and forty thousand dollars, but I have a note here that lists the State cost as a hundred and twenty thousand dollars. Is that because half if it is reimbursed by the Federal Government?

PRESIDING OFFICER: (SENATOR LUFT)

Senator Smith.

SENATOR SMITH:

Yes, but first let me say that any up-front costs will be immediately saved when families who we help with health care do not quit their jobs to go back on AFDC to get...needed health care. You're saving money there. He want to pay for health care for a sick child rather than to see its mother quit her job and go on cash...go on cash assistance and return back...return to Medicaid. The specific answer to your question is that the department estimate as many as six hundred families will be eligible for an annual cost of two hundred and forty thousand dollars in the Medicaid budget, half of the cost is paid by the Federal Government. If we can help these mothers to stay on their jobs, you are saving the State money when you can take these women off of welfare and it's not for the rest of their life, it's only for a short time, that's all it is. We're trying to help mothers to help themselves, to help them to become independent. You don't want to maintain...you're talking about your welfare rolls are increasing, increasing, increasing and when you have a program that's going to help them to help themselves and get off of welfare, then you want to fight it. That's all we're asking.

PRESIDING OFFICER: (SENATOR LUFT)

Any further discussion? Any further discussion? Senator Newhouse.

SENATOR NEWHOUSE:

Thank you, Mr. President. Mr. President and Senators, I...among those who are in this Body have a great deal of respect for Greg Coler who is the director of the Department of Public Aid and I recognize his dilemma. His dilemma is that he's fooling with a series of figures that somehow he must fit into the program that's before him and his job is not to project what might be coming down the line over the next ensuing months during the term of this fiscal year, but it's clear that one thing is going to happen and that is that if we do this, we'll go back into the punitive mode of punishing people who are trying to help themselves, and I don't think we want to do that. The second thing we're doing is this, if we look at this from a cost benefit ratio, certainly we can understand that it's going to cost us a good deal more when a family goes off a payroll and back onto the public aid rolls in the course of a sickness. The person who goes back onto the rolls at the intervention of that sickness is likely to stay on those rolls and that's where the cost to us is going to occur. So it would seem to me that the better logic would be to look at the short-term dollars we might have to spend...might have to spend and think about the long-term dollars we won't have to spend provided we keep working mothers working. That's the thrust of this bill. I hope we all consider it in that way and I would cast an Aye vote and ask that we all do the same.

PRESIDING OFFICER: (SENATOR LUFT)

Is there any further discussion? Senator Smith, do you wish to close?

SENATOR SMITH:

Thank you, sir. I merely wish your favorable vote. Thank you.

PRESIDING OFFICER: (SENATOR LUFT)

All right, the question is, shall House Bill 1865 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, Mr. Secretary. On that question, the Ayes are 32, 18 voting Nay, none voting Present. And House Bill 1865 having received the required constitutional majority is declared passed. Next bill on the Calendar is House Bill 1945, Senator DeAngelis. Okay, on the Order of 3rd Reading is House Bill 2537, Senator Newhouse. Read the bill, please, Mr. Secretary.

SECRETARY:

House Bill 2537.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR LUFT)

Senator Newhouse.

SENATOR NEWHOUSE:

Thank you, Mr. President and Senators. This provision, I think we all know about. It provides for the General Assembly to be able to make interim payments in the event that our budget...that our affairs are not settled by July 1. It means that...that public aid recipients will not then be off the rolls or without monies for an intervening period of time and I think it's a good idea and would ask a...favorable roll call.

PRESIDING OFFICER: (SENATOR LUFT)

Is there any discussion? Is there any discussion? Senator Schaffer.

SENATOR SCHAFFER:

Senator Newhouse, I watched the debacle last year and I...I think I shared your frustrations. My concern is that if that particular technique was to be used again this year, they'd use the Department of Mental Health or DCFS and next

year there'll be a bill in for a continuing resolution for those departments. I have no objection to...I...I am sympathetic to what you're trying to do. I just think it is a horrible precedent. We have watched our friends on the Potomac with their continuing resolutions and they get to the point where they don't pass budgets, everything goes for months and years on continuing appropriations. This is one thing I would not suggest that the Legislature should emulate Washington on. It is a...an understandable reaction to a bad situation but it is a horrible precedent and one that I think could lead this Legislature and this State down a road that we ought not travel.

PRESIDING OFFICER: (SENATOR LUFT)

Is there any further discussion? Senator D'Arco.

SENATOR D'ARCO:

Senator Schaffer, you're right, it is a horrible precedent, but what we're trying to do is correct the situation where a horrible precedent was created in the first place. I mean, if you remember, it was the House Republicans that held the bill hostage that created a situation where we can't have that occur anymore and we can't trust those House Republicans to do the right thing. I mean, we all know that they are prone to do some very irrational things in the House and this is just one of them. So, we've got to take corrective action and that's what we're doing.

PRESIDING OFFICER: (SENATOR LUFT)

Did you wish to reply, Senator Schaffer?

SENATOR SCHAFFER:

I can't argue with your logic on the House Republicans. I would only point out to you there's only one force worse, that's the House Democrats.

PRESIDING OFFICER: (SENATOR LUFT)

Is there any further discussion? Senator Kelly.

SENATOR KELLY:

Yes, Mr. President, I'd like to get leave to be added as the hyphenated sponsor of this...

PRESIDING OFFICER: (SENATOR LUFT)

Senator Kelly seeks leave to be added as a hyphenated sponsor to House Bill 2537. Is leave granted? Leave is granted. Is there any further discussion? If not, Senator Newhouse to close.

SENATOR NEWHOUSE:

Thank you, Mr. President. Mr. President, I would hope that the fears of the Senator do not come to fruition, but if they do, it will be the fault of this Legislature. I would hope instead that this would be a spur under the saddle of this Legislature to get the business done promptly so that we won't go into the mode of continual appropriations. I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR LUFT)

Question is, shall House Bill 2537 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wished? Have all voted who wished? Have all voted who wished? Have all voted who wished? Take the record, Mr. Secretary. On that question, the Ayes are 27, the Nays are 27, none voting Present. House Bill 2537 having failed to receive the constitutional majority is declared lost. The next bill on the Calendar, 2544, is on recall. Excuse me, Senator Newhouse.

SENATOR NEWHOUSE:

Postponed consideration, please.

PRESIDING OFFICER: (SENATOR LUFT)

Postponed consideration of House Bill 2537. The next order of business, House Bill 2544 is on recall. We will proceed to House Bill 2546, Senator Watson. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 2546.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR LUFT)

Senator Watson.

SENATOR WATSON:

Yes, thank you, Mr. President. The original legislation simply stated that under current law a fire protection district which annexes to a municipality...that provides fire protection services must file a petition with the circuit clerk. All we are doing...circuit court. All we are doing is saying that the county clerk must also receive that same petition. We added two amendments in committee; one which established the grant program for fire protection districts. This was a maximum grant of five hundred dollars to propose fire protection districts to enable them to offset some of the costs of drawing the maps, legal fees, whatever...and the reason for this is try to establish some incentive for local units of government or local areas to establish fire protection districts. We are under the impression and feeling that fire protection district is the best way in which to establish fire service and fire protection for the citizens. This would, hopefully, be an incentive for that...that particular area. Second amendment which was offered by Senator Demuzio in...in committee authorizes incorporation of fire protection districts under a situation in which we have a municipality and an unincorporated area voting on a fire protection district and the unincorporated area does not pass or fails to support the fire protection district, the municipality area would then become a fire protection district without the...the support of the outside area. The reason for this was a situation that came up in my home county and in Senator Demuzio's area which a...a fire call was received by a local fire department and they did not respond because they were...the people involved were not members of a subscription

fire department. The...the reason was is because the fire protection district failed a couple of years ago but passed in the community. What we're trying to do here would simply say that the community would become a fire protection district if they so wish. Be glad to answer any questions.

PRESIDING OFFICER: (SENATOR LUFT)

Is there any discussion? Any discussion? If not, the question is, shall House Bill 2546 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, Mr. Secretary. On that question, the Ayes are 55, none voting Nay, none voting Present. House Bill 2546 having received the required constitutional majority is declared passed. On the Order of 3rd Reading is House Bill 2549, Senator Topinka. The next order of business, on the top of page 5, is House Bill 2552, Senator Demuzio. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 2552.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR LUFT)

Senator Demuzio.

SENATOR DEMUZIO:

Thank you, Mr. President. House Bill 2552 is the...from the Office of the Comptroller. It would authorize the...the Comptroller to intercept or deduct from income tax refunds delinquencies in...those individuals who are delinquent in repaying either their student loans or other financial obligations. There are a couple of technical amendments that were added. I know of no opposition and would move its...for adoption.

PRESIDING OFFICER: (SENATOR D'ARCO)

Any discussion? If not, the question is, shall...I'm

sorry, Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, I think this is a good idea because people who take money from the State and don't want to pay it back when they've had advantage of...of that money, I think is bad news and I hope that they will continue to...to go ahead with this bill and be signed into law. I think it's good. Good bill.

PRESIDING OFFICER: (SENATOR D'ARCO)

That's good. Senator Demuzio, do you wish to close? No, not at all? Okay. If not, the question is, shall House Bill 2552 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. House Bill 2552 having received the required constitutional majority is declared passed. House Bill 2573,...Senator Welch. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 2573.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. This bill is a bill to require the flagging of birth records of children who are missing. It's similar...in fact, it's identical to a bill that Senator Kustra sponsored earlier in the Session. This bill passed out of the House 112 to nothing. It requires when new students are enrolled they have to be accompanied by a certified copy of the student's birth certificate. Records including birth certificate are to be flagged when they are requested by a noncustodial parent. The person requesting the flagged

records are brought to the attention of the Department of State Police and local enforcement agencies are also notified.

PRESIDING OFFICER: (SENATOR D'ARCO)

Any discussion? If not, the question is, shall House Bill 2573 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, Mr. Secretary. On that question, the Ayes are 54, none voting No, none voting Present and House Bill 2573 having received the required constitutional majority is hereby declared passed. House Bill 2574, Senator Poshard. No. House Bill 2590, Senator Schuneman. No. House Bill 2642, Senator Jerome Joyce. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 2642.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Joyce.

SENATOR JEROME JOYCE:

Thank you, Mr. President. This prohibits municipalities with a population of less than a million from increasing vending machine license fee...fees without a notice and a public hearing. They have to give a thirty-day notice of...of a public hearing. Also it clarifies that a city governed under a commission form of government can make the transition directly to a city managerial form without having to revert back for a period of time to the aldermanic...form.

PRESIDING OFFICER: (SENATOR D'ARCO)

Any discussion? If not, the question is, shall House Bill 2642 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wished? Have all voted who wished? Have all voted who wished? Take the

record. On that question, the Ayes are 55, no Nays, 1 voting Present and House Bill 2642 having received the required constitutional majority is hereby declared passed. House Bill 2714, Senator Smith. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 2714.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Smith.

SENATOR SMITH:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Bill 2714 is...creates the Experimental Probation Challenge Program Act. It charges the board of the city colleges of Chicago to establish and to administer the program. It authorizes judges to require participation in the program as condition...probation and the program is to be funded by the State. The program is limited to counties with populations of over two million people, which Cook County. The House Bill 2712...well, that's not a part of this, but I would like to read to you what Justice...Eugene Pincham quoted about this new Act. That the probation challenge...instituted under the auspices of his courts has been found to be viable and necessary and he...our...our support to the implementation of this program as it would benefit the taxpayer to help on the outside rather than support on the inside. This will help to keep these young men out of jail but will give them an opportunity to further...and to make their lives much better. I...

PRESIDING OFFICER: (SENATOR D'ARCO)

Any discussion? Any discussion? Senator Barkhausen. Is your mike...I guess his mike...

SENATOR BARKHAUSEN:

Will the sponsor yield?

PRESIDING OFFICER: (SENATOR D'ARCO)

She indicates she will.

SENATOR BARKHAUSEN:

Senator Smith, is...is this part of the ongoing State program whereby the State provides support for an intense...or intensive probation services?

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Smith.

SENATOR SMITH:

This...yes, it is but it's...it's manned by the State colleges...

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Is this only for the City of Chicago?

PRESIDING OFFICER: (SENATOR D'ARCO)

...Senator Smith.

SENATOR SMITH:

It'd been a pilot program, at this particular time, I think it's manned...started in the City of Chicago but it's eventually going to permeate the entire State of Illinois.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Is there an appropriation that's tied to this measure?

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Smith.

SENATOR SMITH:

There is a...appropriations that's anticipated of two hundred and fifty thousand dollars but it's not in this particular bill.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Is...is there another bill that that appropriation is presently part of?

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Smith.

SENATOR SMITH:

As I understand, yes, there's supposed to be an appropriation.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

The reason, Senator Smith, that I asked that last question is because I'm told the appropriation bill didn't get out of Rules, so I was wondering if it was part of another appropriation bill at this time.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Smith.

SENATOR SMITH:

I understand that...that the appropriation has been...attached to another piece of legislation.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, I don't mean to quibble at excessive length about two hundred and fifty thousand dollars, but we have a lot of bills and particularly when we get to the Order of Appropriations we'll be considering a number of add-ons and we all know there's going to be a budget shortfall. I would simply point out that there is an existing State program whereby the State provides support for an intense probation services and supervision; and I'm not sure given our monetary situation whether this new program is warranted at this time, and for that reason, would urge opposition to the bill.

PRESIDING OFFICER: (SENATOR D'ARCO)

...Senator...okay, you had...Senator Lechowicz.

SENATOR LECHOWICZ:

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

PRESIDING OFFICER: (SENATOR D'ARCO)

She indicates she will.

SENATOR LECHOWICZ:

Senator, who would be responsible for this probation creation challenge program?

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Smith.

SENATOR SMITH:

The...the board of the city colleges of Chicago is charged with the responsibility of developing and administering the program, providing its facilities for the program and setting reasonable rules and it's already in operation through the Harvey College in the City of Chicago, they're viable.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Lechowicz.

SENATOR LECHOWICZ:

Does that...is that part of the program with the...presiding judge's office? Because I thought the probation department is with the...it's out of the Supreme Court of the State of Illinois and it goes to the presiding judge of Cook County as far as the probation officers within Cook County. Now we have a...a separate section of the junior college board?

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Smith.

SENATOR SMITH:

It's under...it's under their operation. It requires the board of the city colleges of Chicago to hire the program director and who in turn hires the education coordinator,

counselor supervisor, psychologist and administrator and the board shall set their prospective salaries, but you have such participants now that are actually working with this program, Judge R. Eugene Pincham, you have the Reverend Harold E. Balley who is the director of probation challenge out of the campus of...Olive Harvey College and he's also a probation officer, and then you have...Joseph DePaul who is chairman of the probation challenge. It's well-fortified, it's well-organized and it's doing a tremendous job in helping these young men to stay out while on probation rather than to go back into the prisons, and this is something that they need.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Lechowicz.

SENATOR LECHOWICZ:

Well, is this a pilot program now that we're trying to make into a law as far as creating this probation challenge? Has this been a pilot program within the City of Chicago and you're trying to formalize it?

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Smith.

SENATOR SMITH:

Yes, it is...was a...a pilot program but they have...ongoing hoping that they could continue and then expand and...this to the whole State of the...of Illinois. And the judges...your judges are very much in favor of this because it's going to help them to help these young men to stay out of jail. Yes...yes.

PRESIDING OFFICER: (SENATOR D'ARCO)

Right. Any further discussion? If not, Senator Smith to close.

SENATOR SMITH:

I just ask for a favorable vote, please.

PRESIDING OFFICER: (SENATOR D'ARCO)

The question is, shall House Bill 2714 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wished? Have all voted who wished? Have all voted who wish to vote on this bill? This bill requires thirty votes to pass. How are we doing? Not too good, someone said. Okay, take the record, Mr. Secretary. It's a tie vote. On that question, the Ayes are 27, the Noes are 27, 1 voting Present and Senate Bill 2714 having failed to receive the required constitutional majority is declared lost. Yes, Margaret.

SENATOR SMITH:

Mr. President, put this on postponement.

PRESIDING OFFICER: (SENATOR D'ARCO)

Postponed consideration.

SENATOR SMITH:

Yes, thank you.

PRESIDING OFFICER: (SENATOR D'ARCO)

2757. House Bill 2757, Senator Luft. No. 2777, Senator Watson. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 2777.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. Current law, which took effect January 1st of this year, permits surplus funds and a special road improvement fund to be transferred to the regular Road Fund. That particular legislation was flawed and this legislation now provides that no...there was no means of reactivating this...the levy for subsequent needs, that was the reason it was flawed. So, this legislation provides for that mechanism. I know of no opposition. It was introduced

HB 2839
3rd Reading

and supported by the township officials of Illinois, passed the House with 107 to nothing vote. It was on the Agreed Bill List in Local Government Committee and I'd be glad to answer any questions.

PRESIDING OFFICER: (SENATOR D'ARCO)

Any discussion? If not, the question is, shall House Bill 2777 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 wished? Take the record. On that question, the Ayes are 53, the...No...none voting No and none voting Present and House Bill 2777 having received the required constitutional majority is hereby declared passed. I think there's a hold on the...2798. House Bill 2820, Senator Hall. Senator Hall, you want to call 2820? We are...you want to call 2820? No. 2839, Senator Weaver. Read the bill, Mr. Secretary.

SECRETARY:

...House Bill 2839.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. House Bill 2839 deletes some obsolete language such as the Board of Trustees of the Illinois Industrial University and also, more importantly, provides for a quick-take by the board of trustees for a period of eighteen months in Champaign County. If there's any questions, I'll be happy to try to answer it.

PRESIDING OFFICER: (SENATOR D'ARCO)

Any discussion? Senator Welch.

SENATOR WELCH:

Just a question of the sponsor. What is it that the university is going to use the quick-take provision to

acquire...

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Weaver.

SENATOR WEAVER:

Well, basically, Senator Welch, there are several properties in the north campus area around the area of the Beckman Institute that they've been negotiating with for quite sometime, and I understand that there's some exorbitant prices being asked, that they can't get together in and if they can't get together with them before construction time comes along, they wanted this short period of time for quick-take. I personally don't like quick-take but sometimes we've allowed this for designated periods of time to solve some immediate problems to move on with projects.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Netsch.

SENATOR NETSCH:

...I'm sorry that was the same question, I wanted to know the project.

PRESIDING OFFICER: (SENATOR D'ARCO)

Any other discussion? If not, the question is, shall House Bill 2839 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wished? Have all voted who wished? Have all voted who wished? Take the record, Mr. Secretary. On that question, the Ayes are 52, 2 voting No, none voting Present and House Bill 2839 having received the constitutional...required constitutional majority is hereby declared passed. House Bill...yes, Senator Geo-Karis, for what purpose do you arise?

SENATOR GEO-KARIS:

I just want to note for the record that I pushed the wrong button. I meant to push No, and I pushed Yes instead on House Bill 2917.

PRESIDING OFFICER: (SENATOR D'ARCO)

The record will reflect your intention. House Bill 2958, Senator Sangmeister. 2917, it's on the recall list. 2937 is on the recall list. 2958, Senator Sangmeister. 2958. No? No. 3019, Senator Jerome Joyce. Senator Jerome Joyce. 3075, Senator Berman. Wait a minute. Hold it. Hold it. Senator Geo-Karis, for what purpose do you arise?

SENATOR GEO-KARIS:

...I apologize, Mr. President. I...the bill that I wanted to be reported as voting No is 2839 and I gave you the wrong number earlier.

PRESIDING OFFICER: (SENATOR D'ARCO)

Okay, we'll change it.

SENATOR GEO-KARIS:

I want to be...recorded as No.

PRESIDING OFFICER: (SENATOR D'ARCO)

You want to vote No on 2839. The record will so indicate. They...they're taking me away now, Adeline.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, page 7, House bills 3rd reading, House Bill 3075, Mr. Secretary.

SECRETARY:

House Bill 3075.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is a...accounting and budgeting process bill for the Chicago Board of Education. It expands upon a bill that we passed last year and what it does is deletes the limitation that the board's budget estimate of accrued tax levy not exceed a sum equivalent to the school district's equalized assessed valuation times the maximum tax rate. It further

HB 3115
3rd Reading

deletes the requirement that the board's tax levies for text-books and playground purposes not exceed the board's estimated tax levies as found in the budget and eliminates the requirement of a...budget appropriation for the loss and cost of collecting taxes, deferred collections and abated taxes. Be glad to respond to any questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...discussion? If not, the question is, shall House Bill 3075 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 1, none voting Present. House Bill 3075 having received the required constitutional majority is declared passed. 3111...3115, Senator Kustra. Senator Kustra. House bills 3rd reading is House Bill 3115, Mr. Secretary.

SECRETARY:

House Bill 3115.

(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...House Bill 3115 is a technical amendment to the Telecommunications Excise Tax Act which we passed as a part of the education reform package. Basically, what happened after that Act passed is that the State, the Department of Revenue and the telecommunications industry got together and agreed that the State intended to tax only those calls which either originated or terminated in Illinois. Unfortunately, the law which we passed to deal with that was written incorrectly and so this bill removes the "in this State" language from Section 3 and inserts it at the proper place in Section

4. I know of no opposition to the bill and ask for a favorable consideration.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, discussion? Senator Netsch.

SENATOR NETSCH:

Thank you. I concur in everything that Senator Kustra said about House Bill...3115. I think I might just add one small correction. I think we really understood when we first passed the Telecommunications Excise Act that it was intended to reach only those communications that either originated or terminated in the State of Illinois, because if I remember correctly, I think I made that explanation even though I was not the sponsor of the bill on the Floor. So, I think this really does literally confirm what we thought we had done all along, and I also would...solicit support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, the question is, shall House Bill 3115 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. House Bill 3115 having received the required constitutional majority is declared passed. 3128, Mr. Secretary. House bills 3rd reading is House Bill 3128.

SECRETARY:

House Bill 3128.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

Thank you, Mr. President and members of the Senate. House Bill 3128 permits persons bidding on...on local units

of government purchase orders or contracts in excess of ten thousand dollars that they may deposit a bid by...adequate surety as...approved by the purchasing agent of that local unit of government. It's another form of deposit and when that government asks for a...a deposit in good faith, this is a form which they may use along with the other cash and...and checks that may be required. I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall House Bill 3128 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. House Bill 3128 having received the required constitutional majority is declared passed. 3182. On the Order of House Bills 3rd Reading is House Bill 3182, Mr. Secretary.

SECRETARY:

House Bill 3182.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

Mr. President and members of the Senate, the bill does exactly what it says on the Calendar. This is a...technical part for the State Board of Education. I'd appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall House Bill 3182 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

NO 3207
3rd Reading

voting Present. House Bill 3182 having received the required constitutional majority is declared passed. 3187 is on the recall list. 3207, Senator Berman. 3-2-0-7. Middle of page 7. House bills 3rd reading is House Bill 3207, Mr. Secretary.

SECRETARY:

House Bill 3207.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is a bill similar to but improved upon a...a bill that we'd previously passed out of the Senate. This bill addresses the need to provide indemnification for State response action contractors. These are the people that are called in to clean up dangerous and toxic emergency situations pursuant to State contract. What we have done by the amendment to this bill is to provide that no contractors would be covered under this bill who, in fact, create the problem that they are called in to eliminate. Number two, that the...indemnification is limited to State funded contracts only. Number three, that the Attorney General is to conduct a defense in the most...in the best interest of both the State as well as the contractor, and we have put in the requirement that the bill will not be operative unless the director of the Department of Insurance determines that regular liability coverage is not available out in the marketplace. Be glad to respond to any question and request your favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Keats.

SENATOR KEATS:

First a statement followed by a question. We passed the last bill out and I...I voted for it myself. The other day when I was reading the...the Wall Street Journal they had an article about Johns-Mansville has just come out of bankruptcy and...and asbestos cases have been fairly major. They're just appointing a bunch of trustees and they're estimating their liability as...at least 2.8 billion dollars it's going to fall on someone. I...my question is, do we have any comprehension of what liability we may be accepting? I mean, Johns-Mansville...I mean, the whole company went into bankruptcy and now you have Federal trustees being appointed, just announced the other day. Art, do we got any idea of what kind of money we're guaranteeing?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

The...the honest answer is, no, we don't. And I think we got into this a little bit when the Senate bill was before us. The problem that we have confronting us, and I think we've addressed it as best as we can, and it's a...it's a judgment call. These are emergency situations. The...the...the dangerous situation has to be cleaned up. Nobody's going to clean it up, period, unless they are covered by liability insurance that they can buy in the marketplace or the State is going to act as their insurance carrier. This is the second option. The State is acting as their insurance carrier. The...if there is insurance available, this bill won't take effect; if there's no insurance available and the State decides that the exposure from the risk has to be assumed in order to clean up this dangerous condition, then the State enters into that contract, and it's a judgment call by the people that have to decide whether these dangerous conditions have to, in fact, be cleaned up.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Keats.

SENATOR KEATS:

...is there any way we can put some kind of caps or limitations on this? I mean, this could be billions of dollars. I mean, it could get to be down right interesting on this and none of us know, could we perhaps put some limitation on our liability? I mean, we're at the stage today where we accept all, and let me stress all liability, and I know we have defined this as best as we can, as you were saying, but somewhere...I...I mean, I just think we got to start being...this could be billions and we're saying, we accept all liability, period. That's a lot of money.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

There is probably some technical method, for example, don't hire anybody outside of State Government, do it all in-house and then put a cap on the State's liability. They could do that today. They don't need a bill to do it. But that's not what this bill is. The bill is, if I've got to go outside of my in-house people, outside of my employees, I can't get anybody unless they're going to be covered, and...and this is the...a...it's not an ideal situation but it's one that they...that we have to live with under the existing conditions out in the marketplace.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. Some questions of the sponsor, if he will yield.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Schuneman.

SENATOR SCHUNEMAN:

Senator, this is pretty much the same discussion we've

had on this issue before and I share some of the concerns of...of Senator Keats. I'd like to ask you a couple of questions about the State's liability. On ordinary tort liability, am I correct in understanding that...that in those cases...for example, in automobile accidents involving State vehicles and that sort of thing that those cases are now settled in the Court of Claims?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

Not necessarily. If a...if a State employee is driving a car and runs you over and I'm your attorney, if I want to go against the State, I have to sue in the Court of Claims, but if it's...but I have an option. I don't have to sue the State. I can sue the guy that drove the car and sue in the circuit court and collect whatever I'm able to collect. Now that's why under State Statutes we provide I think it's a million dollars coverage that the State will indemnify that driver; otherwise, you wouldn't have any drivers.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...Senator Schuneman.

SENATOR SCHUNEMAN:

Well, I suggest that perhaps there could be a mechanism maybe similar to that in this instance, because I...I...also have a concern that what we're doing, in effect, is making the State of Illinois an insurer of last resort for...the only problem is that...that if we were operating an...an insurance company, we would be underwriters and would limit somehow the amount of insurance that we would provide a contractor; and under the terms of your bill, as I understand it, there are no limits, and I...and I...I expressed that concern to you before and I...I thought based upon our comments that you were not adverse to trying to work out some kind of limitation or finding a solution, but apparently

that hasn't happened and...and, consequently, I'm...I think this is something we ought to look at very carefully.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Berman may close.

SENATOR BERMAN:

Thank you. In response, we brought up...I brought up and...and I think you did too with Gary Crites who represents the contractors that we're dealing with, and...and their answer logically was this. They don't know what their exposure is; therefore, they're not willing to...to put a cap on this bill as to what the State is going to indemnify them...for. They're not stonewalling us. I can't say what the exposure is, neither do they; and if we set any arbitrary amount too low, you're still not going to have these contractors available to us. I think...I think the bill is in as good as shape as we can expect it to be under the circumstances. If something develops and we find a better way where we can still get these guys and put a million dollar cap or a two million dollar cap, I'm all for it, but the...the response that I got was, they don't know what the exposure is, they're not willing to put a cap...an arbitrary cap on because then the bill won't work. I think it's a difficult solution to a very difficult problem, but I solicit your Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall House Bill 3207 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, the Ayes are 35, the Nays are 9, 8 voting Present. House Bill 3207 having received the required constitutional majority is declared passed. 3217, Senator Degnan. Senator Degnan on the Floor? Senator Degnan on the Floor? Page 8...page 8, 3222, Senator Lechowicz. House

bills 3rd reading is House Bill 3222, Mr. Secretary.

SECRETARY:

House Bill 3222.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz.

END OF REEL

REEL #4

SENATOR LECHOWICZ:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 3222 has a twofold purpose. One, it allows the Secretary of State to subpoena witnesses and secure evidence for other states on alleged violations of security laws at the request of the Secretary of State and it increases the license and renewal fees for special sales from twenty-five dollars to seventy-five dollars for the city clerk. That fee has not been changed since 1959. That's the purpose of 3222. Be more than happy to answer any questions; if not, I solicit your Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall House Bill 3222 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. House Bill 3222 having received the required constitutional majority is declared passed. 3276, Senator Berman. House...that's on the recall. 3300, Senator Lechowicz. I beg your pardon. (Machine cutoff)...Berman. All right, on the Order of House Bills 3rd Reading is House Bill 3276, Mr. Secretary.

SECRETARY:

House Bill 3276.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President, Ladies and Gentlemen of the

Senate. This bill was requested by the State Treasurer and what it states is that no institution approved as a depository for State monies shall be disqualified solely because of its acquisition by another institution. And we added by amendment the power to make and provide for rules and regulations necessary for the effective administrative performance of the duties by the State Treasurer. I solicit your Aye vote. I know of no opposition.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall House Bill 3276 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 are none, none voting Present. House Bill 3276 having received the required constitutional majority is declared passed. Now, 3300, Senator Lechowicz. House Bill...House Bill 3309 is on the recall list. Is there leave to get back to 3351? Leave is granted. House Bill 3371, Senator Karpiel. House bills 3rd reading is House Bill 3371, Mr. Secretary.

SECRETARY:

House Bill 3371.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Karpiel.

SENATOR KARPIEL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 3371 is a very simple bill which amends the Library System Act. It increases the basis for the annual per capita grant from \$1.293 to a \$1.233...that sounds like a decrease, it's the other way around, I'm sorry, that's a misprint of what I'm reading. The current figure per capita grants is \$1.233 and the proposed per capita grant

is \$1.293 and they are changing the area grants from...per square mile from \$43.2461 to \$45.3944. This bill passed out of the House 112 to nothing. It was on the Agreed Bill List coming out of committee and it is supported by the Secretary of State, Illinois Library Association, I would like your support also.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not,...Senator Watson.

SENATOR WATSON:

Just a comment and maybe a question, Mr. President, thank you. It says in our analysis that seventeen million dollars is the appropriation and cost of this?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Karpel.

SENATOR KARPIEL:

Well,...ah, that's what it says, that's right.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson, do you...have no further questions on the seventeen million? Senator Karpel.

SENATOR KARPIEL:

The money is in the...the Secretary of State's appropriation budget...it's in there already.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

The one that's on 2nd reading now, it's in there?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Karpel. Senator Karpel, do you wish to close?
Senator Karpel.

SENATOR KARPIEL:

No, I would just like your support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall House Bill 3371 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 are 1, none voting Present. House Bill 3371 having received the required constitutional majority is declared passed. 3422, Senator Davidson. Senator Davidson on the Floor? All right, House bills 3rd reading is House Bill...I'm sorry, 3-4-2-2, Mr. Secretary, 3422.

SECRETARY:

House Bill 3422.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson. Senator Davidson.

SENATOR DAVIDSON:

I'm sorry, I thought you were asking for a recall. Take it out of the record, please.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Okay, we're going to make a note of this one...take it out of the record. 3449, Senator Luft. House bills 3rd reading, top of page 9, House Bill 3449. Mr. Secretary.

SECRETARY:

House Bill 3449.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. House Bill 3449 increases from twenty days to one hundred and twenty days the length of period in which a change in Federal tax liability must be reported to the Department of Revenue. And it reduces from two percent to 1.25 percent the interest rate assessment a taxpayer for underpayment on sales tax has to pay which is effective January 1 of 1987, and as amended in committee,

this bill now creates the Department of the Lottery. It transfers all functions and powers of the Department of Revenue Division of Lottery to the newly created department. I would be happy to ask any questions; otherwise, I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall House Bill 3449 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...55, the Nays are none, none voting Present. House Bill 3449 having received the required constitutional majority is declared passed. House bills 3rd reading is House Bill 3468, Mr. Secretary.

SECRETARY:

House Bill 3468.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rupp.

SENATOR RUPP:

Thank you, Mr. President. This bill touches on two Acts, the Dental Practice Act and the Real Estate License Act. It does increase the fees, the renewal fee for a dentist license goes from fifteen dollars to thirty dollars. As far as the Real Estate License Act, the main thing is that it adds in there that grounds for discipline now includes aiding or abetting any other individual, partnership or corporation in disregarding or violating any provisions of the Act. And the third was the...by amendment from the Floor, was the elimination of the Real Estate Time-share Registration Fund and putting that into the Real Estate License Administration Fund. I ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further...any discussion? The question is, shall House Bill 3468 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 are none, none voting Present. House Bill 3468 having received the required constitutional majority is declared passed. 3476, Senator...Donahue...3503, Senator Holmberg. Senator Geo-Karis, for what purpose do you arise?

SENATOR GEO-KARIS:

You passed...3474 up again.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, there's...there's an amendment.

SENATOR GEO-KARIS:

No...no, there's no amendment, it was withdrawn. It was withdrawn by Senator Rupp.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, let me just put it to you this way. We are on House...we will go back and...and pick up House Bill 3474. Senator Geo-Karis wishes to have that bill called irrespective of Senator Rupp's amendment that I have that is filed here...I understand you have now withdrawn it. House bills 3rd reading is House Bill 3474, Mr. Secretary.

SECRETARY:

House Bill 3474.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and...Ladies and Gentlemen of the Senate, this...the...this bill provides that the Lake County Forest Preserve District shall convey approximately thirty-five acres of property to the Department of Conservation for the

purpose of developing the North Point Marina on Lake Michigan. This bill also provides that the Department of Conservation and the Vermilion County Conservation District are transferring property within each other. The Department of Conservation will receive 350.95 acres and...and...and the...the...Vermilion County Conservation District will receive two hundred and sixty-six some acres the Department of Property. I ask for favorable consideration of this bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall House Bill 3474 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 are 1, 1 voting Present. House Bill 3474 having received the required constitutional majority is declared passed. 3476, Senator Donahue. All right, House bills 3rd reading is House Bill 3476, Mr. Secretary.

SECRETARY:

House Bill 3476.

(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. This bill is...simply takes care of the checkoffs that we have with the various funds and it also deals with the unsolicited private funds that can be...put into these different...I don't want to keep saying funds, but they're different checkoff accounts. It's...I know of no opposition whatsoever and I would move for its passage.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall House Bill

3476 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 are none, none voting Present. House Bill 3476 having received the required constitutional majority is declared passed. House Bill 3503. 3503 is on recall. 3527, Senator Rupp. House bills 3rd reading is House Bill 3527, Mr. Secretary.

SECRETARY:

House Bill 3527.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rupp.

SENATOR RUPP:

Thank you, Mr. President. What this bill does is amends the Grain Dealer's Act and Public Warehouse and Warehouse Receipts Act. It stipulates that if grain is transferred from one warehouse to another, the recipient warehouse must comply with the provisions of the Grain Insurance Act. And it clarifies and is basically is what they're trying to do is that the accounts receivable from the sale of grain are considered a liquid asset when determining adjusted debt to adjusted equity ratio between a grain dealer and grain warehouseman.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Discussion? If not, the question is, shall House Bill 3527 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 55, the Nays are none, none voting Present. House Bill 3527 having received the required constitutional majority is declared passed. Senator Geo-Karis. Senator Geo-Karis,

it...it's better to lobby your bill before instead of after. House bills 3rd reading is House Bill 3550, Mr. Secretary, read the bill. All right. It's...it's on recall. 3555 is on recall. Page 10, 3573. 3599, Senator Newhouse. House bills 3rd reading, page 10, 3599. Mr. Secretary.

SECRETARY:

House Bill 3599.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Newhouse.

SENATOR NEWHOUSE:

Thank you, Mr. President, Senators. House...this bill exempts delinquent student loan funds received by the State Scholarship Commission from private collection firms employed by the State from the State Offices and Employees Money Disposition Act. Now, what this really does is place the monies in such a posture that those collection agencies can get paid on time. This has nothing to do with the collection of the funds, it has to do with the timeliness of the payments to the collectors. I know of no objection, I'll answer any questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, discussion? If not, the question is, shall House Bill 3599 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 are none, none voting Present. House Bill 3599 having received the required constitutional majority is declared passed. All right, with leave of the Body, let's...we'll return to the bottom of page 7...bottom of page 7 is 3217. Is leave granted? Leave is granted. House bills 3rd reading, bottom of page 7, is 3217. Mr. Secretary.

SECRETARY:

House Bill 3217.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Degnan.

SENATOR DEGNAN:

Thank you, Mr. President. House Bill 3217 would authorize the Chicago Park District to...issue an additional twenty-six million dollars in bonds which will be used by the museums to complete the second half of a ten-year program of renovation and new construction begun in 1983 and scheduled to be completed in 1992. The money will be used totally for capital improvements at the eight museums and will be matched dollar for dollar by the museums from private contributions and donations.

PRESIDING OFFICER: (SENATOR DEMUZIO)

If we could get some Pages down here in front to pass out the second recall list. All right. Discussion? Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. First of all, I apologize, I had people talking here...to...with me. I didn't hear your explanation, but did you mention in there that we're increasing a tax levy without referendum or are we doing that from .12 to .15, the rate?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Degnan.

SENATOR DEGNAN:

Well, there will be a tax increase with the bond authorization, correct.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

So it's an increase without a referendum?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Degnan.

SENATOR DEGNAN:

Yes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Keats.

SENATOR KEATS:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Keats.

SENATOR KEATS:

Senator Degnan, have you got Senator Netsch's okay to fool with the park district?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Degnan.

SENATOR DEGNAN:

I..I haven't discussed this with Senator Netsch, she might want to say a word on the issue.

PRESIDING OFFICER: (SENATOR DEMUZIO)

I think she's conveniently busy. Senator Keats.

SENATOR KEATS:

One last serious question, we had a battle with the park district several years ago where they issued bonds and the bonds went for the museums and they kept the interest. It set an interesting precedent that capital...or the principal and interest were unrelated. There's a Judge Nick Buah decision, nobody in the entire history of the world ever thought that interest paid upon principal was unrelated to the principal until Judge Buah came up with that, he's a real wizard sometimes. If we have this same situation, these bonds do generate interest 'cause they'll be sold immediately, they will...generate interest, do we get another Buah decision that the bonds go for one thing and the interest is sort of

HB 3473
Recall

pocket change for an unrelated...I mean, that's...it's
an...it's a novel interpretation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Degnan.

SENATOR DEGNAN:

I don't know Judge Buah's feelings on the matter today.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Keats.

SENATOR KEATS:

Could we say for intent...if anyone is interested, could
we say for intent that the interest follows the principal as
it does in any other negotiation any...at any other time?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Degnan.

SENATOR DEGNAN:

Sure.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? If not, the question is,
shall House Bill 3217 pass. Those in favor will vote Aye.
Those opposed will vote Nay. The voting is open. Have all
voted who wish? Have all voted who wish? Have all voted who
wish? Take the record. On that question, the Ayes are 38,
the Nays are 15, 1 voting Present. House Bill 3217 having
received the required constitutional majority is declared
passed. We are now...you've now been passed out the second
recall list...second recall list has now been passed out.
With leave of the Body, we will go to the Order of Recalls.
Leave is granted. Recalls. All right, on the Order of
House...on Recalls is 2644, Senator Lemke. Senator Lemke on
the Floor? 2917, Senator Netsch. All right, 2937, we'll get
back to that in a minute. 3396, Senator Carroll. Senator
Carroll on the Floor? 3473, Senator Davidson. Senator
Davidson on the Floor? You know...all right, Senator
Davidson seeks leave of the Body to return House Bill 3473 to

HB 3549
Recalled

the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. House bills 2nd reading, House Bill 3473, Mr. Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Davidson.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

Mr. President and members of the Senate, this amendment I'm offering for Senator Topinka who's unable to be here since her father had spinal surgery this morning, and what it amounts to is to protect archaeological artifacts of historical value from any State land is currently a Class C misdemeanor and punishable by a citizen sentence of not more than thirty days. This increases the penalty for removing those artifacts of either historical or archaeological value. Move the adoption of the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson has moved the adoption of Amendment...Amendment No. 2 to House Bill 3473. Is there discussion? If not, those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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

SENATOR DeANGELIS:

Well, I noticed Senator Carroll is not on the Floor and maybe he would like for me to have...take his bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Oh, I'm sure that he'll send a written notice down if that's the case. 3549, Senator Etheredge. On the Order of

House Bills 3rd Reading is House Bill 3549. Senator Etheredge seeks leave of the Body to return that bill to the Order of 2nd Reading for purpose of an amendment. Is leave granted? Leave is granted. House bills 2nd reading is House Bill 3549, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Philip.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Amendment No. 1 raises the ceiling from fifteen hundred to three thousand in regards of forest preserve park districts and I believe fire protection in regards to purchasing. Happy to ask any questions, move the adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall...the question...Senator Philip has moved the adoption of Amendment No. 1 to House Bill 3549. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 3555. Senator Mahar seeks leave of the Body to return House Bill 3555 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. House bills 2nd reading is House Bill 3555, Mr. Secretary.

SECRETARY:

Amendment No. 3 offered by Senator Mahar.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Mahar.

SENATOR MAHAR:

Thank you, Mr. President. Committee Amendment No. 1 conveyed the...to the Kane County Forest Preserve District the Illinois Prairie Path and it's...according to the Department of Conservation this was technically flawed. So I would like to move to Table Committee Amendment No. 1 and replace it with Amendment No. 3.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Mahar moves to Table Committee Amendment No. 1 to House Bill 3555. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is Tabled. Further...further committee amendments? Amendments from the Floor?

SECRETARY:

Amendment No. 3 offered by Senator Mahar.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Mahar.

SENATOR MAHAR:

Yeah, this...this makes the...the conveyance technically correct according to the Department of Conservation. I move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, now, Senator Mahar, Committee Amendment No. 2 is still attached. You wanted that...you wanted that on? And this is Amendment now No. 3. So Senator Mahar has moved the adoption of Amendment No. 3 to House Bill 3555. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The...Amendment No. 4 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senator Netsch, are you prepared on 2917? All right. The...Senator Netsch seeks leave of the Body to return House Bill 2917 to the Order of 2nd Reading for the

purpose of an amendment. Is leave granted? Leave is granted. House bills 2nd reading is House Bill 2917, Mr. Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Netsch.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. This is the Pharmaceutical Assistance Act and if this amendment which adds medicines prescribed for arthritis is added on, it will make the bill identical to...except for the amendments that we've previously added to Senate Bill 2042 which we had previously passed out of the Senate by an overwhelming majority and I would move the adoption of Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Netsch moves the adoption of Amendment No. 2 to House Bill 2917. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading.

PRESIDENT:

Middle of page 6, on the Order of House Bills 3rd Reading, House Bill 2937. Senator Demuzio seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading, House Bill 2937, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Demuzio.

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Amendment No. 1 would allow those individuals who pay motor fuel taxes to accept...allow...for the Department of Revenue to either allow a credit or a refund for those individuals who have either overpaid or...or have fuel tax loss of revenue or whatever it may be. We already do this for sales tax, this will just afford the motor fuel taxpayers the same option. I would move its adoption.

PRESIDENT:

All right. Senator Demuzio has moved the adoption of Amendment No. 1 to House Bill 2937. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. All right, if I can have your attention for just a moment, I'm sure everyone understands that Monday is the deadline for House bills on 3rd reading. When we adjourn which will be shortly, we will reconvene at ten o'clock tomorrow morning, we...ten o'clock tomorrow morning. We will be finished with our business, I am sure, as Senator Philip and I have discussed, by noon so you can make your plans accordingly. But anyone who wishes to move a House bill that is currently on 2nd reading to 3rd reading, tomorrow is the day with the exception, obviously, appropriations. So tomorrow we will do House bills 2nd reading, recalls, if any, and move to 3rd reading for a brief period of time. Monday we will reconvene at the hour of noon and since it is the substantive bill deadline, we will work until our work is completed. Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Like the record to indicate that Senator Topinka is not here today, her father is being operated on; hopefully, if everything goes well, she will be here tomorrow.

PRESIDENT:

The record will so reflect. Senator Demuzio.

SENATOR DEMUZIO:

Yes, there will be a meeting in your office tomorrow morning at nine o'clock for the Democratic Senators to discuss the health insurance options that are coming up before the end of the month.

PRESIDENT:

Yes, we have an Executive Committee report to advise and consent to the Governor's nominees if Senator Lechowicz wishes to go to that order of business. Then we will do some housekeeping in terms of resolutions and Messages from the House, then we will adjourn until ten o'clock tomorrow morning. We will conclude our business by noon. In the meantime, the Democrats will meet in my office at 9:00 a.m. to discuss the question of health insurance for those of us who have to survive next week I guess. Senator Rupp.

SENATOR RUPP:

Thank you, Mr. President. A Republican Caucus immediately after adjournment, Senator Philip's Office.

PRESIDENT:

All right, there will be a Republican Caucus in Senator Philip's Office immediately after adjournment. Once we conclude with Senator Lechowicz's committee report, we will handle the housekeeping and we will adjourn. Senator Poshard.

SENATOR POSHARD:

Yes, thank...thank you, Mr. President. Mr...Mr. President, I'd like to state for the record that I inadvertently hit the wrong switch on House Bill 3096, it's a bill which I

cosponsored. I inadvertently voted No, I would have voted Yes and I'd just like to state that for the record.

PRESIDENT:

All right. The gentleman wishes to...3096, the record will so reflect, Senator Poshard. Committee reports, Mr. Secretary.

SECRETARY:

Senator Lechowicz, chairman of the Committee on Executive Appointments, Veterans' Affairs and Administration to which was referred the Governor's Messages of October the 17th, 1985; January the 9th, 1986; May the 13th, 1986; May the 14th, 1986; June the 11th, 1986 and June the 18th, 1986, reported the same back with the recommendation that Senate advise and consent to the following appointments.

PRESIDENT:

Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I move that the Senate resolve itself to...into Executive Session for the purpose of acting on the Governor's appointments set forth in his Messages of June 18th, June 11th, May 14th, May 13th, January 9th of 1986 and October 17th of 1985.

PRESIDENT:

You've heard the motion as placed by Senator Lechowicz. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The Senate now resolves itself into Executive Session. Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. With respect to the Governor's Message of June the 11th, 1986, I'll read the salaried appointments to which the Senate Committee on Executive Appointments, Veterans' Affairs and Administration recommends that the Senate do advise and consent.

To be members of the Pollution Control Board for a term expiring on July 1, 1989, John Carl Marlin of Urbana, Bill Forcade of Chicago, Walter J. Nega of Chicago.

To be a member of the Illinois Education Labor Relations Board for a term expiring on February 1, 1990, Gerald Berendt of Evanston.

To be a member of the Illinois Education Labor Relations Board for a term expiring February 1st, 1992, Edna Krueger of Elgin.

Mr. President, having read the salaried appointments, I now seek leave to consider these appointments on one roll call unless some Senator has objection to a specific appointment. Mr. President, will you put the question as required by our rules.

PRESIDENT:

Any discussion? Any discussion? If not, the question is, does the Senate advise and consent to the nominations just made. Those in favor will vote Aye. 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 50 Ayes, no Nays, none voting Present. A majority of the Senators elected concurring by record vote, the Senate does advise and consent to the nominations just made. Senator Lechowicz.

SENATOR LECHOWICZ:

Mr. President, with respect to the Governor's Message of May 14th, 1986, I'll read the salaried appointments to which the Senate Committee on Executive Appointments, Veterans' Affairs, Administration recommends that the Senate do advise and consent.

To be Public Administrator for Cook County for a term expiring December 4th, 1989, Thomas S. Chuhak of River Forest.

Mr. President, having read the salaried appointment, will

you put the question as required by our rules.

PRESIDENT:

Any discussion? Is there any discussion? If not, the question is, does the Senate advise and consent to the nomination just made. Those in favor will vote Aye. 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, there are 48 Ayes, no Nays, none voting Present. A majority of the Senators elected concurring by record vote, the Senate does advise and consent to the nomination just made. Senator Lechowicz.

SENATOR LECHOWICZ:

Mr. President, with respect to the Governor's Message of May 13th, 1986, I'll read the salaried appointments to which the Senate Committee on Executive Appointments, Veterans' Affairs, Administration recommends that the Senate do advise and consent.

To be assistant director of the Illinois Department of Public Health for a term expiring January 19th, 1987, Paul Martin O'Connor of Chicago.

To be the Illinois State Fire Marshal for a term expiring January 19th, 1987, Thomas Bestudik of Springfield.

To be chairman of the Illinois Liquor Control Commission for a term expiring February 1st, 1992, Albert D. McCoy of Aurora.

Mr. President, having read the salaried appointments, I now seek leave to consider these appointments on one roll call unless some Senator has objection to a specific appointment. Mr. President, will you put the question as required by our rules.

PRESIDENT:

Any objection? Is there any discussion? If not, the question is, does the Senate advise and consent to the nominations just made. Those in favor will vote Aye. 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, there are 52 Ayes, no Nays, none voting Present. A majority of the Senators elected concurring by record vote, the Senate does advise and consent to the nominations just made. Senator Lechowicz.

SENATOR LECHOWICZ:

Mr. President, with respect to the Governor's Message of January 9th, 1986, I'll read the salaried appointment to which Senate Committee on Executive Appointments, Veterans' Affairs and Administration recommends that the...Senate do advise and consent.

To be a member of the Illinois Human Rights Commission for a term expiring on January 19th, 1987, Debra Nesselson of Glencoe.

Mr. President, having read the salaried appointment, will you put the question as required by our rules.

PRESIDENT:

Any discussion? Is there any discussion? If not, the question is, does the Senate advise and consent to the nomination just made. Those in favor will vote Aye. 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, there are 54 Ayes, no Nays, none voting Present. A majority of the Senators elected concurring by record vote, the Senate does advise and consent to the nomination just made. Senator Lechowicz.

SENATOR LECHOWICZ:

Mr. President, with respect to the Governor's Message of June 18th, 1986, I'll read the unsalaried appointment to which the Senate Committee on Executive Appointments, Veterans' Affairs, Administration recommends that the Senate do advise and consent.

To be a member of the Lottery Control Board for a term

expiring July 1, 1989, Mary Ann Kopple of Skokie.

Mr. President, having read the unsalaried appointment, will you put...the question as required by our rules.

PRESIDENT:

Is there any discussion? Any discussion? If not, the question is, does the Senate advise and consent to the nomination just made. Those in favor will vote Aye. 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, there are 52 Ayes, no Nays, none voting Present. A majority of the Senators elected concurring by record vote, the Senate does advise and consent to the nominations just made. Senator Lechowicz.

SENATOR LECHOWICZ:

Mr. President, with respect to the Governor's Message of June the 11th, 1986, I'll read the unsalaried appointments to which the Senate Committee on Executive Appointments, Veterans' Affairs and Administration recommends that the Senate do advise and consent.

To be a member of the Illinois Health Facilities Authority for a term expiring June 30th, 1993, John P. Dailey of Peoria.

To be a member of the Illinois Housing Development Authority for a term expiring January 9th, 1989, Chunghee Kimberly Kang of Oak Brook.

Mr. President, having read the unsalaried appointments, I now seek leave to consider these appointments on one...roll call unless some Senator has objection to a specific appointment. Mr. President, will you put the question as required by our rules.

PRESIDENT:

All right. Is leave granted to consider those on one roll call? Leave is granted. Any discussion? If not, the question is, does the Senate advise and consent to the nom-

inations just made. Those in favor will vote Aye. 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, there are 54 Ayes, no Nays, none voting Present. A majority of the Senators elected concurring by record vote, the Senate does advise and consent to the nominations just made. Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. With respect to the Governor's Message of May 13th, 1986, I'll read the unsalaried appointments to which the Senate Committee on Executive Appointments, Veterans' Affairs, Administration recommends that the Senate do advise and consent.

To be a member of the State Banking Board of Illinois for a term expiring January 1, 1990, William C. Gooch of Elmhurst.

To be members of the Advisory Board to the Department of Insurance for a term expiring January 19th, 1987, Laura P. Sullivan of Bloomington, Elroy C. Sandquist of Chicago.

To be members of the Mt...Carmel Regional Port District Board for a term expiring June 30th, 1987, Morris Burkett of Mt. Carmel, Larry D. Hodgson of Mt. Carmel.

To be a member of the Mt. Carmel Regional Port District Board for a term expiring June 30th, 1988, Kenneth D. Saxe of Mt. Carmel.

To be members of the Illinois Export Development Authority for a term expiring January 16th, 1989, Scott K. Heitmann of Northfield, Jung Y. Lowe of Glencoe.

To be members of the Rehabilitation Services Advisory Council for a term expiring January 14th, 1991, Robert McCann of Park Forest, Daniel H. Sidmore of North Aurora.

To be members of the Illinois Labor Management Cooperation Committee for terms expiring January 1, 1987, Wilfred G. Stewart of Wheeling, Wilbur W. Freitag of Jacksonville,

Edward F. Brabec of Chicago, James S. Di Matteo of Northlake, Gary R. Dorn of Iverness.

To be members of the Illinois Labor Management Cooperation Committee for a term expiring July 1, 1988, James K. Ward of Morton, Dale F. Benson of Decatur,...Lillian F. Lynch of Rolling Meadows.

To be members of the Guardianship and...Advocacy Commission for a term expiring June 30th, 1987, Patricia L. Taylor of Northbrook, Robert A. Washington of Chicago.

To be members of the Guardianship and Advocacy Commission for a term expiring June 30th, 1988, Carol Madison of Edwardsville, Frank J. Uvena of Flossmoor.

To be a member of the Illinois Development Finance Authority for a term expiring January 19th, 1987, Terrence O'Brien of Northfield.

To be members of the Illinois Development Finance Authority for a term expiring January 16th, 1989, Howard G. Kaplan of Morton Grove, Michael D. Malone of Marion, Wilbur W. Freitag of Jacksonville, Donald R. Davidson of Chicago.

To be the public administrator, guardian and conservator for Kane County for a term expiring December 4th, 1989, Henry J. Banser of Aurora.

To be a public administrator, guardian and conservator for Alexander County for a term expiring December 4th, 1989, Mark S. Johnson of McClure.

To be a public administrator, guardian and conservator for Hamilton County for a term expiring December 4th, 1989, Craig E. Miller of McLeansboro.

To be a public administrator, guardian and conservator for...DuPage County for a term expiring December 4th, 1989, John W. Darrah of Addison.

To be a public administrator, guardian and conservator for Rock Island County for a term expiring December 4th, 1989, Wallace H. Koenig of Taylor Ridge.

To be administrator, guardian and conservator for Pulaski County for a term expiring December 4th, 1989, Barbara J. Bode of Mound City.

To be a public administrator, guardian and conservator for Montgomery County for a term expiring December 4th, 1989, Frederick D. Floreth of Litchfield.

To be a public administrator, guardian and conservator for Calhoun County for a term expiring December 4th, 1989, Barbara K. Long of Hamburg.

Mr. President, having read the unsalaried appointments, I now seek leave to consider these appointments on one roll call unless some Senator has objection to a specific appointment. Mr. President, will you put the question as required by our rules.

PRESIDENT:

All right. The gentleman seeks leave to consider those nominees on one roll call. Leave is granted. Any discussion? If not, the question is, does the Senate advise and consent to the nominations just made. Those in favor will vote Aye. 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, none voting Present. A majority of the Senators elected concurring by record vote, the Senate does advise and consent to the nominations just made. Senator Lechowicz.

SENATOR LECHOWICZ:

Mr. President, regarding the Governor's Message of October 17th, 1985, the Committee on Executive Appointments, Veterans' Affairs, Administration recommends that the Senate reject the Governor's nomination of Carol Mackey to be a member of the Joliet Regional Port District Board for a term expiring June 1, 1991. Will you put the question as required by our rules.

PRESIDENT:

Any discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Question of the Chair.

PRESIDENT:

State...state your question, sir.

SENATOR DeANGELIS:

How is the chairman asking you to put the question?

PRESIDENT:

The gentleman has asked that the question be put as required by our rules, and under the Senate rules, our rules require that the question be placed in the affirmative. The question will be, does the Senate advise and consent to the nomination just made. If...if one wishes to follow the report of the committee, one would vote No or vote Present, I guess. Senator DeAngelis.

SENATOR DeANGELIS:

I would like to ask the chairman for the matter of public record why there's opposition to this and I would also like to have read a letter that was submitted to him that I had asked a copy of objecting to this appointment.

PRESIDENT:

The gentleman indicates he'll yield. Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Let me just point out that any member who has asked me as the chairman of Executive Appointments, Veterans' Affairs, Administration to hold...or to try to get additional information on any salaried or unsalaried person that the Governor recommends to this Body to be confirmed, I have always honored on both sides of the aisle. Unfortunately, the Joliet Port District Authority has had some controversy, the controversy being that a person was nominated and recommended and they question whether this person is a Democrat or

not. And Senator Sangmeister came to me quite explicitly two or three times, and he asked if I could intercede with the Governor and his staff and ask that that person's name be withdrawn and replaced by another person from that area who could serve in that capacity. I have tried my upmost to accomplish that goal without...going through this procedure that we're going through now. Yesterday, I've contacted three or four different individuals in the Governor's staff, I tried to contact the Governor directly and ask that he withdraw this individual's name and resubmit another individual. Senator Sangmeister came up to me on the Floor yesterday and asked me what my intentions were, and I told him what we were trying to accomplish, he agreed with that. As of this morning, when the committee started, I ask the Governor's people if they've had any direction. They said they had none...none, and for that reason, they would continue and we would have to proceed with the hearing on this unsalaried individual. And as each and every one of us know, the unsalaried individuals do not have to appear in committee. Senator Sangmeister persisted and he requested that this motion be given as it was given in committee and on this House Floor, and as a member of this Body, I will honor his request and I'd hope you do so as well. Let me point out to you that the Will County Democratic State Central Committee wrote him a personal letter and I'll put it into the record...I asked the staff to give you a copy of this letter this morning, Senator, and if you haven't received it as of now, I apologize. It says, "Dear George. At the recent May 12th meeting of the Executive Committee of the Will County Democratic Organization the appointment of Carol Mackey as a Democratic board member of the Joliet Port Authority was again discussed. It was the consensus of all the board members that we should, as an organization, do whatever possible to block confirmation by the Senate of Mrs. Mackey's appoint-

ment. It is the feeling of this board that Mrs. Mackey's signature on the registration list of the Republican Caucus does not...does indicate that her loyalty is not with the Democratic Party as would be expected of a Democratic appointee to a vacancy on the Port Authority. Also, her appointment was made by the Republican County Board Chairman with no input from the Democratic County Chairman or, for that...matter, from any Democrat at all. Mrs. Mackey's husband, Ted Mackey, was a Republican officeholder and it is the feeling of the Executive Board that being a Democrat must be backed by more than just saying you're a Democrat. Whatever you can do to block this appointment will be appreciated by all true Democrats in Will County. If you have any questions regarding this matter, please feel free to contact me. Sincerely, Leroy VanDang, Chairman, Will County Democratic Central Committee." I believe the letter is self-explanatory and I would hope that this side of the aisle would support a member who...in good faith has asked that this person be removed and another person be resubmitted for consideration. That has not been done; for this reason, I'm asking the Democrats on this side, vote No.

PRESIDENT:

Senator DeAngelis.

SENATOR DeANGELIS:

Well, first of all, I appreciate the letter, Senator Lechowicz, and in no way is my objection a reflection of the way you run the committee, because you have, in fact, in the past done what you said except...in this case, we are not talking about...putting somebody on hold. We're actually talking about rejecting somebody. Now, this letter was sent to you and I would like to dispute one element in here. Are you aware of the...the manner in which this person has voted in the last six primaries?

PRESIDENT:

Senator Lechowicz.

SENATOR LECHOWICZ:

No, I'm not. I don't know if she voted absentee or if she voted at the...at the polling booths or whether she was in town, but I will tell you this, I do respect the chairman of the Will County Democratic Central Committee and I do respect Senator Sangmeister.

PRESIDENT:

Senator DeAngelis.

SENATOR DeANGELIS:

Hell, I don't want to imply that this is...disrespectful to anybody but in this letter and I just got it and I'm reading from it, it says, "The feeling of the Executive Board that being a Democrat must be backed up with more than just saying you're a Democrat." I have to tell you, this person voted in the last six primaries Democratic. We on the Republican side were prepared to vote today for someone who is being cast as a Republican who has never voted Republican in a primary. So to say that this person is not a Democrat by this document is totally untrue.

PRESIDENT:

Further discussion? Senator Sangmeister.

SENATOR SANGMEISTER:

Thank you, Mr. President. Well, this is an unpleasant thing to have to do. I have known the Mackey family probably all of my political life and, of course, when Mrs. Mackey's husband was the Will County Democratic Chairman, she certainly was voting in Democratic Primaries but, Senator DeAngelis, you really ought to tell the whole story and that is the switch was approximately two years ago when her husband was convinced by the Republican Party to run as a Republican and did so. She went into a Republican Caucus and voted in that Republican Caucus for her husband. Since then, there has been one Democratic Primary and I presume she voted

in that Democratic Primary as you would if your confirmation was before this Body at that very time. So the last vote in the Democratic Primary means nothing, the Mackeys have switched parties, it's simple as that. It's just like I say, I've tried through the Governor's Office to make this a pleasant thing. Give us a name of somebody else that's a little bit less suspect. You can imagine how any...how would your organization feel if Jack Davis who, for example, is the Republican County chairman all of a sudden switched and ran as a Democrat? Some of you may like that, but...but, Senator DeAngelis, you are not to comment on that and I don't think you ought to either. But if that were to happen to your party, how would your central committee feel about it? So it's...just that simple and I'm sorry that it has reached this standpoint. We've asked for another nominee and I haven't even suggested a name, but the Governor's Office failing to have done that, I'm asking at least the people on this side either to vote Present or not to vote on this confirmation.

PRESIDENT:

Further discussion? Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I think, Senator Sangmeister, you ought to check the record and what our illustrious Governor has done. There are some so-called Republican appointments where those persons have never voted Republican in any primary and, in fact, are voting Democratic. The criteria in my past experience is twenty years down here was the person's voting record, that was the only thing we ever based people whether they were R's or D's was their voting record, nothing else. Whether the letter from Republicans or Democrats or whoever it was, it was the record speaks for itself, and the only record we should pay any attention to is how that person votes in the

primary.

PRESIDENT:

Further discussion? Any further discussion? If not, the question is, does the Senate advise and consent to the nomination just made. Those in favor of the nomination 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 26 Ayes, 13 Nays, 9 voting Present. A majority of the Senate having failed to give their advice and consent by record vote, the Senate rejects the Governor's nomination of Carol Mackey to be a member of the Joliet Regional Port District Board. Senator Lechowicz.

SENATOR LECHOWICZ:

...I move...thank you, Mr. President. I move that the Senate arise from Executive Session.

PRESIDENT:

You've heard the motion as placed by Senator Lechowicz. All in favor indicate by saying Aye. All opposed. The Ayes have it. The Senate does now arise from Executive Session. Senator Geo-Karis, for what purpose do you arise?

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, a point of personal privilege. There was a packet left on each of your desks relative to the marina outing for the Senators and the...the House members for the 19th, 20th...the 20th, 21st, 22nd of July at the Northpoint Marina in Zion area. So in it are the instructions for your hotel reservations and everything else. The packet has everything. If you have any problems, see me. We will hope you all come.

PRESIDENT:

Thank you, Senator. Resolutions, Mr. Secretary.

SECRETARY:

Senate Resolution 1081 offered by Senator Smith, it's

congratulatory.

1082, by Senator Rigney, it's congratulatory.

1083, by Senator Dunn.

1084, by Senator Dunn.

1085, by Senator Dunn, all congratulatory.

1086, by Senator Karpel, congratulatory.

1087, by Senator Donahue, it's congratulatory.

1088, by Senator Schaffer and all members, it's congratulatory.

Senate Resolution 1089, by Senator Sommer and all Senators and it's congratulatory.

Senate...Senate Resolution 1090, by Senator Zito and it is congratulatory.

PRESIDENT:

Consent Calendar, Mr. Secretary. Any announcements? Any further business? Ladies and gentlemen, we will reconvene at ten o'clock tomorrow morning. Senator Philip and I assure you we'll be out of here by noon. Ten o'clock tomorrow morning. Republican Caucus immediately in Senator Philip's Office and I would ask the Democrats to meet in my office tomorrow morning at nine o'clock. No further business to come before the Senate, Senator Vadalabene moves that the Senate stand adjourned until tomorrow morning at the hour of ten o'clock. The Senate stands adjourned.

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15:57

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