

94TH GENERAL ASSEMBLY

REGULAR SESSION

June 24, 1985

PRESIDENT:

The hour of ten having arrived, the Senate will please come to order. Will the members be at their desks. Will our guests in the gallery please rise. Prayer this morning by the Reverend David Ryan, Maryville Academy, Des Plaines, Illinois. Father.

REVEREND RYAN:

(Prayer given by Reverend Ryan)

PRESIDENT:

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

SENATOR HALL:

Thank you, Mr. President. I move that reading and approval of the Journals of Wednesday, June the 12th; Thursday, June the 13th; Friday, June the 14th; Tuesday, June the 18th; Wednesday, June the 19th; Thursday, June the 20th and Friday, June the 21st, in the year 1985, be postponed pending arrival of the printed Journals.

PRESIDENT:

You've heard the motion as placed by Senator Hall. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and it is so ordered. (Machine cutoff)...Secretary.

SECRETARY:

Friday on the Message from the House reporting passage and...and concurrence in Senate bills with House amendments, Senate Bill 312 was reported out as concurring in with House Amendment No. 1. That was a mistake and should not have...been reported on the Message as such.

PRESIDENT:

(Machine cutoff)...Geo-Karis, for what purpose do you arise?

SENATOR GEO-KARIS:

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

Agreed Bill List
 HB 1539
 HB 593
 HB 1184
 HB 1785
 HB 2414
 HB 816
 HB 832
 HB 2002
 HB 1555
 HB 479
 HB 100
 HB 1769
 HB 40
 HB 508
 HB 1104
 HB 217
 HB 1324
 HB 2441
 HB 467
 HB 253
 HB 1187
 HB 477
 HB 1392
 HB 1860
 HB 1963
 HB 89
 HB 1926
 HB 279
 HB 408
 HB 2002
 HB 857
 HB 1112
 HB 1207
 HB 1039
 HB 1516
 HB 704
 HB 1270
 HB 208
 HB 986
 HB 1212
 HB 1969
 HB 2431
 HB 269
 HB 2096
 HB 204
 HB 701
 HB 1849
 HB 1900
 HB 1680
 HB 590
 HB 1951

the point of personal privilege.

PRESIDENT:

State your point, ma'am.

SENATOR GEO-KARIS:

I would like to introduce from the President's Gallery some of my friends and constituents, Amelia and Dan Farrow from Zion, Opal and Berdene Gilmore from Zion and, incidentally, Mr...Gilmore videotaped the...all of Greek Night last night for us at the Mansion grounds; Walter Robbins from Zion and Chicago and Frances and Bob Alton, my good friends from Mundelein who are served by Senator Barkhausen...in their district and I'd ask you to welcome them here.

PRESIDENT:

Will our guests please rise and be recognized. Welcome to Springfield and thank you for last night. All right. With leave of the Body, pursuant to our earlier agreement, we will move to the Order of House Bills 3rd Reading. The Secretary will read the Agreed Bill List and read each of the bills a third time, and the roll call will be taken later this afternoon. Mr. Secretary, on the Order of House Bills 3rd Reading, the Agreed Bill List No. 1, begin with House Bill 25.

ACTING SECRETARY: (MR. FERNANDES)

- House Bill 25.
(Secretary reads title of bill)
- House Bill...26.
(Secretary reads title of bill)
- House Bill 37.
(Secretary reads title of bill)
- House Bill 38.
(Secretary reads title of bill)
- House Bill 39.
(Secretary reads title of bill)
- House Bill 40.

HB 100
2nd Reading
HB 89
HB 99

- (Secretary reads title of bill)
- House Bill 47.
- (Secretary reads title of bill)
- House Bill 69.
- (Secretary reads title of bill)
- House Bill 75.
- (Secretary reads title of bill)
- House Bill 81.
- (Secretary reads title of bill)
- House Bill 82.
- (Secretary reads title of bill)
- House Bill 83.
- (Secretary reads title of bill)
- House Bill 88.
- (Secretary reads title of bill)
- House Bill 89.
- (Secretary reads title of bill)
- House Bill 99.
- (Secretary reads title of bill)
- House Bill 100.
- (Secretary reads title of bill)
- 112.
- (Secretary reads title of bill)
- House Bill 137.
- (Secretary reads title of bill)
- House Bill 146.
- (Secretary reads title of bill)
- House Bill 150.
- (Secretary reads title of bill)
- House Bill 152.
- (Secretary reads title of bill)
- House Bill 153.
- (Secretary reads title of bill)
- 167.

✓ A.B. 204
3rd Reading

HB 208
3rd Reading

HB 217
HB 253
3rd Reading

- (Secretary reads title of bill)
- House Bill 179.
- (Secretary reads title of bill)
- House Bill 182.
- (Secretary reads title of bill)
- House Bill 188.
- (Secretary reads title of bill)
- House Bill 190.
- (Secretary reads title of bill)
- House Bill 197.
- (Secretary reads title of bill)
- House Bill 204.
- (Secretary reads title of bill)
- House Bill 208.
- (Secretary reads title of bill)
- House Bill 210.
- (Secretary reads title of bill)
- House Bill 217.
- (Secretary reads title of bill)
- House Bill 222.
- (Secretary reads title of bill)
- House Bill 223.
- (Secretary reads title of bill)
- House Bill 228.
- (Secretary reads title of bill)
- House Bill 241.
- (Secretary reads title of bill)
- House Bill 244.
- (Secretary reads title of bill)
- House Bill 252.
- (Secretary reads title of bill)
- House Bill 253.
- (Secretary reads title of bill)
- House Bill 255.

HB 269
3rd Reading
HB 279
3rd Reading

(Secretary reads title of bill)

House Bill 258.

(Secretary reads title of bill)

House Bill 259.

(Secretary reads title of bill)

House Bill 260.

(Secretary reads title of bill)

House Bill 261.

(Secretary reads title of bill)

House Bill 263.

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House Bill 266.

(Secretary reads title of bill)

268.

(Secretary reads title of bill)

269.

(Secretary reads title of bill)

270.

(Secretary reads title of bill)

273.

(Secretary reads title of bill)

House Bill 276.

(Secretary reads title of bill)

House Bill 277.

(Secretary reads title of bill)

278.

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279.

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280.

(Secretary reads title of bill)

282.

(Secretary reads title of bill)

283.

HB 302
2nd Reading

(Secretary reads title of bill)

284.

(Secretary reads title of bill)

294.

(Secretary reads title of bill)

House Bill 298.

(Secretary reads title of bill)

301.

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302.

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303.

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308.

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323.

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336.

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338.

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340.

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341.

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343.

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348.

*HB H08
2nd Reading
HB H67
2nd Reading*

(Secretary reads title of bill)

366.

(Secretary reads title of bill)

368.

(Secretary reads title of bill)

369.

(Secretary reads title of bill)

388...385...House Bill 385.

(Secretary reads title of bill)

393.

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394.

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House Bill 409.

(Secretary reads title of bill)

419.

(Secretary reads title of bill)

House Bill...421.

(Secretary reads title of bill)

House Bill 422.

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House Bill 430.

(Secretary reads title of bill)

434.

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House Bill 437.

(Secretary reads title of bill)

447.

(Secretary reads title of bill)

House Bill 456.

(Secretary reads title of bill)

459.

(Secretary reads title of bill)

467.

HB 479
2nd Reading
HB 577
HB 508

- (Secretary reads title of bill)
- 479.
- (Secretary reads title of bill)
- 480.
- (Secretary reads title of bill)
- 484.
- (Secretary reads title of bill)
- House Bill 486.
- (Secretary reads title of bill)
- House Bill 489.
- (Secretary reads title of bill)
- House Bill...493.
- (Secretary reads title of bill)
- House Bill 496.
- (Secretary reads title of bill)
- House Bill 508.
- (Secretary reads title of bill)
- House Bill 522.
- (Secretary reads title of bill)
- House Bill 528.
- (Secretary reads title of bill)
- House Bill 538.
- (Secretary reads title of bill)
- House Bill 558.
- (Secretary reads title of bill)
- House Bill 573.
- (Secretary reads title of bill)
- House Bill 575.
- (Secretary reads title of bill)
- House Bill 576.
- (Secretary reads title of bill)
- House Bill 577.
- (Secretary reads title of bill)
- House Bill 578.

HB 593
2nd Reading
HB 704
HB 701
HB 590

(Secretary reads title of bill)

House Bill 590.

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House Bill 591.

(Secretary reads title of bill)

592.

(Secretary reads title of bill)

House Bill 593.

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House Bill 601.

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House Bill 611.

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House Bill 621.

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House Bill 622.

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626.

(Secretary reads title of bill)

House Bill 639.

(Secretary reads title of bill)

House Bill 701.

(Secretary reads title of bill)

House Bill...704.

(Secretary reads title of bill)

House Bill 705.

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House Bill 706.

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House Bill 710.

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House Bill 714.

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House Bill 725.

HB 816
3rd reading
HB 833

(Secretary reads title of bill)
733.
(Secretary reads title of bill)
734.
(Secretary reads title of bill)
739.
(Secretary reads title of bill)
House Bill 743.
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House Bill 751.
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House Bill 775.
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House Bill 787.
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House Bill 799.
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House Bill 802.
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House Bill 807.
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House Bill 809.
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House Bill 810.
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House Bill 816.
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House Bill 832.
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House Bill 833.
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851.
(Secretary reads title of bill)
House Bill 852.

1710 857
2nd Reading

(Secretary reads title of bill)

House Bill 853.

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856.

(Secretary reads title of bill)

857.

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House Bill 864.

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867.

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House Bill 374.

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879.

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House Bill 882.

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House Bill 889.

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House Bill 890.

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House Bill 891.

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House Bill 892.

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House Bill 893.

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House Bill 894.

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House Bill 895.

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House Bill 896.

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House Bill 897.

AKS 986
2nd Reading

(Secretary reads title of bill)

House Bill 899.

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907.

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House Bill 921.

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House Bill 922.

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House Bill 929.

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943.

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House Bill 944.

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950.

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952.

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963.

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968.

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986.

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House Bill 992.

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997.

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House Bill 1008.

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1016.

HB 1112
2nd Reading
HB 1039
HB 1104

(Secretary reads title of bill)

House Bill... 1023.

(Secretary reads title of bill)

House Bill 1026.

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1035.

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House Bill 1039.

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House Bill 1042.

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House Bill 1044.

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House Bill 1050.

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House Bill 1051.

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House Bill 1053.

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House Bill 1058.

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1059.

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1075.

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House Bill 1079.

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House Bill 1086.

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House Bill 1104.

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House Bill 1112.

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House Bill 1115.

7/13/84
HB 1187

(Secretary reads title of bill)

House Bill 1126.

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House Bill 1129.

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1131.

(Secretary reads title of bill)

House Bill 1132.

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House Bill 1137.

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House Bill 1142.

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House Bill 1147.

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1163.

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(Machine cutoff)...Bill 1165.

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House Bill 1166.

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House Bill 1175.

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House Bill 1177.

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House Bill 1178.

(Secretary reads title of bill)

House Bill 1184.

(Secretary reads title of bill)

House Bill 1187.

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House Bill 1192.

(Secretary reads title of bill)

House Bill...1193.

NRB 1265
HR 1207
HR 1270
HR 1212

(Secretary reads title of bill)

House Bill 1204.

(Secretary reads title of bill)

House Bill 1207.

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House Bill 1208.

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House Bill 1212.

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House Bill 1213.

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House Bill 1224.

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House Bill 1249.

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House Bill 1267.

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House Bill 1269.

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1270.

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1285.

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House Bill 1299.

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House Bill... 1298.

(Secretary reads title of bill)

House Bill 1299.

HB 132A
3rd Reading

(Secretary reads title of bill)
House Bill 1301.
(Secretary reads title of bill)
1303.
(Secretary reads title of bill)
1313.
(Secretary reads title of bill)
House Bill 1314.
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House Bill 1524.
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1330.
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House Bill...1340.
(Secretary reads title of bill)
House Bill 1346.
(Secretary reads title of bill)
House Bill 1356.
(Secretary reads title of bill)
House Bill 1358.
(Secretary reads title of bill)
House Bill 1360.
(Secretary reads title of bill)
House Bill 1362.
(Secretary reads title of bill)
House Bill...1363.
(Secretary reads title of bill)
1364.
(Secretary reads title of bill)
House Bill 1365.
(Secretary reads title of bill)
House Bill 1366.
(Secretary reads title of bill)
House Bill 1370.

(Secretary reads title of bill)

House Bill 1371.

(Secretary reads title of bill)

1378.

(Secretary reads title of bill)

1392.

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(Machine cutoff)...1392.

(Secretary reads title of bill)

1393.

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1394.

(Secretary reads title of bill)

1411.

(Secretary reads title of bill)

1412.

(Secretary reads title of bill)

1438.

(Secretary reads title of bill)

1414.

(Secretary reads title of bill)

(Machine cutoff)...1453.

(Secretary reads title of bill)

1455.

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1458.

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1464.

(Secretary reads title of bill)

House Bill 1488.

(Secretary reads title of bill)

1491.

(Secretary reads title of bill)

House Bill 1493.

HB 1392

HB 1539
2nd Reading

- (Secretary reads title of bill)
- House Bill 1496.
- (Secretary reads title of bill)
- House Bill 1500.
- (Secretary reads title of bill)
- House Bill 1502.
- (Secretary reads title of bill)
- House Bill 1518.
- (Secretary reads title of bill)
- House Bill 1520.
- (Secretary reads title of bill)
- House Bill 1535.
- (Secretary reads title of bill)
- House Bill 1539.
- (Secretary reads title of bill)
- House Bill 1544.
- (Secretary reads title of bill)
- 1548.
- (Secretary reads title of bill)
- 1555.
- (Secretary reads title of bill)
- 1565.
- (Secretary reads title of bill)
- 1566.
- (Secretary reads title of bill)
- 1568.
- (Secretary reads title of bill)
- House Bill 1571.
- (Secretary reads title of bill)
- House Bill 1575.
- (Secretary reads title of bill)
- 1576.
- (Secretary reads title of bill)
- 1577.

HB 1683
3rd reading H.B. 1654
3rd reading
H.B. 1655
3rd reading

(Secretary reads title of bill)

1579.

(Secretary reads title of bill)

... 1578, correction, the last bill was 1578.

1585.

(Secretary reads title of bill)

1587.

(Secretary reads title of bill)

1624.

(Secretary reads title of bill)

1645.

(Secretary reads title of bill)

1654.

(Secretary reads title of bill)

1655.

(Secretary reads title of bill)

House Bill 1670.

(Secretary reads title of bill)

House Bill 1690.

(Secretary reads title of bill)

1683.

(Secretary reads title of bill)

1685.

(Secretary reads title of bill)

1703.

(Secretary reads title of bill)

House Bill 1714.

(Secretary reads title of bill)

House Bill 1717.

(Secretary reads title of bill)

House Bill 1755.

(Secretary reads title of bill)

House Bill 1756.

(Secretary reads title of bill)

HB 1785
3rd Reading
HB 1769
HB 1806
HB 1860
HB 1849

- House Bill 1767.
(Secretary reads title of bill)
- House Bill 1768.
(Secretary reads title of bill)
- House Bill 1769.
(Secretary reads title of bill)
- House Bill 1774.
(Secretary reads title of bill)
- 1775.
(Secretary reads title of bill)
- 1776.
(Secretary reads title of bill)
- House Bill 1795.
(Secretary reads title of bill)
- House Bill...1806.
(Secretary reads title of bill)
- 1813.
(Secretary reads title of bill)
- House Bill 1833.
(Secretary reads title of bill)
- House Bill 1845.
(Secretary reads title of bill)
- House Bill 1849.
(Secretary reads title of bill)
- House Bill 1855.
(Secretary reads title of bill)
- House Bill 1860.
(Secretary reads title of bill)
- House Bill 1867.
(Secretary reads title of bill)
- House Bill 1880.
(Secretary reads title of bill)
- House Bill 1889.
(Secretary reads title of bill)

*HB 1926
3rd Reading
HB 1900
3rd reading
HB 1951*

House Bill 1900.

(Secretary reads title of bill)

House Bill 1901.

(Secretary reads title of bill)

House Bill 1912.

(Secretary reads title of bill)

House Bill 1915.

(Secretary reads title of bill)

House Bill 1918.

(Secretary reads title of bill)

House Bill 1925.

(Secretary reads title of bill)

1926.

(Secretary reads title of bill)

1929.

(Secretary reads title of bill)

House Bill...1930.

(Secretary reads title of bill)

House Bill 1935.

(Secretary reads title of bill)

1937.

(Secretary reads title of bill)

1938.

(Secretary reads title of bill)

House Bill 1939.

(Secretary reads title of bill)

1943.

(Secretary reads title of bill)

1944.

(Secretary reads title of bill)

1948.

(Secretary reads title of bill)

1951.

(Secretary reads title of bill)

HB 1955
HB 2002
HB 1969
HB 1962

House Bill 1955.

(Secretary reads title of bill)

House Bill 1956.

(Secretary reads title of bill)

1957.

(Secretary reads title of bill)

1959.

(Secretary reads title of bill)

1961.

(Secretary reads title of bill)

House Bill 1962.

(Secretary reads title of bill)

1963.

(Secretary reads title of bill)

1963.

(Secretary reads title of bill)

1970.

(Secretary reads title of bill)

1971.

(Secretary reads title of bill)

1975.

(Secretary reads title of bill)

1977.

(Secretary reads title of bill)

2002.

(Secretary reads title of bill)

2003.

(Secretary reads title of bill)

2011.

(Secretary reads title of bill)

House Bill 2020.

(Secretary reads title of bill)

2032.

(Secretary reads title of bill)

HB 2096
2nd Reading
HB 2129
3rd Reading

House Bill 2054.

(Secretary reads title of bill)

House Bill 2062.

(Secretary reads title of bill)

House Bill 2066.

(Secretary reads title of bill)

2067.

(Secretary reads title of bill)

House Bill 2084.

(Secretary reads title of bill)

2088.

(Secretary reads title of bill)

2096.

(Secretary reads title of bill)

2097.

(Secretary reads title of bill)

2104.

(Secretary reads title of bill)

House Bill 2106.

(Secretary reads title of bill)

House Bill 2108.

(Secretary reads title of bill)

House Bill 2113.

(Secretary reads title of bill)

2129.

(Secretary reads title of bill)

House Bill 2132.

(Secretary reads title of bill)

House Bill 2154.

(Secretary reads title of bill)

2158.

(Secretary reads title of bill)

2162.

(Secretary reads title of bill)

2167.

(Secretary reads title of bill)

2180.

(Secretary reads title of bill)

2181.

(Secretary reads title of bill)

2182.

(Secretary reads title of bill)

2217.

(Secretary reads title of bill)

2219.

(Secretary reads title of bill)

2226.

(Secretary reads title of bill)

2250.

(Secretary reads title of bill)

2551.

(Secretary reads title of bill)

2261.

(Secretary reads title of bill)

House Bill 2273.

(Secretary reads title of bill)

2275.

(Secretary reads title of bill)

2276.

(Secretary reads title of bill)

House Bill 2290.

(Secretary reads title of bill)

2311.

(Secretary reads title of bill)

House Bill 2328.

(Secretary reads title of bill)

House Bill 2336.

(Secretary reads title of bill)

HB 2414
3rd Reading
HB 2431
2nd Reading
HB 2440

- House Bill 2349.
(Secretary reads title of bill)
- House Bill 2352.
(Secretary reads title of bill)
- 2368.
(Secretary reads title of bill)
- House Bill 2407.
(Secretary reads title of bill)
- 2414.
(Secretary reads title of bill)
- House Bill 2422.
(Secretary reads title of bill)
- House Bill 2426.
(Secretary reads title of bill)
- House Bill 2428.
(Secretary reads title of bill)
- House Bill 2429.
(Secretary reads title of bill)
- 2431.
(Secretary reads title of bill)
- House Bill 2436.
(Secretary reads title of bill)
- House Bill 2441.
(Secretary reads title of bill)
- House Bill 2442.
(Secretary reads title of bill)
- House Bill 2443.
(Secretary reads title of bill)
- House Bill 2446.
(Secretary reads title of bill)
- House Bill 2449.
(Secretary reads title of bill)
- ...2450.
(Secretary reads title of bill)

House Bill 2451.

(Secretary reads title of bill)

2452.

(Secretary reads title of bill)

2454.

(Secretary reads title of bill)

2473.

(Secretary reads title of bill)

2492.

(Secretary reads title of bill)

House Bill 2517.

(Secretary reads title of bill)

House Bill 2521.

(Secretary reads title of bill)

1st reading of the bills...3rd reading of the bills.

END OF REEL

REEL #2

PRESIDENT:

Messages from the House, Mr. Secretary.

SECRETARY:

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

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

House Joint Resolution 77.

PRESIDENT:

Consent Calendar.

SECRETARY:

And like Message on House Joint Resolution 78, 79 and 80.

PRESIDENT:

Executive.

SECRETARY:

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

Mr. President - I am directed to inform the Senate the House of Representatives has concurred with the Senate in the passage of bills with the following titles together with House amendments:

...Senate Bill 180 with House Amendment 1.

202 with House Amendment 1 and 2.

230 with House Amendment 1.

299 with House Amendment 1.

315 with House Amendment 4.

384, House Amendment 1.

385, House Amendment 1.

388, House Amendment 1.

392, House Amendment 1.

314, House Amendment 1...that is 414 not 314.
445, House Amendment 1.
597, House Amendment 1.
758, House Amendment 1.
775, House Amendments 2 and 3.
822, House Amendment 1.
859, House Amendment 1.
879, House Amendments 1 and 2.
903, House Amendment 1.
944, House Amendment 1.
956, House Amendments 1 and 2.
984, House Amendment 1.
1051, House Amendments 1 and 2.
1152, House Amendment 1.
1183, House Amendment 1 and 2.
1185, House Amendment 1.
...1388, House Amendments 1, 2 and 3.
And 1396 with House Amendment 1.

PRESIDENT:

Resolutions.

SECRETARY:

Senate Resolution 395 offered by Senator Vadalabene.
It's congratulatory.

PRESIDENT:

Consent Calendar. All right, we'll begin with the Order of Recalls. All the members have a list on their desk of the bills that sponsors have indicated...or at least amendments have been filed. The movement back to 2nd reading is at the discretion of the sponsor, obviously. If you'll look at the recall list, the bill sponsors to which amendments have been filed are Senators Watson, Poshard, Lemke, Donahue, Degnan, Poshard, Lechowicz, Nedza, Joyce, Berman, Weaver, Marovitz, Lemke, Berman, Mahar, Lemke, Keats. I would ask the members to please be ready. All right, on the recall list, we

have...we begin with bill number 66 and it ends with bill number 2103. So, everybody's working off, I hope, the same list. All right, with leave of the Body, we'll move to the Order of House Bills 3rd Reading, middle of page 3, is House Bill 66. Senator Watson 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 66, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Watson.

PRESIDENT:

Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. First of all, under a point of...personal privilege.

PRESIDENT:

Senator Watson, state your point, sir.

SENATOR WATSON:

Well, it...it is certainly a...a privilege for me to be able to address you this morning but I wanted to find out for one thing, I was gone over the weekend and I haven't had an update in regard to the Cardinal-Cub series over the weekend and I was just curious if you could let me know what happened?

PRESIDENT:

...Senator Maitland and I will discuss that a little later. Senator Watson on Amendment No. 1.

SENATOR WATSON:

Was that timely?

PRESIDENT:

That was...yeah.

SENATOR WATSON:

Okay. Senate Amendment No. 1 to House Bill 66

HB 275
Recall

strictly...it's a technical amendment. It just adds the fact that services in the amount as determined by the electors at an annual or special town meeting. Takes out some provisions in regard to some specific amounts and...puts this into it, and I move for its adoption.

PRESIDENT:

All right, Senator Watson has moved the adoption of Amendment No. 1 to House Bill 66. 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. Senate Bill...House Bill 72. Senator Poshard 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 72, Mr. Secretary. Senator Poshard, I beg your pardon.

SENATOR POSHARD:

Mr. President, I believe that Senator Rupp is going to withdraw that amendment at this point, so it would be unnecessary to move that back to 2nd reading.

PRESIDENT:

All right, take it out of the record, Mr. Secretary; and, Senator Rupp, if you'll come up and withdraw the amendment, that'll solve that problem. 275, Senator Lemke. Senator Lemke seeks leave of the Body to return House Bill 275...bottom of page 5. Senator Lemke 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 275, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator D'Arco.

PRESIDENT:

Senator D'Arco on Amendment No. 1.

SENATOR D'ARCO:

Thank you, Mr. President. Amendment No. 1 codifies what is presently the law into Statute and says that with respect to certain activities the trustee or its agent shall not be personally liable to third persons unless he fails to identify the trust estate and reveal that he is acting in a representative capacity. It also adds another fiduciary as a depositing agency along with a clearing corporation or a Federal...reserve bank for securities that are sent to those agencies by Illinois corporations, and I would ask that we adopt Amendment No. 1 to Senate...House Bill 275.

PRESIDENT:

All right, Senator D'Arco has moved the adoption of Amendment No. 1 to House Bill 275. 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. 497, Senator Donahue. All right, Senator Donahue seeks leave of the Body to return House Bill 497, that's page 8 on the Calendar...return House Bill 497 to the Order of 2nd Reading for purposes of an...of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading, House Bill 497, Mr. Secretary.

SECRETARY:

Amendment No. 2 filed by Senator Fawell.

PRESIDENT:

Senator Fawell on Amendment No. 2.

SENATOR FAWELL:

Thank you, very much. This just deletes the requirement

that people...private...individuals who are serving subpoenas must be instructed and registered by the sheriff in counties under a million.

PRESIDENT:

All right, Senator Fawell has moved the adoption of Amendment No. 2 to House Bill 497. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

Amendment No. 3 offered by Senator Berman.

PRESIDENT:

Senator Berman on Amendment No. 3.

SENATOR BERMAN:

Thank you, Mr. President. Amendment No. 3 is identical to the amendment that we placed on House Bill 474 dealing with the ability to tax as costs...services rendered by sheriffs and coroners. I move the adoption of Amendment No. 3.

PRESIDENT:

All right, Senator Berman has moved the adoption of Amendment No. 3 to House Bill 497. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. On the Order of House Bills 3rd Reading...if I can have your attention, on page 38 on the Agreed Bill List, Senator Lenke, you wish 627 called back? Senator Lenke seeks leave of the Body to remove House Bill 627 from the Agreed Bill List and 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 627, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Lemke.

PRESIDENT:

Senator Lemke on Amendment No. 1.

SENATOR LEMKE:

I hate to take this bill off 'cause...important bill off the Agreed Bill List but we caught an error in there the way the bill reads. So, what this amendment does is responds to...what we consider a very technical error in the bill which have made...which...would have made the grandparents guilty of a Class A misdemeanor when the...without parental consent to care of the grandchildren...or unemancipated to minors and their caring for them until this situation is over. So, if the grandchild runs to the grandparents as a runaway, technically the way the bill reads now, the grandparent would be guilty of a Class A misdemeanor. This amendment removes that technical wording. I think it's a good amendment. I ask for its adoption.

PRESIDENT:

All right, Senator Lemke has moved the adoption of Amendment No. 1 to House Bill 627. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. On the Order of House Bills 3rd Reading, at the bottom of page 10, is House Bill 694. Senator Degnan, you wish that returned? Senator Degnan seeks leave of the Body to return House Bill 694 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 694, Mr. Secretary.

HB 831
Recall

SECRETARY:

Amendment No. 2 offered by Senator Barkhausen.

PRESIDENT:

Senator Barkhausen on Amendment No. 2.

SENATOR BARKHAUSEN:

Mr. President and members, Amendment No. 2 to House Bill 694 is an agreed upon amendment that will give state's attorneys in our hundred and two counties throughout the State somewhat more authority in setting the salaries for the assistants in their offices. As I say, it's...agreed upon and I would move its adoption.

PRESIDENT:

All right, Senator Barkhausen has moved the adoption of Amendment No. 2 to House Bill 694. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. Page 12 on the Calendar. Senator Barkhausen seeks leave of the Body to return House Bill 831 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 831, Mr. Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Barkhausen.

PRESIDENT:

Senator Barkhausen on Amendment No. 2.

SENATOR BARKHAUSEN:

Mr. President and members, Amendment 2 to House Bill 831 is a technical amendment offered at the suggestion of the Legislative Reference Bureau merely to change a date in the bill that was mistakenly put in the first time around. I

SB 838
Recalled

would urge its adoption.

PRESIDENT:

Senator Barkhausen moves the adoption of Amendment No. 2 to House Bill 831. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. 838, Senator Poshard. Do you wish that recalled, Senator Poshard? On the Order of House Bills 3rd Reading, the middle of page 12, is House Bill 838. Read the...Senator Poshard 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 838, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Poshard.

PRESIDENT:

Senator Poshard on Amendment No. 1.

SENATOR POSHARD:

Thank you, Mr. President. This is an amendment which clarifies existing provisions of the bill relating to fraudulent practices primarily by home repair companies against senior citizens. Move for adoption of the amendment.

PRESIDENT:

Senator Poshard has moved the adoption of Amendment No. 1 to House Bill 838. Discussion? Senator Schaffer.

SENATOR SCHAFFER:

We are, obviously, seeing this amendment for the...first time, but we're told that it isn't just existing practices that it is an expansion of the Attorney General's authority in this realm. I was wondering if you could go into a little more detail?

PRESIDENT:

Senator Poshard.

SENATOR POSHARD:

Senator Schaffer, I have a copy of the bill. What in particular are you interested in...what particular sections?

PRESIDENT:

Senator Schaffer.

SENATOR SCHAFFER:

Well, it's a four-page amendment. Who wants it? Why do we...why are we doing it? What does it cover? And it...it is..the more I read it, the more I see of the stuff that appears to be brand new, not a rewrite.

PRESIDENT:

Senator Poshard.

SENATOR POSHARD:

Thank you, Mr. President. The Attorney General's Office gave us this amendment last Friday. I do not have a...synopsis of the whole thing at this point. It...it clarifies several items within the bill in terms of misrepresenting or unlawful practices for people entering into agreements or contracts with citizens over sixty years of age for remodeling or repairing or renovating buildings.

PRESIDENT:

(Machine cutoff)...Schaffer.

SENATOR SCHAFFER:

I think I can sympathize with the sponsor. I've had amendments handed like this, but it does appear to be fairly sweeping and it'll be probably helpful if the proponents of the amendment would do a little homework with the staff on this side and...some of our membership, get us up to speed.

PRESIDENT:

Senator Poshard.

SENATOR POSHARD:

...Mr. President, I'd like to go ahead and move for the

adoption of the amendment and...we can get together on both sides of the aisle and work it out.

PRESIDENT:

All right, Senator Poshard has moved the adoption of Amendment No. 1 to House Bill 838. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. Senator Lechowicz on 1045. He does not wish it recalled. 1067. Senator Lemke on 1067. On the Order of House Bills 3rd Reading, the bottom of page 14, is House Bill 1067. Senator Lemke seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? On the Order of House Bills 2nd Reading, House Bill 1067, Mr. Secretary.

SECRETARY:

Amendment No. 4 offered by Senator Lemke.

PRESIDENT:

Senator Lemke.

SENATOR LEMKE:

Technical amendment, it changes the section numbered section...correcting the bill.

PRESIDENT:

All right, Senator Lemke moves the adoption of Amendment No. 4 to House Bill 1067. 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, 1083, the amendment has been

withdrawn. Strike that one from your list. Top of page 15, 1103, Senator Lemke. Senator Lemke 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 1103, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Lemke.

PRESIDENT:

Senator Lemke on Amendment No. 1.

SENATOR LEMKE:

This just adds the technical...to this Act takes effect upon becoming law.

PRESIDENT:

Senator Lemke moves the adoption of Amendment No. 1 to House Bill 1103. 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. 1159, the amendment has been withdrawn, so scratch that one. 1188, bottom of page 15, Senator Berman. Senator Berman seeks leave of the Body to return House Bill 1188 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 1188, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Berman.

PRESIDENT:

Senator Berman on Amendment No. 1.

SENATOR BERMAN:

Thank you. Amendment No. 1 changes this bill so that the noncustodial parent in the event of the death of the custo-

dial parent has to have been found to be under a legal disability or unfit in order for the court to determine that it would be in the...child's best interest that custody not be awarded to the surviving parent. It sets guidelines for a fair determination as to where the child should go in the event of the passing away of a custodial parent. I move the adoption of Amendment No. 1.

PRESIDENT:

Senator Berman moves the adoption of Amendment No. 1 to House Bill 1188. 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. Middle of page 16, on the Order of House Bills 3rd Reading. Senator Weaver seeks leave of the Body to return House Bill 1258 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 is House Bill 1258, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Weaver.

PRESIDENT:

Senator Weaver on Amendment No. 1.

SENATOR WEAVER:

Thank you, Mr. President. This amendment is...is with technical nature trying to answer some of the concerns of Chapman and Cutler, and I would move its adoption.

PRESIDENT:

Senator Weaver moves the adoption of Amendment No. 1 to House Bill 1258. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. 1410, Senator Marovitz. Sponsor indicates he will not seek a recall. 1413, Senator Lenke. On the Order of House Bills 3rd Reading, on page 19 on the Calendar, Senator Lenke seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? On the Order of House Bills 2nd Reading, House Bill 1413, Mr. Secretary. Senator Lenke.

SENATOR LENKE:

I'd like to Table Amendment No. 1, No. 2 and No. 3.

PRESIDENT:

All right, Senator Lenke has...having voted on the prevailing side, has moved to Table Amendments No. 1, 2 and 3. Is there any discussion? If not, all in favor of the motion to reconsider indicate by saying Aye. All opposed. The Ayes have it. Senator Lenke now moves to Table Amendments No. 1, No. 2 and No. 3. All in favor of the motion to Table indicate by saying Aye. All opposed. The Ayes have it. The amendments are Tabled. Further amendments, Mr. Secretary?

SECRETARY:

Amendment No. 4 offered by Senator Lenke.

PRESIDENT:

Senator Lenke on Amendment No. 4.

SENATOR LENKE:

Okay, what...what we've found here is after we started adding people and taking people off of the judicial...Criminal Justice Information Authority, we found we had too many members. What this amendment does is incorporates Amendments No. 1, 2 and 3 and keeps the number at fifteen allowing the three judges to get off, the state's attorney appellate service to have one...one of the public...one of the spots and increases the public membership from three

to five. I think it's a good amendment and it keeps it in the form of fifteen on the...on the board. I...I ask for its adoption.

PRESIDENT:

All right, Senator Lemke has moved the adoption of Amendment No. 4 to House Bill 1413. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. Senator Berman on 1800. On the Order of House Bills 3rd Reading, bottom of page 20, is House Bill 1800. Senator Berman 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 1800, Mr. Secretary.

SECRETARY:

Amendment No. 3 offered by Senator Berman.

PRESIDENT:

Senator Berman on Amendment No. 3.

SENATOR BERMAN:

Thank you. Before we...address Amendment No. 3, Mr. President, this Amendment No. 3 will delete all of the references to the tax incremental financing...sales tax refund which...gave rise to substantial debate in the Revenue Committee, so that the bill after Amendment No. 3 is adopted will be clean of that sales tax refund provision. Accordingly, I would move to reconsider the vote by which Amendments No. 1 and 2 were adopted for purposes of Tabling those amendments.

PRESIDENT:

All right, Senator Berman has moved...having voted on the prevailing side has moved to reconsider the vote by which

Amendments No. 1 and No. 2 to House Bill 1800 have been adopted. All in favor of the motion to reconsider indicate by saying Aye. All opposed. The Ayes have it. The vote is now reconsidered. Senator Berman moves to Table Amendments No. 1 and 2 to House Bill 1800. All in favor of the motion to Table indicate by saying Aye. All opposed. The Ayes have it. Amendments No. 1 and 2 are Tabled. Further amendments, Mr. Secretary?

SECRETARY:

Amendment No. 3 offered by Senator Berman.

PRESIDENT:

Senator Berman on Amendment No. 3.

SENATOR BERMAN:

Thank you. The...Amendment No. 3 will delete...deletes the provisions dealing with the sales tax refund as I've just stated. I move the adoption of Amendment No. 3.

PRESIDENT:

All right, Senator Berman has moved the adoption of Amendment No. 3 to House Bill 1800. Any discussion? Senator Netsch.

SENATOR NETSCH:

Senator Berman, I came in just as you were describing and I missed part of it. Could you give me just a capsule again of what the bill will do with the first two amendments Tabled and this one now being proposed?

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

It allows for Illinois Development Finance Authority to provide grants which would be contingent on available revenues pursuant to IDFA bonding or...or either Federal or State grants or appropriations. The controversial item that we had previously discussed regarding the sales tax refund has been deleted. Further, and I'll address it at 3rd reading, but

remember the question was raised as to how would the TIF funding through IDFA be repaid because there was a question as to whether this would be a taxpaying entity that would own the land and the property where the Evanston University Research Park is. That will be a private entity. There is a sale pending or in discussion stage so that it will be a private taxpaying body. The increases of the assessed valuation will be on the tax rolls and will be the source for the repayment of these funds.

PRESIDENT:

Senator Berman moves the adoption of Amendment No. 3 to House Bill 1800. Any further discussion? If not, all in favor of the adoption of the amendment indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. Senator Philip on 1857. Top of page 21 on the Order of House Bills 3rd Reading, Senator Philip seeks leave of the Body to return House Bill 1857 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 1857, Mr. Secretary.

SECRETARY:

Amendment No. 4 offered by Senator Philip.

PRESIDENT:

Senator Philip on Amendment No. 4.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Amendment No. 4 to House Bill 1857 combines a front-door referendum for three hundred and fifty million in general obligation bonds for the purpose of a water commission and to get water from Chicago to DuPage County, combines

it with a one-quarter percent sales tax to pay off those bonds. Be happy to answer any questions. I move the adoption of Amendment No. 4.

PRESIDENT:

Senator Philip has moved the adoption of Amendment No. 4 to House Bill 1857. Senator Demuzio.

SENATOR DEMUZIO:

Yes, if the...sponsor will yield. The quarter-cent sales tax caught my ear. What...what...what are we talking about here?

PRESIDENT:

Senator Philip.

SENATOR PHILIP:

What we're talking about is by front-door referendum, the people of DuPage County authorizing a quarter-cent sales tax, countywide, for the purpose of water from Lake Michigan to DuPage County.

PRESIDENT:

Senator...

SENATOR PHILIP:

...they'll have a chance to vote on it. It's nothing sneaky at all.

PRESIDENT:

...Senator Philip has moved the adoption of Amendment No. 4 to House Bill 1857. Any further discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. Same page, page 21, in the middle of that page is House Bill 1914. Senator Mahar 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 1914, Mr. Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Mahar.

PRESIDENT:

Senator Mahar on Amendment No. 2.

SENATOR MAHAR:

Thank you, Mr. President. Amendment No. 2 authorizes two parcels in the Village of Hoffman Estates to be annexed to the Metropolitan Sanitary District. This is at the request of the property owners and the municipality and the MSD are in agreement.

PRESIDENT:

Senator Mahar moves the adoption of Amendment No. 2 to House Bill 1914. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. The next two were on the Agreed List. On page 57...page 57 of the Calendar, Senator...Schaffer seeks leave to remove House Bill 1961 from the Agreed List, asked that it be brought back 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 1961, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Schaffer.

PRESIDENT:

Senator Schaffer on Amendment No. 1.

SENATOR SCHAFFER:

Mr. President and members of the Senate, this is a sad duty, I have to remove this bill from the Agreed List to put

H. B. 1970
recall

an effective date amendment on it. That's all the amendment does is put an effective date of July 1, 1985. It hurts.

PRESIDENT:

All right, Senator Schaffer...moves the adoption of Amendment No. 1 to House Bill 1961. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. Same page, on the Order of House Bills 3rd Reading, Senator Davidson seeks leave to remove House Bill 1970 from the Agreed List and asked that it be brought 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 1970, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Davidson.

PRESIDENT:

Senator Davidson on Amendment No. 1.

SENATOR DAVIDSON:

This amendment removes the immediate effective date. I move the adoption.

PRESIDENT:

Senator Davidson moves the adoption of Amendment No. 1 to House Bill 1970. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. 2103, back on the regular order...Senator Lenke, did you file an amendment on 2103? Well, strike it

H.B. 704
re-called

from the list. All right, if I can have the attention of the membership. While we're on this order, there are three additional amendments that have been placed with the Secretary. If you will be kind enough to take these numbers down, we won't have to go through this drill again. House Bill 704 off the Agreed List, Senator Sangmeister. House Bill 805 on the regular list, that's Senator Karpel and House Bill 1027, Senator Welch. With leave of the Body, we'll just add those and carry on and try to get this accomplished. On the Order of House Bills 3rd Reading, page 38, Senator Sangmeister seeks leave of the Body to remove House Bill 704 from the Agreed List and asked that it be brought 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 704, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Sangmeister.

PRESIDENT:

Senator Sangmeister.

SENATOR SANGMEISTER:

Thank you, Mr. President and members of the Senate. What this amendment does is it tightens up requirements for bail on drug related case and where terrorists are involved. It will make it...it will give the judge more discretion as to when he can deny bond on first appearance, and there is a host of items in this bill which I think would best be discussed on 3rd reading. At this time, I would just move adoption of the amendment.

PRESIDENT:

Senator Sangmeister has moved the adoption of Amendment No. 1 to House Bill 704. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. Back on the regular order, on House bills 3rd reading, top of page 12, is House Bill 805. Senator Karpziel 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 805, Mr. Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Karpziel.

PRESIDENT:

Senator Karpziel on Amendment No. 2.

SENATOR KARPIEL:

Thank you, Mr. President. Amendment No. 2 is...another amendment that is...has been suggested by the Comptroller's Office. It's a technical amendment, really. It deletes the words that say, "The deduction shall have priority over any garnishment except that for payment of State." I move for its adoption.

PRESIDENT:

Senator Karpziel has moved the adoption of Amendment No. 2 to House Bill 805. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. Top of page 14, Senator Welch. Senator Welch seeks leave of the Body to return House Bill 1027 to the Order of 2nd Reading for purposes of an amendment. Leave granted? On the Order of House Bills 2nd Reading, House Bill 1027, Mr. Secretary.

SECRETARY:

Amendment No. 3 offered by Senator Berman.

PRESIDENT:

Senator Berman on Amendment No. 3.

SENATOR BERMAN:

Thank you, Mr. President. This states that this bill will not apply to cities having a population of more than...half a million inhabitants. I move the adoption of Amendment No. 3.

PRESIDENT:

Senator Berman has moved the adoption of Amendment No. 3 to House Bill 1027. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. If I can have the attention of the membership, visiting Springfield today is a very special guest. We have with us the Honorable Mr. Klaus Jacoby who is the Ambassador from Switzerland to the United States. He is visiting Springfield and has just been introduced to Mayor Michael Houston. He is accompanied by Council General Holser. I would wish that you would welcome Ambassador Jacoby and I'll ask him to say a few words. Ladies and gentlemen, Ambassador Jacoby.

AMBASSADOR JACOBY:

(Remarks made by Ambassador Jacoby)

PRESIDENT:

Mr. Ambassador, I think we have a lot of volunteers for the trade mission to Switzerland. I see a lot of hands going up. Resolutions, Mr. Secretary. Messages from the House, I'm sorry.

SECRETARY:

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

Mr. President - I am directed to inform the Senate

the House of Representatives concurred with the Senate in the passage of a resolution, to-wit:

Senate Joint Resolution 77.

Together with the following amendment, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

House Amendment No. 1.

PRESIDENT:

Senator Savickas.

SENATOR SAVICKAS:

...Mr. President and members of the Senate, I would move concurrence with House Amendment No. 1. It's just...on the adjournment resolution to make it at ten o'clock.

PRESIDENT:

All right, Senator Savickas has moved to suspend the rules for the immediate consideration and adoption of Senate Joint Resolution 77 and he moves the adoption of...House Amendment No. 1 to Senate Joint Resolution 77. All in favor of the motion to suspend indicate by saying Aye. All opposed. The Ayes have it. The rules are suspended. Senator Savickas now moves the adoption of Amendment No...House Amendment No. 1 to Senate Joint Resolution 77. All in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted and the resolution is adopted. If I can have the attention of the membership. As you're all aware, tomorrow is the last day under our rules for the consideration of House bills on 3rd reading. If you'll look at the back, we have two hundred and seventy-three, probably now two hundred and seventy-eight House bills on 3rd reading. Today is the last day, obviously, to move substantive House bills from 2nd to 3rd reading so that they may be considered tomorrow. After discussing with Senator Philip, it is our intention to go to the Order of House Bills 2nd Reading. There are seven substantive House bills sponsored by the following Senators:

Senators Bloom, Philip, Netsch, Jerome Joyce, Jerome Joyce, Collins and Bloom. At the conclusion of that order of business, we will begin on House Bills 3rd reading at the beginning, and the very last order of business this evening, which will be at approximately six-fifteen to six-thirty, we have agreed to...to terminate our business or adjourn at the hour of six-thirty because tomorrow will be a...all day marathon, I'm afraid. At the conclusion, we will have the roll call with respect to the Agreed Bill List for those bills on 3rd reading that have been read in this morning commencing at ten o'clock. If members wish to move bills off that list or vote other than Aye, that should be filed with the...those indications should be filed with the Secretary so that they can be properly journalized. Senator Geo-Karis, for what purpose do you arise?

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, I ask to be added as an immediate cosponsor to House Bill 832 and I have the permission of the main sponsor, Senator Marovitz.

PRESIDENT:

All right, the lady seeks leave to be added as a cosponsor of House Bill 832. Without objection, leave is granted. Senator Lechowicz, for what purpose do you arise?

SENATOR LECHOWICZ:

Ask leave to be added as a principal cosponsor of House Bill 48.

PRESIDENT:

The gentleman seeks leave to be added as a principal cosponsor of House Bill 48. Without objection, leave is granted. Senator Welch, for what purpose do you arise?

SENATOR WELCH:

I would ask leave to be substituted as the chief sponsor of House Bill 24 and have that bill read Welch-Jones. I've

had the permission of the sponsor, Senator Jones, who is nod-
ding his head...in affirmation.

PRESIDENT:

All right, the gentleman seeks leave to be added as the
principal sponsor of House Bill 24 with Senator Jones as the
hyphenated cosponsor. Without objection, leave is granted.
Senator Barkhausen.

SENATOR BARKHAUSEN:

...Mr. President, I would ask leave to have added Senator
Dudycz as a hyphenated chief sponsor of House Bills 831 and
971.

PRESIDENT:

831 and 971, the gentleman seeks leave to have Senator
Dudycz added as a cosponsor. Without objection, leave is
granted. All right, we will begin on the Order of House
Bills 2nd Reading. We will go through that order of business
and then proceed on to the main Calendar to the main event on
House bills 3rd reading. We will work until approximately
six-thirty this evening at which time we will have the roll
call vote on the Agreed Bill List. On the Order of House
Bills 2nd Reading, House Bill 296, Senator Bloom. Senator
Bloom, for what purpose do you arise?

SENATOR BLOOM:

Thank you, Mr. President. Let's move 296 to 3rd and I
wanted to seek leave on 1814. Let's handle 296 and then
I'll...

PRESIDENT:

On the Order of House Bills 2nd Reading is House Bill
296. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 296.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

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

SENATOR BLOOM:

Thank you, Mr. President. I would seek leave later on when we get to House Bill 1814 to perhaps consider it out of order later this afternoon, because the interest...there's one particularly difficult issue involving AT and T and the other common carriers, and they are very, very close to compromising that issue; and if that's the case, we can handle...readily handle 1814 and it will be a controversial issue that becomes noncontroversial, which we all like, but they probably won't have the language drawn up until later this afternoon, sir.

PRESIDENT:

All right, Senator Bloom...seeking leave of the Body to consider House Bill 1814 on the Order of 2nd Reading later this afternoon, perhaps at the close of...before the close of business, let's just say six-fifteen this evening. Is there any objection to that procedure? Without objection, leave is granted. We will handle House bills 2nd reading...return to that order for the purpose of House Bill 1814 at six-fifteen this evening. Without objection, leave is granted. All right, Senator Philip, why...why don't we try these other...Senator Bloom, would you mind? We'll go to...let's get these other ones out of the way and we'll move right there, if that's all right. See if anybody wants to move any of this stuff. Middle of page 67, on the Order of House Bills 2nd Reading, House Bill 900, Senator Netsch. On the Order of House Bills 2nd Reading, House Bill 900. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 900.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 1000, Senator Joyce...well, you can get leave to come back to it and we can probably do it Wednesday or Thursday or Friday, I presume...or later today. 1436, Senator Joyce. On the Order of House Bills 2nd Reading, the middle of page 68, is House Bill 1436. There's an amendment filed up here. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 1436.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Jerome Joyce.

PRESIDENT:

Senator Joyce.

SENATOR JEROME JOYCE:

All right, thank you, Mr. President. This amendment rewrites the bill to include the...the suggested legislation which was a result of the Governor's Task Force on Chemical Safety. The plan requires a business to have a written emergency plan, the guidelines for the coordination of the plan are to be established by the Emergency Services Disaster Agency and...significant release occurs, the EPA will review how the plan worked and may suggest changes in the plan and

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so forth.

PRESIDENT:

Senator Joyce has moved the adoption of Amendment No. 1 to House Bill 1436. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. 1529, Senator Collins. All right, Senator Joyce has asked leave to come back to 1000, Senator Collins has asked leave to come back to 1529 and Senator Bloom has asked leave to come back to 1814. At the last order of business today, we'll get back to them. Without objection, leave is granted. Senator Philip on...Senator D'Arco, for what purpose do you arise?

SENATOR D'ARCO:

Mr. President, will there be any chance of going back on a recall list? Are we going to have another recall list or is that it?

PRESIDENT:

Certainly. I...yes. WAND-TV Decatur has requested permission to videotape today's proceedings. Is leave granted? Leave is granted.

PRESIDING OFFICER: (SENATOR DEMUZIO)

House bills 2nd reading is House Bill 570. Senator Philip. Senator Bloom. Senator Luft. All right, House bills 2nd reading, House Bill 570, Mr. Secretary.

SECRETARY:

House Bill 570.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Executive offers two amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I move to adopt Committee Amendment No. 1 to Senate Bill 570. The amendment cuts it back to the Governor's recommendation which is 1.3 billion dollars.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Philip has moved to Table Committee Amendment No. 1 to House...all right, Senator Philip has moved to adopt House Bill 570, Amendment No. 1. Further discussion? Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. For the benefit of the membership, Committee Amendment No. 1 to House Bill 570 literally reinstates the Governor's program as introduced, including the imposition of the used car tax. I think a roll call should be had on the adoption of Amendment No. 1. I have Amendments 2, 3 and 4 which substantially alter the financing program under House Bill 570, but Amendment No. 1 essentially strips out what the House did to House Bill 570 and reinstates the program as introduced by the Governor, and I think a roll call should be required.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Joyce...Jeremiah Joyce.

SENATOR JEREMIAH JOYCE:

A question of the sponsor, please.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Joyce.

SENATOR JEREMIAH JOYCE:

Senator Philip, the projected used car tax, what is the estimated revenue that will be derived from that, if you know?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Philip.

SENATOR PHILIP:

I believe in a full fiscal year, seventy million dollars.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Do I understand you to say seventy million dollars for the next fiscal year?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Philip.

SENATOR PHILIP:

A full fiscal year.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

And would you tell me, if I had a automobile that had a market value...that I was selling for five thousand dollars, what the tax would be on me?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Philip.

SENATOR PHILIP:

Five percent.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

That would be two hundred and fifty dollars?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Philip.

SENATOR PHILIP:

If your arithmetic is correct, I believe that is correct.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

140 570
John Pennington

SENATOR JEREMIAH JOYCE:

Would you tell if you know how many used cars are sold in a year that would be subjected to this tax?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Philip.

SENATOR PHILIP:

I don't know. I...hopefully, I could get the figures for you from the second floor or the Secretary of State.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Well, if...if...if we're...we are talking about...say, seven...well, you're talking about one billion four hundred million dollars worth of used car sales if my...if your projections and my arithmetic are correct, would that be right as I...trying to think here?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Philip.

SENATOR PHILIP:

If I remember correctly, your Responsibly Build Illinois uses the exactly the same tax. Is that not correct?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Well, I'm just asking you if you would...would you answer the question. We'll talk about who and what and whose Responsibly Build Illinois and how it's going to be funded when we get to that point, but you're offering the amendment and you're subjecting yourself here to questions and discussion and debate. So I ask you again, would that...is that roughly what my...is that a correct number that I'm talking about if the projection is seventy million dollars to be derived in additional revenue from this tax, would we be talking about a billion four hundred million dollars in used

car sales?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Philip.

SENATOR PHILIP:

I...I believe the one thing we can agree on is that we're both using the same figures from the Governor's Office and the Department of Revenue. What the...what the tax raises and how much it is.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

I'm using your numbers. I'm not vouching for your numbers, Senator Philip. I'm taking you at face value. I'm not representing that your numbers are correct. Let me ask you this, what will happen or what...what does the Governor...propose for revenues if this projection is incorrect?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Philip.

SENATOR PHILIP:

We...we believe he's correct.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Well, given his track record, I...I...I don't think you're going to get a majority of the people in this Body to agree that he's correct. My understanding is that there is backup to this, that there is a...a proposal to take funds from the sales tax and have that as the backup to that. Is that...is this not correct?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Philip.

SENATOR PHILIP:

Yes, I...to my knowledge, that is absolutely incorrect. Also, I would assume if there wasn't a revenue flow, we'd

have to scale down the amount of bond we'd be selling.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Joyce, have you concluded? Senator...Senator...Senator Joyce.

SENATOR JEREMIAH JOYCE:

No. No, I haven't concluded. You sell the bonds...you sell...you sell the bonds and then you are obligated and then all of a sudden we find, as we have found so many times in the past, that your numbers and your projections are incorrect, then what do we do?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Philip.

SENATOR PHILIP:

I...I'm sure you know, Senator Joyce, they would not sell all the bonds at once. They would be stretched out and, of course, if the revenue wasn't there, they would scale down the next sale of bonds.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Well, that's not my understanding. My understanding is...is that we are going to sell these bonds, put those monies in a fund, derive interest from the funds that those monies go into and arbitrage this deal, that's my understanding. Now, if you're saying that we are going to just do this as...as the economic...situation warrants, then you should adopt our plan because that's what we're talking about. You should just withdraw this amendment and pay as you go, as we are suggesting.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...Senator...Philip.

SENATOR PHILIP:

Well, of course, under your so-called pay-as-you-go would do two things, stretch it out to fourteen years possibly and

cost more money. And as you know, I...I would assume they would spread the selling of these bonds out.

PRESIDING OFFICER: (SENATOR DENUZIO)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Well,...first of all, those two statements are correct but...are incorrect but...but let's set that aside for the moment about the fourteen years and costing more money, both of those are...without doubt those...those two statements that you have made are in error. Let me ask you one other thing that I'm still confused about, and I truly am confused about this, Senator Philip, these are...these are...what type of bonds are these? Mr. Mandeville, when he came before our committee, indicated that these were what type of bonds?

PRESIDING OFFICER: (SENATOR DENUZIO)

Senator Philip.

SENATOR PHILIP:

They're dedicated revenue bonds.

PRESIDING OFFICER: (SENATOR DENUZIO)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

When you say dedicated revenue bonds, does the full faith in credit of the State of Illinois stand behind these bonds?

PRESIDING OFFICER: (SENATOR DENUZIO)

All right, Senator Philip.

SENATOR PHILIP:

No.

PRESIDING OFFICER: (SENATOR DENUZIO)

Senator Joyce. All right, Senator...Senator Joyce.

SENATOR JEREMIAH JOYCE:

Well, let me ask you this, if there is not sufficient funds...if there is not sufficient funds from the...from the contemplated source of revenue to redeem these bonds, does the...does...is it anticipated in this legislation that sales

tax money...sales tax revenues or general revenue funds will be used in this program?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Philip.

SENATOR PHILIP:

Well, they are prohibitive, they will not be used and what they will do, the second issue of bonds, they will not sell the second issue of bonds.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

No, that is...that is not correct. That is not correct.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Will the...sponsor of the amendment yield for a question?

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will.

SENATOR GEO-KARIS:

Is it...my understanding that the money derived from the taxes from the sale of the used cars will be...used to pay the interest on the bonds?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Philip.

SENATOR PHILIP:

Yes and principle.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

And...if I understand correctly, the type of bonds will be revenue bonds. Is that correct?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Philip.

SENATOR PHILIP:

Dedicated.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

What...I'm sorry, I didn't hear.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He said dedicated. Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, Mr. President and Ladies and Gentlemen of the Senate, I speak in favor of this amendment and I speak in favor of the whole bill, because under this bill and this...and this amendment, we are not going to be forced to go and rob the general fund every time we're short on the other plan that's being advocated by our colleagues on the other side, because if we have to take money from the general fund to...on the pay-as-you-go system and it...it isn't there, then you're going to have to raise taxes to pay for your senior citizens, your education and so forth. So, I think in the long-run, we're much better off supporting this amendment and the bill itself.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. I rise in support of Amendment No. 1 on House Bill 570. There are only two things that you have to know about this amendment; one, is that ten is greater than eight, or nine is greater than seven, or eight is greater than six, or seven is greater than five, and if you don't know that by the time you become a Senator, I think we have more serious problems than just this amendment. The other thing you have to know is whether there's a revenue stream so that when the investment is made, eight will be greater than six, nine will be greater than seven. What this bill simply does...and I might do it with an analogy. If you

had a hundred thousand dollars sitting around someplace and you were going to build a hundred thousand dollar house and you found out that you could vest your hundred thousand dollars and get ten percent interest and pay eight percent interest on a regular loan, you would be a fool not to borrow the money, and that's all this amendment says, that in this particular instance, because you have a revenue stream equivalent to the hundred thousand dollars in the bank, that you're far better off borrowing because then you could add a two thousand dollar addition to your house for nothing, and that's all this amendment does. It's very simple, and we talk about pay as you go, this is more than pay-as-you-go; this is not only pay-as-you-go, it's to get more than what you're going to be getting if you went ahead and didn't invest it. I urge your support for this amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Linda Mise of WCIA-TV seeks permission to videotape. Is there objection? Hearing no objection, permission is granted. Senator Joyce.

SENATOR JEREMIAH JOYCE:

Well, I can't let that go without challenging that what you said...Senator, because you're talking about...you're not trying to make this so simple, and it's not simple, it's...it's simple, yes,...it is simple...it's simple for the guys who are bond counsel, it's simple for the...for the investment bankers, it's simple for those people. This...if you take the hundred thousand dollars and go and borrow it...go and borrow it, put it in the bank at ten percent and go and borrow at eight percent, that would be fine, if you didn't have to hire a lawyer and hire an investment banker and hire all of these other support people and all of these other costs that are involved in this because then your two percent arbitrage melts away. It's not here, it's gone, and that's really what this whole thing is about, Senator. You

know that and I know it. It's about forty or fifty million dollars that we're going to hand to some bankers and some lawyers and some other friends of this administration. Instead of doing it in a reasonable way, in a cost efficient way, we are going to bring in some other people to sit at the table and divvy up the State's money, that's what it's all about.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

Well, I...I think the record has to be cleared up on that point also. The net number, Senator Joyce, is going to be greater regardless of what charges that you talked about, then, simply using the money you're taking in and spending it. Let me point out one other advantage. With this program, you can make commitments that go beyond one year, commitments that can result in some savings, commitments that...in many instances could not be made any other way. Under the plan...and I know Senator Joyce felt that Senator Philip ought not to be bringing up the following amendment but he brought it up himself in his discussion. The fact is, you can't make any commitments under the new plan, and I don't know how you're going to get fifty-one done...well, I know how you can get it done, you can get it done the way it's being done right now, a little piece at a time and maybe it'll never get done. The point is that the invested money, you're going to turn around and sell bonds with short money, put it in to a long-term investments and, Senator Joyce, you can't argue that. Pick up the Wall Street Journal, pick up the Chicago Tribune, pick up any one of them. Read the page that says what you're going to get ten years from now for something if you put the money in right now. And you know what, it'll tell you you're going to get more than what...it's going to cost you to borrow it under a tax-free

borrowing system, every one of them does.

PRESIDING OFFICER: (SENATOR SAVICKAS)

UPI would like permission to take still photos and Channel 20 requests permission to videotape. Is there objection? Hearing no objection, permission is granted. Senator Joyce.

SENATOR JEREMIAH JOYCE:

Well, Senator DeAngelis, no matter how you address this, it...your program still costs two and a half billion dollars more. Now, somebody is getting that two and a half billion dollars and it's not the guy who's out there laying concrete. Two and a half billion dollars and after...what you're talking about when you tip that balance doesn't even come on the scene till after twenty-five years. If you extend this thing out for forty years, yes, you'll have more interest in...coming in than you will have going out, but two and a half billion dollars more this program costs the way you people want to do it, and the only reason you want to do that is the...for those reasons that I have already stated, because you have a bunch of people you want bring in and let them sit at the table and gobble up the State's money. The bond counsel, the investment bankers and all those other cronies that we've dealt with on transportation, on education and when we passed the income tax, those are the people who...who benefited from that program.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

Senator Joyce, you are totally discounting the proceeds from those investments, and I challenge you to present those numbers side by side with our numbers, sir, and I will tell you, and you can put them to anybody you want to, pick somebody, provided they understand math. I challenge you to put those numbers side by each.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Well, let's vote on the thing.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Bloom.

END OF REEL

REEL #3

SENATOR BLOOM:

Thank you, Mr. President and fellow Senators. I've been sitting here and listening to, I guess, this debate, trying to divine what purpose the opposition would be to this amendment, and, apparently, it boils down to this, that the opposition is coalescing around something less than one percent of a program and that's...that doesn't make any sense. There is no reason why all fifty-nine Senators cannot and should not...there's no reason why we...shouldn't be supporting this amendment, and I...I really think that it...it does not speak well for this Body to have this program bogged down in regional and partisan bickering. It...it...we don't look good and we're not doing the job we should be doing for our constituents. I would recommend that we all support this amendment. Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Philip may close the debate on the adoption of Amendment No. 1.

SENATOR PHILIP:

Yes, I...I might remind you that the bonds will pay...be paid off by the used car tax and the interest on bonds that are made. In the long-run, it'll save money and I suggest we support this amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Philip moves the adoption of Amendment No. 1 to House Bill 570. 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 Yeas are 38, the Nays are 16, 4 voting Present. Amendment No. 1 having received the constitutional majority

is declared adopted. Further amendments?

SECRETARY:

Committee Amendment No. 2.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Committee Amendment No. 2 was our first offering if you will, of a reasonable, rational alternative to Build Illinois. We have found and made some technical corrections which will be offered in Amendment No. 3; therefore, I move to Table Amendment No. 2...Committee Amendment No. 2.

PRESIDING OFFICER: (SENATOR SAVICKAS)

You've heard the motion. Senator Rock moves to Table Committee Amendment No. 2 to House Bill 570. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. The motion carries. Amendment No. 2 is Tabled. Any further amendments?

SECRETARY:

Amendment No. 3 offered by Senator Rock.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Amendment No. 3 has been called the Responsibly Build Illinois Program. It effectively substitutes a financing mechanism other than that which the Governor proposed. I want to make it perfectly clear that I have stated publicly and also stated in committee that the amount of the program, one billion three hundred million, the current year's appropriation, two hundred and twenty-three million and the current fiscal year spending program are identical, they are intact. The difference between the financing proposal contained in Amendment No. 3 as...opposed to that contained in

Amendment No. 1 is that Amendment No. 3 contains a pay-as-you-go program. Amendment No. 3 will effectively put into operation the used car tax and call for that tax to be funnelled into...or an equivalence amount of sales tax to be funnelled into the Responsibly Build Illinois Program which will be subject to appropriation on an annual basis for the next ten year's spending as opposed to the Governor's call for the next eight years of spending. And the difference is...the significant difference is that with the mechanism provided in Amendment No. 3, we will not...we, the taxpayers of Illinois, will not be incurring bonded indebtedness until the year 2024. At the conclusion of ten years, we will have one billion three hundred million dollars worth of projects and they will have been paid for, and we will not incur bonded indebtedness until the year 2024. I think that's a significant difference. We are committed, I am committed to Build Illinois, but I am committed to building it responsibly and to not incur two billion three hundred million dollars worth of financing charges, bond counsel fees and debt service. It can be done another way. The programs, I'm sure you're aware, that the Governor outlined that he wanted to commit to in this fiscal year have already been adopted by virtue of an amendment in the Appropriations Committee to House Bill 569. So the spending level is identical as is the appropriation level. What we are saying is, walk away for a moment or take a step back for a moment of the individual projects. Let's take a look at the big picture, let's agree that we ought to have one billion dollars worth of projects over the next eight or ten years, how in the world are we going to pay for them? What the Governor is proposing is that we incur additional bonded indebtedness, and what we are proposing is that, yes, we agree to these projects, and, yes, we agree to the dollar amount but we're asking that we pay as we go. And with the financing mechanism set up on Amendment

No. 3, we can in fact pay as we go, and we have outlined and presented a spending plan which is virtually identical to that outlined by the Governor...or by the Bureau of the Budget at least, and the levels of spending are the same and the commitments in the main are the same. They're not a hundred percent the same, certainly, that's what the legislative process is about, but the fact is that those big ticket items, the Central Illinois Expressway, Highway 51, the spending called for under the Governor's proposal is identical to that which we call for under our proposal. But the difference is...step back for a moment and reflect not on individual projects, although those that have received high priority under his program receive high priority under our program. The difference is, how do you pay for it? And we are suggesting to the people of Illinois that just the same as they do in their monthly allocation, we pay as we go and we do not subject our children and our grandchildren to debt service for projects and programs that will be long gone once they incur the bills. I urge adoption of Amendment No. 3.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Associated Press requests leave to take photos. Is there objection? Hearing no objection, leave is granted. Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I rise in joining Senator Rock in supporting Amendment No. 3 to responsibly, in fact, build Illinois; and I think as we have developed this program what we have said is, where you are asking someone other than the taxpayer to pay for the bonds, then, yes, interest is an allowable payment because it will not be a burden on future generations. Where, like in housing, we have said that the borrower will pay the principle and interest, yes, bonds do in fact make sense. The same is true in the area of some of the loan pro-

grams that are created under the program and in some of the coal areas where, in fact, the borrower will commit to repay interest and principle; but under the proposal that was presented to us in Amendment No. 1, we were talking about not selling the bonds day one and making interest on them as has been purported or at least alluded to, but over a five-year period selling bonds and spending them over eight years. Well, when we you look at the Governor's own revenue projections, that is just so illogical because of the income stream that all you could see is several billion dollars of interest going to banks and bonding houses is the only benefit of bonding Illinois as opposed to building Illinois. We have proposed a pay-as-you-go, and if you look at the bureau's own estimates, it can be paid for in about nine and a half years as opposed to the eight years of spending but thirty-eight years of paying proposed by the Governor. To lose a year and a half of spending to save almost thirty years of interest clearly is the way to go, to pay as you go. It has been proposed that if the tax stays on, and so far the Governor has said nothing, but the tax stays on till the bonds are paid, that by the time the bonds are paid, the total taxes taken from the people of Illinois will be over six billion dollars to do a program that costs a billion three. Taxpayers don't want to pay that kind of money except for a legitimate program. Why, do you know that by the turn of the century, the year 2000, if you go pay-as-you-go you could be into the third program of a billion three; you could have already paid for the first billion three, paid for the second billion three and started a third billion three before you got to the year 2000. You could have five of them completed by the time his bonds were paid off, but it would be in programs not in interest payments, not in finance charges. We will in fact appropriate more under a pay-as-you-go plan the first year than that proposed by the Governor, and we

will in fact spend in a mere eighteen months longer than he has proposed without burdening future generations with unnecessary taxes merely, merely to pay interest. If in fact we are borrowing it all day one and spending it day one the answer would be different but we're not, he has not proposed that nor has anyone else. He has said spend out over eight and we're saying it could take nine and a half but look at what you save, seven hundred and fifty dollars a family a year is saved in unnecessary taxes. People do not ask us to come here to tax them to death. They do agree that we have to have taxes to pay for government services but not to pay banks and not to pay bond houses, pay as you go.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Philip.

SENATOR PHILIP:

Have a question of the sponsor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR PHILIP:

Yeah, are there any bonds in the so-called pay-as-you-go program?

PRESIDING OFFICER: (SENATOR SAVICKAS)

...would you repeat that question, Senator Philip?

SENATOR PHILIP:

Are there any bonds at all in the pay-as-you-go program?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Yes.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Philip.

SENATOR PHILIP:

Interesting, how many?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll wishes to answer that.

SENATOR CARROLL:

Thank you, Mr. President. As I identified in my remarks, Senator Philip, had you been listening, is that we did suggest that where the borrower is paying back principle and interest which would be the IDFA type, the large and small loan program and the coal program, that in fact they were going to be paying...the borrower not the taxpayer, were going to paying...they would in fact be there in the first year, if I recall, it is forty-eight million dollars that would be under a borrower-paid-for bond program and we've agreed to that. We think that that makes sense, someone other than the taxpayers would in fact be paying the interest and principle back.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President. Specific answer, Senator Philip, we have agreed to one billion dollars additional for the Illinois Housing Development Authority, so yes, indeed, that's part of the program. We have also by virtue of Amendment No. 3 are calling for and under Amendment No. 4 will be calling for roughly three hundred million dollars worth of additional bond authority to cover the Industrial Coal...Utilization Program, the Small and Large Business Loan Program, the Incubator Facility Program, the Public Infrastructure Loan and Grant Program, roughly, three hundred million plus the billion for IHDA.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Philip.

SENATOR PHILIP:

...thank you, Mr. President. We're talking about a quarter of a billion dollars in bonds, is that not correct? Who's...who's going to buy this paper? I've been told that

you're going to have a very, very difficult time selling that amount of bonds.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Well, if we're going to have difficulty, think of the kind of difficulty you're going to have 'cause yours is twice as big as ours.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Philip.

SENATOR PHILIP:

Well, we have a revenue stream, we have been to New York to the bonding companies. We'll be able to sell these bonds. Have you been there?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

No, but I'll be willing to go with you. My program is better than yours, I'll tell you that flat out.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Well, I think a couple of...thank you, Mr. President. A couple of points have to be made clear. Yes, future generations will pay for this but not with their money, with the money that we have raised, not with the money they will have to be raising and there's a big difference. It is pay later but it's collect now. And, Senator Carroll, I'm really surprised because our version is really the wholesale version, yours is the retail. You're going to pay more for those projects and really have less money, and I'm really surprised but...let me point out one thing to the Body, you know, in biology we learned that a cockroach has a memory of a half hour. The Illinois Senate has a memory of about two months.

Let me point out to you, Senate Bill 160 which flew out of here 52 to 3, sponsored by Senator Welch, Senator Holmberg and Senator Zito. It created 412.7 million dollars worth of bonding to build U.S. 51. Now, what was so bad two months ago...was so good two months ago suddenly has become so bad. You know, I...I really think what we're arguing here is not substance, because what I think is going on here is a political battle and it's not new to the General Assembly, but we ought not to be playing political battles with substantively large dollars, particularly when we're talking about projects that we have all been wanting to see accomplished for a long time. I urge the defeat of this amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Holmberg.

SENATOR HOLMBERG:

Thank you, Mr. President. I rise in support of Amendment No. 3. It's one thing, and I gladly do that, to vote in a school referendum to build a school for both my children and grandchildren out of taxes that I will pay for. It's another thing when I choose privately to buy a tree and plant it, that fifty years from now will be enjoyed by those same descendants, but I'm very uncomfortable in mortgaging Illinois' future to such a great extent as has been proposed in the previous amendment. I do not wish to vote for the extent of projects that have been suggested only to be...paid off by bonds that my grandchildren who are not even born yet will have to pay for thirty-eight years from now. Think of how old you will be thirty-eight years from now, fellow Senators. Will you be around to be paying that bill? That, I...I state for all of you, is taxation without representation.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Keats.

SENATOR KEATS:

I rise in an interesting position, I'm against both of

your amendments. For those of us who are not part of the Governor's staff or part of...of...of Attorney General Hartigan's staff, for those of us in the middle who have read it, have you ever noticed that neither plan is all that good? What the Democrats are saying about the Governor's plan, I hate to admit it, happens to be factual, but, you know, what our guys are saying about the Democrat plan happens to be factual too. What would it take to get our leadership just to back off for a day or two and let's put a plan that doesn't stick it to the entire State? The Build Illinois is a great idea, both of these financing plans, one is grossly political, the other is outrageously expensive. Either way you look at it, I don't know about you guys, but I'm just going to sit here and not vote and say, hey, good luck fellows, but you are not serving a lot of what I would consider the constituents you and I are concerned with. We do do a very good job of taking care of some very wealthy lawyers in Chicago and when...when Jeremiah was saying, you know, we're going to pay off some of these bond counsel guys, they aren't our guys. Those aren't Republican lawyers, I'm not sure there are many Republican lawyers, but it isn't our guys who are getting that money. Maybe we all ought to sit back and just say, fellows, the first two drafts don't work, why don't we try a third draft.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Bloom.

SENATOR BLOOM:

Several other priors, but that was a tough act to follow whatever...whatever the point was. The...of the prior speaker. Two things; one, there's an irony here and that is that, frankly, the other side of the aisle are making, if you will, Republican speeches and not doing it particularly well. But one thing that has...we ought to focus on on this particular amendment is that the way it's structured, the State

would be dipping into general revenue, thirty, forty million dollars a year and that is taking money away from other programs. As a practical matter, I don't believe that this serves any purpose...this particular amendment serves any purpose other than to make political points, and for that reason, I believe that we really should reject it entirely, both sides of the aisle. Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Weaver.

SENATOR WEAVER:

Well, thank you, Mr. President. I was just going to ask Senator Rock if it's true that under your program you're going to be pledging thirty and forty million dollars of general revenue funds to this program.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

I'm glad you asked, the answer is no, but I will also point out that Amendment No. 1 calls for that eventuality and has, in fact, specific provision for dipping into GRF, we do not.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Weaver.

SENATOR WEAVER:

Well, what is your revenue stream to handle the bonding other than in the housing IHDA area?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Well, other than the housing IHDA area, we're...we're talking about the Illinois...Development Finance Authority. More than that, we are shoring it up with the authority to borrow from the Tourism Fund.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Weaver.

SENATOR WEAVER:

Well, that...that really is GRF funds, Senator Rock.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR WEAVER:

That's...

SENATOR ROCK:

Now, let me...let me just say now,...you're...you're...I...I understand the...the reason for your question and...and hear me out. We are suggesting that...that there is in fact a surplus under the configuration of the Tourism Fund as we have configured it in Amendment No. 3, and we afford the Appropriations Committee the opportunity to dip into that fund in the event it becomes necessary. We do not put it at the same level which Amendment No. 1 had it. You had it kind of as the second priority to draw against that fund, first priority being the debt service from McCormick Place. We have placed it at the bottom of the list so that it is after McCormick Place debt service, it...it is after the downstate parks and conservation rehabilitation. It is after all those priorities that other General Assemblies have already set and, indeed, you are technically correct that whatever surplus there is in the Tourism Fund as we currently enjoy a surplus of some twenty-eight to thirty million dollars, that is subject to the transfer to the General Revenue Fund. So to that technical...you...technically, you are correct, but the point is that we are not authorizing any immediate dip into GRF. We are suggesting legislatively that if there is to be a...if there is a...an immediate short fall, that we will afford the authority to borrow from the Tourism Fund and further afford the authority to pay back or the responsibility to pay back into that fund at the end of the spending program.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Weaver.

SENATOR WEAVER:

Well, I just might point out that that so-called surplus of twenty, thirty million dollars has already been allocated in those appropriation bills before us now such as education.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch.

SENATOR NETSCH:

Thank you. If I might direct a slightly different...not line of questioning but maybe a couple of questions. Let me just say at the outset, I am strongly committed to pay-as-you-go. Even a so-called big spending north Chicago liberal like me has always thought that funding most of State Government by bonding these days is one of the most devastating and long-range disastrous things that we have thought up over recent years and so I'm...I am not committed to that at all. I think the way we are doing it is responsible and, you know, we're...we're now at a point where in terms of the...the fiscal feasibility of the two basic programs, it's sort of yes, you can; no, you can't, I mean,...we're just not even talking about the same figures anymore. We're right and you're wrong and that just simply states it that way, but one thing that I am curious about is, particularly in light of the fact that this is coming from what purports to be the conservative side of the aisle,...what, Senator Philip, because it is basically your bill and this relates to this amendment, what will be the bonded indebtedness that will be issued? Are they bonds that will be issued each year by the State of Illinois under your proposal which would not be true if this amendment were passed?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Philip.

SENATOR PHILIP:

The first year would be about eighty million and it...we would build it up until we got to the...the point...spread across eight years, but the first year would be about eighty million.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch.

SENATOR NETSCH:

Yeah, after that, the...the second year, the third year, the fourth year and thereafter?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Mandeville...

SENATOR NETSCH:

What are you building up to is what I'm trying to get at?

PRESIDING OFFICER: (SENATOR SAVICKAS)

...Senator Mandeville...Senator Philip.

SENATOR PHILIP:

About average probably a hundred and sixty million dollars a year for eight years.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch.

SENATOR NETSCH:

Now, that, of course, adds...and I assume that is on top of the average three hundred and fifty million dollars in general obligation bonds that we are currently issuing and have been issuing for the last several years. You are waving, is that not correct?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Philip.

SENATOR PHILIP:

It's a completely different issue with a dedicated revenue stream, Senator.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch.

SENATOR NETSCH:

Indeed, that's the point I'm leading up to. I recognize that it is a so-called dedicated bond and a dedicated bond fund. I guess my...the next part of my question is...because we do in fact issue about three hundred and fifty million dollars of GOs which is considered within a reasonable range for a...a state the size of Illinois. You're talking about now an average of another hundred and sixty million during the life of this. Given the fact that a premium clearly will be paid and it's estimated to be...1.25 premium for dedicated fund bonds as opposed to general obligation bonds, why at the very least didn't you go in that direction rather than with a sort of bond which is not full faith...at least purports not to be full faith and credit and, therefore, will...come in at a much higher figure? I just don't really understand why that makes sense rather than what we are trying to do in Amendment No. 3.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Philip.

SENATOR PHILIP:

Short-term bonds, Senator, will...will give us a lower rate. Now, I'm afraid you're absolutely wrong. Also, of course, the Governor's staff has been to New York to the bonding houses. We...we'll have...still will have a...I'm led to believe a triple A bond rating and this is all within the range of our industrial State.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch.

SENATOR NETSCH:

Well, I've never understood why it was not possible for the State to issue shorter term bonds even under its full faith and credit bonding, and, indeed, there are those that have been proposing that to the administration, to the Bureau of the Budget and to anyone else who would listen for some

period of time. There are many of us who think that it is an advantage to be able to issue the short-term bonds, but there is no reason why that cannot be done even under the existing set of conditions. Are you responding to that now?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Philip.

SENATOR PHILIP:

Yeah. It...it's interesting, Senator Netsch, I have the roll call on Senate Bill 160, which were...you know, were...were bonds to build 51 which there was no dedicated revenue stream whatsoever. Now, that really, really confuses me. She voted Aye. Now we turn around, have some bonds to build Illinois with a dedicated revenue stream and you want to vote No, you really have thoroughly confused me.

PRESIDING OFFICER: (SENATOR SAVICKAS)

...Senator Netsch.

SENATOR NETSCH:

Well,...unless I am greatly mistaken, the bonds that were to be issued for the long-term road project, Route 51, which clearly should have been issued probably when...Jim Thompson first became Governor, although he kept vetoing the project year after year after year, are going to be paid for with the full faith and credit of the State of Illinois which is exactly how they...they ought to be paid for. Let me suggest one other thing, it seems to me that what is being done here is the most expensive way of doing...of accelerating projects which would have been done eventually and should be done, many of them on an accelerated basis, but what you have chosen is the most costly way to do it. And I suspect the only reason why you've done it that way is, one, you...weren't creative enough to see that it could be done on a pay-as-you-go basis, which we have done; and secondly, you chose not to use general obligation bonds, because the only thing Jim Thompson has campaigned for on for the last several

years is his triple A bond rating, and if you added another average hundred and sixty million dollars of general obligation bonds there is a chance, I don't...I'm not convinced it would happen, but there at least is a possibility that the State would lose its triple A bonding rating, and if that happens, then down goes Jim Thompson's house of cards, and it seems to me that...that what we are saying, is that there is a more responsible, long-range, cheaper way of doing it. We...our side has come up with one way of doing that, it can be done on a pay-as-you-go basis. If you don't like our way, then we challenge you to come up with something that is better than the most costly way of doing it, which is exactly what you are doing right now.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Kelly Morgan of WEEK-TV Channel 25 seeks permission to videotape. Hearing no objection, permission is granted. Senator Philip.

SENATOR PHILIP:

I...I just...might make this observation, Senator Netsch. We keep issuing GO bonds in Illinois, we will not have a triple A bond rating. It's going to cost every taxpayer in the State of Illinois in the long-run more money. You will pay a higher rate of interest.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Poshard.

SENATOR POSHARD:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I'd just like to point out a couple of things that I have encountered in conversations with my people down in the district over the financing of Build Illinois. I'll tell you what the folks back home are worried about. First of all, they're worried about the Federal deficit which continues to grow and which they know eventually is going to be paid for out of taxpayers' money and taxpayers' pockets. Secondly,

they're worried about the cutbacks in Federal funding of local and State projects which we know we're going to have to pick up somewhere along the line, which is additional monies coming out of their pocket. They know that we're talking about a reform education movement in this State which is going to cost by conservative estimates another three hundred million dollars a year, which they're going to have to pick up out of their pockets in some form of taxation. They know that we already have a large interest payment on outstanding indebtedness in this State which they have to continually pick up out of their pocket. I can't understand and I don't believe that they can understand how we can now ask the taxpayers' of this State to pick up an additional indebtedness of 2.5 billion dollars over a period of some thirty odd years when there is a mechanism for funding this program which does not dilute what the Governor is trying to do in building or rebuilding the infrastructure of this State but simply presents what I would consider to be a more feasible way of doing it to save the taxpayers' money. In view of these things which the people on the street are concerned about, I think that we should go with this amendment. I think it's the best way to go and I...it has my full support, and I would ask the members of this Body to support it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hall.

SENATOR HALL:

Thank you, Mr...that's my...

SENATOR CARROLL:

Try again...try now.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Get back to your own mike, Senator. We just had some amateurs working with the dials.

SENATOR HALL:

I...I see.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Nonunion.

SENATOR HALL:

I thought my old friend over there was sending me a message. I'll...with that, I'll...I'll be very brief. I'm fully support this amendment and what I would be saying was just be reiterating what had been said, but it's just makes sense to pay as you go. And I just want to read you something here from the Belleville News Democrat and that's a paper in my area, and here it says, "The Democrat controlled Senate Executive Committee has remodeled Governor James R. Thompson's plan to borrow 1.3 billion for the Build Illinois Program." It says here, "It's difficult to understand the necessity of long-term funding of the project. Over a period of years the 1.3 billion project is not an astronomical sum; under the Rock plan, the program would be completed in eleven years, Thompson plan would be finished in eight years. The three-year difference is not a big deal; however, the Democrats are retaining Thompson...calling for a five percent tax on private use...the committee prior to unveiling the Governor's spending program earlier this year, Illinois has a tax supported debt of 3.4 billion. Financing and building Illinois under the Governor's program with expanded debt to 2.3 billion, borne by Illinois should be curtailed or we could end up like the Federal Government up to our neck in debt." The right course is pay as we go, and I fully support that. We should adopt Amendment 3.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schaffer.

SENATOR SCHAFFER:

Well, I suspect we could debate endlessly but I have...frankly, have a...a concern over the sort of pay-as-you-go, it's...I guess it's not quite pay-as-you-go anymore, this version is pay the go part of the way and bond

part of the way, and my major concerns, I guess, are that we extend it over a period of years, extend some projects such as Route 51, which I guess is nearest and dearest to my heart, and we...we put it really out of the realm of something that's going to do...going to be done to something that's going to be done over such a time period that one has to seriously question whether it'll ever be done. Frankly, that's how most of the people in my part of the world feel about 51, they don't believe we're serious about it. And I think that that's a mistake, but the thing that really concerns me is that this proposal dips into the general fund and we are find ourselves using general fund revenue for what is basically a capital program. We find concrete competing with mental health and public aid and if...pardon me, Senator Hall, if I can steal your phrase, feeding the hungry and clothing the naked, I don't know if I pronounced that correctly. But when that program, if it were to fly and I don't think it will, got into creation and people realize the delay, the pressure on general fund revenue would increase almost daily, and the program will either collapse under its own weight because of the time lags or...or we would find this money for concrete coming out of the public aid budget and the mental health budget and the education budget, and I would suggest people ought to think about that a little bit that are...care about those budgets 'cause that's where the big dollars are. How many people aren't we going to feed? How many deserving people aren't going to get mental health services? How many rapists are we going to let out of prison early? We ought to think about that a little.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Now, we'll proceed to our Senators that seek second recognition. We have Senator Bloom.

SENATOR BLOOM:

Yeah, I don't normally rise twice but this is so awful.

You're really playing around and if...you don't have the numbers, you haven't given us the numbers, you haven't give the media the numbers on your approach, and I guess you think if you just keep repeating the phrase pay as you go over and over again that you can get by with it, but as a practical matter, you are doing bonding, and as a practical matter, if this were such a great idea, you'd have been on a plane and gone out to New York to sell the bonding part of it. And as a practical matter, you have conceded during the discussion of this debate that it is, "technically correct" that you're going to be into general revenue to thirty or forty million a year, and it seems to me that this not a responsible way to go. And the analysis that is available to everyone else shows that you won't get that much completed, and it seems that in the final days of this Session that we really ought to stop clowning around and that we all ought to get together 'cause there are projects in here for all of us. And we do need to rebuild the infrastructure of the State, there's no doubt about it, but this is just clowning around and I think it's unfortunate and it doesn't reflect well on this Senate. Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President. Ladies and Gentlemen of the Senate, just a couple of comments if I could. One is on the funding mechanism and in lieu of a sixty-one percent increase in bonded indebtedness, which was the way the bill was presented to us by the Governor, a sixty-one percent increase in bonded indebtedness, and in lieu of making it a higher priority in what had been the Tourism Fund, the thing to which the hotels and the motels had agreed to taxes, the soda pop tax was dedicated to, in lieu of saying that first you pay off McCormick Place, then you pay off Build Illinois bonds, then

if there's money left, the tourism grants, the tourism advertising and the downstate parks will get paid. That's the way the Governor proposed it and those people who supported the tourism grants, who supported the tourism advertising or who supported the rebuilding of the State parks throughout this State would find themselves suddenly behind the Build Illinois bond issue, so that if in fact the taxes generated by used car sales did not produce enough money, there goes downstate parks, tourism grants and tourism advertising. I don't think that's a good idea. In lieu of that we have said those stay secure, any surplus in the Tourism Fund would augment the same exact sales tax transfer that the Governor had proposed to build on a pay-as-you-go plan. Senator Bloom, that's not true what you've said, and maybe they didn't want to tell you, the numbers have been distributed, the charts and graphs have been distributed. They're all over the State, they're all over the building, they were for any member who wished to read them. Unlike the Office of the Governor, we have in fact put out spending plans and appropriation plans, and one of the things we've shown is the difference between how long taxpayers' will pay. And one of things we've shown is how quickly in fact the spending will be and how quickly in fact the programs can go, and I repeat again, that by using this mechanism and allowing those who had agreed to hotel-motel tax, soda pop tax going for tourism and parks and to those who believe that it is better to do it with no more than...no more than an eighteen month lag in what would have been an eight-year program but pay as you go, then this amendment should be adopted.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

Well, without beating a dead horse, your plan is not the cheapest. It is, in fact, the most expensive. It is pay as

you go but ours is invest now and pay later which is not mortgaging the future but in fact assuring that at the end of this plan, we will have 1.1 billion dollars more to spend, and if that is stealing from your children and mortgaging your future, I would like to be doing it every day. If anything, your plan is in fact stealing from the future. When you take away from the education of young children or taking care of those people in mental institutions, that is in fact stealing from the future; and I think, Senator Carroll, you saw...I saw those pretty pictures too but I saw no explanations and I can sit there and make those graphs up all day long. This is what we're going to take in, this is what we're going to spend. It doesn't take much work to do that but what you haven't...what you haven't done is compare the revenue streams from both programs.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Thank you, Mr. President. I assume when you all went off to New York, whoever went off to New York, with...talk to the...the people in New York...assume...the doctor...the good doctor went along or instructed someone, maybe I...you...you...you could help me out on this. I asked you, Senator Philip, with respect to the bonds, if there were insufficient funds available from the used car tax, if there would be some other sources, and I would like to read the language of House Bill 568 which was the Bond Act, and if you would explain to me...Doctor Bob told me...

PRESIDING OFFICER: (SENATOR SAVICKAS)

For what purpose...for what purpose Senator Philip arise?

SENATOR PHILIP:

...well, a point of order, Mr. President, we're on amendment...

PRESIDING OFFICER: (SENATOR SAVICKAS)

State your point.

SENATOR PHILIP:

...we're on Senator Rock's Amendment No. 3...

PRESIDING OFFICER: (SENATOR SAVICKAS)

And Senator Joyce...

SENATOR PHILIP:

...and we should be discussing that.

PRESIDING OFFICER: (SENATOR SAVICKAS)

...Senator Joyce seems to be addressing that in his own fashion. Senator...Senator Joyce.

SENATOR JEREMIAH JOYCE:

Well, this will just take a minute and I...and I...I...I think I can understand why you don't want me to get into this; but as long as Mandeville is on the Floor and we are, I suppose, making legislative intent, you could just give me a simple yes or no answer on what this statement means, Mr. Mandeville, through your surrogates over there. On page 58 in line 31, it says, "And further provided that if in any fiscal year the Tax Act amount plus the aggregate of the monies paid into the Build Illinois Fund pursuant to Section 3-1001 of the Illinois Vehicle Code as amended shall be less than the annual specified...amount as here and after defined, an amount equal to the difference shall be paid into the Build Illinois Fund from other monies received by the department pursuant to the Tax Acts. The annual specified amounts means the amount specified below for Fiscal Years 1986 through 1992." I assume that this information was given to the people of New York. Are you saying that...would you tell me what that means if it doesn't mean what I've earlier said I think it means?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Philip.

SENATOR PHILIP:

Thank you, very much, you're making our point for us. It

sets absolutely the amount. That is the limit, no more.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

No...no more than what, Senator Netsch says. What I say to you is, that...but if there are not sufficient funds available, if you do not get these amounts from the used car tax, my understanding of this is that you go to these other sources.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Philip.

SENATOR PHILIP:

The...the point is, it sets the absolute limit of the amount of the bonds.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

We both agree on that, there's no question about that. What I am asking you is what other sources? My understanding of this language is that if there is insufficient funds available from the used car tax to meet the obligations pursuant to the issuance of these bonds, are these funds then going to be derived from other taxes?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Philip.

SENATOR PHILIP:

Absolutely not. The source of the funds are the new...the used car tax, and if you don't have enough, you don't issue any more bonds, and we've been over this point I don't know how many times.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Senator,...Senator Philip,...for the record, Mr.

Mandeville is standing there whispering in your ear, so that we understand this, Tax Acts contained on page 59 of 568 on line 3,...the department pursuant to the Tax Acts, what does Tax Acts mean? Are you saying Tax Acts means only the used car tax?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Philip.

SENATOR PHILIP:

...well, I...I'm afraid the Senator is confused, we're on...on...on Bill 570, 568 was held in committee.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Did you tell the people in New York that if these bonds were issued and there were insufficient revenues available from the used car tax that there would be other taxes that they could rely on for the bonds to be satisfied?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Philip.

SENATOR PHILIP:

Absolutely not, it was specified to the exact limits of the law.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

That's...this...this law is what we are talking about, this...these words, "Tax Act." We are told here...we are told on this side by people who have looked at this that this...that what you are saying is inaccurate.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Philip.

SENATOR PHILIP:

The...the limits are forty million, sixty million, et cetera, absolutely the limit.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

You know, we understand the issue. You...if you don't want to answer the question, then....then say you do not wish to answer the question. I'm asking you what the word tax...what the words "Tax Acts" mean on that line.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Philip.

SENATOR PHILIP:

Well, I...I can read off to you the limits if you so desire. 1986, forty million; 1987, sixty million; 1988, seventy million; 1989, eighty million; 1990, ninety million; 1991, a hundred million; 1992, a hundred and ten million;...1993, excuse me, 113.5 million; 1994, 113.5 million; 1995, the same way all the way till year 200.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

...we all...we all understand that, Senator Philip, the...back to the threshold question. If you all of a sudden find out that there are insufficient revenues available from the used car tax, everybody decides to keep their car. Okay? They don't...we don't sell as many cars that year for whatever reason and the bonds have already been sold, okay? Have you told...or did the Governor's people tell the people in New York that these words "Tax Acts" on line 3, on page 59 would allow the State to go after other sources of revenue to redeem these bonds?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Philip.

SENATOR PHILIP:

Well,...that's in the law, it's the absolute limit, you just simply do not sell the bond. Now, I've said it three

times, I will say it again.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Well,...if you don't want to answer the question, you should just say that. If you want to stand here and haggle for the next half hour over what the words "Tax Acts" mean, we can do that. We are...we are on the record, this is information that is part of the record for the financial community, those people who are going to buy these bonds. I'm asking you again, if you sell bonds, after the bonds have been sold, you have insufficient revenue because of the projections on the used car tax being inaccurate, can the State then go under this language Tax Acts...can the state then go to other sources of revenue to redaeem the bonds?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Philip.

SENATOR PHILIP:

...you realize you have to make your case before you sell your bond. Now you know that, we all know that.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

That...that's what I'm telling you, that's what I'm saying. Did you use the word...did you put the word "Tax Acts" in this in order to make your case to sell the bonds? Did you go to the people in New York...not you, I don't assume that you went, but the Governor's people went to the people of New York and said here is the language that will protect you in case we do not get enough revenue from the used car tax?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Philip.

SENATOR PHILIP:

But we wouldn't sell anymore bond. Now, I've said that, I'll say it again.

PRESIDING OFFICER: (SENATOR SAVICKAS)

...Senator Joyce. Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. I wonder if Senator Philip would respond to a question, please?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Philip.

SENATOR LUFT:

Let me...let me paint a hypothetical or a scenario here and maybe we can get an answer out of this. We have sold, we being the State of Illinois, X amount of bonds in 1985 and 1986. That is an indebtedness that we have to pay off. Now, let's say that debt is five hundred thousand dollars a year and the tax that is generated from the used car sales is four hundred thousand dollars a year. Where does the other one hundred thousand dollars come from to pay the debt that has already been incurred by the sale of bonds? Does it come from the General Revenue Fund?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Philip.

SENATOR PHILIP:

It is a transfer from the ROTX, limited by law to specified amounts.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Luft.

SENATOR LUFT:

Is the ROTX the General Revenue Fund?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Philip.

SENATOR PHILIP:

Never gets to the General Fund, it's sales tax.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Luft.

SENATOR LUFT:

Now, wait a minute,...wait a...wait a minute...all right, then let me ask you this...let me just ask you this then. If, in fact, we are one hundred thousand dollars short on paying our indebtedness from the used car tax, you have just told me then we will go to the sales tax to pay off the rest. Am I correct?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Philip.

SENATOR PHILIP:

You can't go above the specified amount, it goes right in to Build Illinois.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Luft.

SENATOR LUFT:

You know, Mr. President, I think there's fifty-eight of us here that know what we're talking about and what we're trying to get out here. We are not talking about the bonding limit that exists, we are talking about the indebtedness that we have already incurred. What I'm saying is we have a bill out here and we owe money...to pay this bill, and if the money from the used car tax is not there to pay the bill, what are we going to use in lieu of that to pay the bill? That's all I want to know.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Philip.

SENATOR PHILIP:

Well, that...that situation cannot happen, no financial advisor would...would...would allow that to happen.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Luft.

SENATOR LUFT:

Then everybody that you talked to in New York at the bond

house is convinced that we can incur the indebtedness that we...you have proposed in your scenario, that the used car tax is going to pay every bond from here to eternity that is going to be issued under this program. Am I correct?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Philip.

SENATOR PHILIP:

A...percent of the sales tax.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Luft.

SENATOR LUFT:

Forget it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator D'Arco.

SENATOR D'ARCO:

Gee, I'm sure everybody is enjoying this esoteric discussion about finances in the State of Illinois, but as a more practical matter, I would like to ask the President of the Senate a question if I might, Mr. President.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR D'ARCO:

Phil, in your...in the bill, all the applications for loans, whether they're small loans or equity loans or large loans for small and large businesses, the application for the loan is eventually submitted to DCCA by the Illinois Development Finance Authority, but DCCA doesn't get the opportunity to approve the interest rate or the terms of the loan. They can make a recommendation as to what it should be but ultimately that decision is made by the department. Now, the problem I have...I can see some inter interagency jealousy going on here, and wouldn't it be more feasible to just let DCCA have the authority to approve the interest rate and the terms of the loans? I think that would probably...you know,

expedite whatever...I can see some small businessman calling me and asking me how he applies, and then three years down the road, I'm still trying to get this guy a loan because the departments haven't decided whether to allow him to have this loan or not.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Yes, thank you, Mr. President and Ladies and Gentlemen of the Senate. Senator D'Arco, you are correct...and it...it was an attempt on our part in...in Amendment No. 3 to strike some immediate...accommodation between the plan that the House had proffered when they sent the bill back to us. The House literally took those programs and transferred them from any...from DCCA...from the Department of Commerce and Community Affairs over to the Illinois Development Finance Authority. What we have done is attempt at least to...to keep the Department of Commerce and Community Affairs in control so that they would be the department that works with and makes the recommendations for eligibility to the Development Finance Authority. So,...but you are correct, it...it is not the sole, exclusive jurisdiction at the moment of either one of those agencies.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator D'Arco.

SENATOR D'ARCO:

Well, I...I hope this is worked out in a Conference Committee where I assume this bill is going, because if it doesn't, no one is going home. That's for sure, Mr. President, and I hope that's worked out to everyone's satisfaction. Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch.

SENATOR NETSCH:

Thank you. Senator Philip, just listen a moment. If on the last business day of any month in which bonds are outstanding, o-u-t-s-t-a-n-d-i-n-g, outstanding, pursuant to the Build Illinois Bond Act, the aggregate of the monies deposited in the Build Illinois Bond Account in the Build Illinois Fund in such month shall be less than the amount required to be transferred in such month from the Build Illinois Bond Account,...this gets a little confused, to the Build Illinois Bond Retirement...and Interest Fund, an amount equal to such deficiency shall be immediately paid from other monies received by the department, pursuant to the Tax Acts (elsewhere identified as all of the Sales Tax Acts) to the Build Illinois Fund. Now, either it is or it isn't.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Philip.

SENATOR PHILIP:

But by definition, there can be no raid on the General Revenue Fund, specific limited amount.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

Well, maybe I could explain this in more street terms. We are not talking about a crap game here, we're not talking about where you bet on the come. You bet on what you haven't had and at no time...at not time do your expenditures exceed your revenues. So the case that you're building doesn't exist. Now you want to set up all these hypotheses, that's fine, but those hypotheses are not in fact coincidental with the way the last amendment read. If you turn around and say, oh yeah, if you're going to spend all this much money and do all this bonding, fine, you're probably right. But that's not what the amendment read and no time...and if you would read the projections on it, you would see that you're creating a scenario that doesn't exist. So the man can't answer

your question because we're not shooting craps here, we're playing with reality.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Bloom.

SENATOR BLOOM:

I'd like to point out to the Body that we spent about approximately the last half an hour...you have spent approximately the last half an hour cross-examining Senator Philip, while we've been allegedly discussing Senator Rock's amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

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

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I'm also delighted that we had an explanation of the Peoria Journal Star editorial from Senator Bloom, I was a little taken back by his remarks but I see now the source. Allow me just to say in...in defense of Amendment No. 3, the point that we were attempting to make is that we have said in...in unequivocal terms, yes, we are in favor of Build Illinois; yes, we are in favor of one billion three hundred million dollars worth of projects, and, I, too, have the Build Illinois Committee brochure and literally could take the time to go through section by section, both genus and species, and indicate where we are committed to the exact same projects. And let me just, for the sake again of dispelling another argument, indicate that Amendment No. 1 to 569 which is the spending plan contains in Section 17 for the Central Illinois Expressway for U.S. 51 and for access roads and interchanges, the amount for FY '86 of eighteen million dollars. And guess what Amendment No. 2 contains, which is the Democratic amendment, in Section 17? Eighteen million dollars for those specified unequivocal purposes. What we were...the point that was being attempted to be made was

the...not that we are freeing every rapist and not that we are maltreating the children of Illinois, but the fact is, the mechanism in your plan is identical to the mechanism in our plan. The difference is we are not saying that we're going to take and have a limited raid on GRF to pay off bonds; we're going to say, if indeed our spending doesn't come up to where it should be, we'll dip into that fund to spend more to complete these projects. All you're saying is if indeed we can't pay the bonded indebtedness, then we're allowed to dip into this funds but only to a certain specified amount. We have taken literally your spending plan, we have taken your appropriation level, we have taken your estimate of revenue and said, we'll transfer an amount 2.1 percent of the sales tax, the equivalent of seventy million dollars. So everything is identical. The only difference is...the only difference is we do not by Amendment No. 3 incur debt until the year 2025, and I don't care how you cut it, Senator DeAngelis, we are...whether you call it an investment now and pay later or a bond now and pay it later, the fact is, in 2025, you'll be paying a hundred million dollars in debt service that under Amendment No. 3, we won't incur. I urge the adoption of Amendment No. 3.

PRESIDING OFFICER: (SENATOR SAVICKAS)

On the adoption of Amendment No. 3, those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 31, the Nays are 27, none voting...none voting Present. Amendment No. 3 having received the majority vote is declared adopted. Any further amendments?

SECRETARY:

Amendment No. 4, by Senator Rock.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President. Amendment No. 4 is essentially the same as I offered in committee or attempted to offer and it was thought better to do it on the Floor, because Amendment No. 4 contains in large part at least something that has been called and was called this morning at the press conference held by the four mayors representing twenty-four other mayors the Municipal Program. It would create a program to be administered by the Illinois Development Finance Authority for Illinois Urban Development Action Grants. It would create a housing partnership program to be administered by that same authority. It would authorize our Illinois Department of Transportation to make grants for mass transit districts, and it would authorize the Department of Conservation to purchase Navy Pier for the development of a State park. These are creations and authorizations, nothing more, nothing less, no dollar amounts have been assigned yet to 569, they will be; but the fact is, these are programs that I think are worth considering, and if, indeed, the expectations, as I expect they have, particularly by virtue of that absolutely irresponsible House action, expectations have been raised across this State that the mayors of the municipalities, both small and large, are expecting a reasonable participation in the Build Illinois Program however it's configured. Amendment No. 4 will afford the authority to do that and I urge the adoption of Amendment No. 4.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Philip.

SENATOR PHILIP:

I have a question of the sponsor.

PRESIDING OFFICER: (SENATOR DENUZIO)

Indicates he will yield. Senator Philip.

SENATOR PHILIP:

Yes,...am I to believe your...your amendment has no specific amounts whatsoever, and if so,...what...are we going to

throw out Highway 51 or where...where is this going to be on the priority list?

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Rock.

SENATOR ROCK:

No, what I'm suggesting is that this merely is the authorization for these types of programs that when we get to, as I'm sure we will, House Bill 569 which is the actual appropriation bill, the dollar amount to be expended, those numbers will be plugged in. For instance, for the Illinois Urban Development Finance...or the Illinois Urban Development Action Grants, the municipalities across this State have requested over a eight-year period some four hundred million dollars. So for a first-year level it would probably be about fifty million dollars. The same is true with the Housing Partnership Program, I think that would be an annual expenditure...of roughly in the neighborhood of five million dollars. The dollar amounts will be enunciated, specified in House Bill 569. They will, in my judgment, not be detrimental to any of the other authorized projects. We are dealing essentially again with the same spending level and same appropriation's authorization. This is merely the substantive language to afford us the opportunity to make those allocations.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Philip.

SENATOR PHILIP:

Yeah, thank you, Mr. President, Ladies and Gentlemen of the Senate...mass grants...Mass Transit Grants? As you're probably aware, the RTA has just declared a ninety-two million dollar surplus, is that responsibly building Illinois, giving mass transit additional money? Having the Department of Conservation taking over Navy Pier, is that responsibly building Illinois? Also, for the first time in the history

of the State of Illinois, zero interest loans for low income housing, is that responsible...responsibly building Illinois? I...certainly would suggest it is not and we ought to defeat this amendment. It was defeated in committee, we ought to defeat it on the Floor.

PRESIDING OFFICER: (SENATOR DENUZIO)

All right. Further discussion? Senator Collins.

SENATOR COLLINS:

Yes, thank you, Mr. President and members of the Senate. I rise wholeheartedly in favor of Amendment No. 4 to House Bill 570. We cannot...we kidding ourselves if we...think that we can talk about planning a program to build Illinois without taking in consideration our urban centers. The preservation, the growth and vitality of this State is most certainly dependent upon how we rebuild and revitalize the major urban areas throughout this State. As Senator Rock said, this...amendment merely points toward the authorization part, and I would hope that...minds will sit down and look at...based on the needs identified by local officials will come with up a priority and focus on instead of pet projects critical needs of our urban centers and spend the money more responsible and more wisely. Under the former Build Illinois Plan, the other plan, there were a lot of illusions and a lot of rhetoric about promises to the mayors, to local units of government but they were merely visionary promises and this proposal as proposed in Amendment No. 4 will most certainly put forth some realistic approach to dealing with the problem of our decayed cities, and I would move for the adoption of Amendment No. 4.

PRESIDING OFFICER: (SENATOR DENUZIO)

All right. Further discussion? Senator Rock may close.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Again, lest anybody at all be misled, all this does

is establish by substantive language the authorization for the State of Illinois to create these programs. Specific dollar amounts, specific allocations have in no way been committed or are they done. It's a question of, I think, recognition of the fact that the municipalities across this State having heard the rhetoric about build and rebuild Illinois want to participate. This will afford that authorization and I urge the adoption of Amendment No. 4.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Rock has moved the adoption of Amendment No. 4 to House Bill 570. Those in favor...indicate by saying Aye. Opposed...all right. All right. There has been a request for a roll call. Senator Rock has moved the adoption of Amendment No. 4 to House Bill 570. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 29, the Nays are 29, none voting Present. Amendment No. 4 fails. Further amendments? Senator Rock. Senator Rock, for what purpose do you arise? Senator Rock. Further amendments?

SECRETARY:

Amendment No. 5 offered by Senator Zito.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Zito.

END OF REEL

REEL #4

SENATOR ZITO:

Thank you, Mr. President and members. Amendment No. 5 to House Bill 570 are really suggestions that we have compiled through the infrastructure subcommittee hearings. If I can ask the Secretary for a second, since I did file several amendments, if he can read the LRB number so I'm sure we're talking about the right amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Mr. Secretary, can you...identify the amendment.

SECRETARY:

Right...I have them the way you handed them...or they were handed to me, LRB8402340PLMLAM24.

SENATOR ZITO:

Withdraw that amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Sponsor indicates he wants to have that one withdrawn. Withdrawn. Further amendments?

SECRETARY:

Amendment No. 5, then this would be LRB8402340PLM18...or L, rather, AM25.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Zito. Senator Zito wishes to have that one withdrawn. Further amendments?

SECRETARY:

Amendment No. 5, LRB842340PLMLAM27.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Zito.

SENATOR ZITO:

We're looking for 26, Mr. Secretary, I would withdraw 27.

SECRETARY:

I...all right. I think we're...

PRESIDING OFFICER: (SENATOR DEMUZIO)

...Senator...

SECRETARY:

...I think you were where you want to be,
LRB8402340PLMLAM26.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Zito, on Amendment No...

SECRETARY:

No. 5.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...Amendment No. 5. Senator Zito.

SENATOR ZITO:

Thank you, again, Mr. President and members. As I had originally said, these amendments were offered really by recommendations and suggestions that we compiled through our infrastructure subcommittee hearings throughout the State of Illinois. As you know, we traveled to eight cities throughout this State to discuss the infrastructure needs of the communities in those geographic regions. It's interesting that both of our programs, both the Republican and the Democratic proposals, are talking about spending upwards of a billion dollars to build or rebuild Illinois; yet, we have not taken the time or actually spent the money to do a good comprehensive survey of what this State's infrastructure needs are, what the top priority projects are and should be, and how we should fairly and equitably spend this...these dollars to build Illinois. So Amendment No. 5...the first part of Amendment No. 5 to House Bill 570 suggests that we, in fact, conduct a survey and that we find out what the needs and wants and concerns are when we talk about infrastructure throughout the State of Illinois. The second important element to this amendment suggests that we should create a revolving loan fund. One of things I heard repeatedly from every local mayor, every head of a local unit of government

was that if they were not specifically mentioned in either the Governor's proposal or any other proposal, that they were going to be completely shut out of any infrastructure money or any Build Illinois money. I suggest to you through this amendment, ladies and gentlemen, that we create a revolving loan fund payable...borrowed and paid back with interest so that each and every one of those local units of government throughout this State can have, in fact, an opportunity to provide funding for up to fifty percent of their project costs. One of the great...problems with these local units of government is that the start-up costs or the project costs are prohibitive for the smaller units of local government, they can't afford them. There are no alternatives to find dollars...even if they find some grants with Federal dollars shrinking, there's not enough dollars to pay for these much needed projects, sewers, water lines, bridges, roads. They don't have the start-up money; towns of twelve hundred, seven hundred, even up as many as twenty-five, twenty-six, thirty thousand people cannot afford on a small budget three and four million dollars to even begin sewer projects or water projects. What this amendment says is that we will offer those units of local government an opportunity to find some needed dollars and rather than a handout it will be a helping hand, help local units of government in all of our districts that so desperately need these infrastructure dollars. I would move for the adoption of Amendment No. 5 to House Bill 570.

PRESIDING OFFICER: (SENATOR DEHUZIO)

All right. Any discussion? If not, Senator Zito has moved the adoption of Amendment No. 5 to House Bill 570. Those in favor...signify by saying Aye. Opposed Nay. Amendment No. 5 is adopted. Further amendments?

SECRETARY:

Amendment No. 6 offered by Senator Collins.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Collins.

SENATOR COLLINS:

Withdraw.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Collins seeks to have that one withdrawn. Further amendments?

SECRETARY:

Amendment No. 6 offered by Senators Kustra, Jeremiah Joyce and Keats.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kustra on Amendment No. 6.

SENATOR KUSTRA:

Thank you, Mr. President and members of the Senate. Under the original Build Illinois Program the small business community came to the Governor and asked for a thirty-five million dollar capital loan program. After that was included in the original Build Illinois Program, the small business community, namely, the Illinois Business Association of Illinois called IBAIL and the Chicago Association of Commerce and Industry rethought what kind of program they would want for the small business community within Build Illinois. And they came back and asked for a loan guarantee program instead of a direct loan program arguing that that would be more with...in keeping of the free enterprise system which, of course, they support so strongly. So what Amendment No. 6, I believe the Secretary said, does is change the direct loan...capital loan part of the program from direct loan to a loan guarantee program. There are no other changes in the language of the bill other than to try to accommodate the wishes of the small business community. I would ask...urge its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Any discussion? Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. My question pertains to this amendment and all subsequent amendments, I'd like to know if they're germane to the bill as amended.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, in fact, they are germane, Senator. Further discussion? Senator Lechowicz.

SENATOR LECHOWICZ:

Let me amplify my question of germaneness whether it follows...or tracks the bill as amended.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kustra. Senator Kustra.

SENATOR KUSTRA:

Senator Lechowicz, I was concerned about that too, after I found out about Senator Rock's amendment, and I have both of them side by side. From everything I can determine, it does track. I...I would have a problem too if it didn't, needless to say.

PRESIDING OFFICER: (SENATOR DEMUZIO)

I think in the...in the opinion of the Chair...it, in fact, would...it would, in fact, tracks. Let's...let's just proceed. Senator Kustra. Further discussion? Senator Kustra moves the adoption of Amendment No. 6 to House Bill 570. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 6 is adopted. Further amendments?

SECRETARY:

7, by Senator Zito.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Amendment No. 7, Senator Zito. Senator Zito on the Floor? Withdraw it.

SECRETARY:

Amendment No. 7, by Senator Hall.

PRESIDING OFFICER: (SENATOR DEMUZIO)

No. 7, Senator Hall.

SENATOR HALL:

Thank you, Mr. President. What's the number of this amendment, please?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Number 7.

SENATOR HALL:

Amendment No. 7 is...my colleague over in the House, Representative Young, had introduced a number of bills and legislation, House Bill 1224, House Bill 1740, House Bill 1699, House Bill 1233, House Bill 1507, House Bill 1508, House Bill 1239 and 1229. Now, these bills somehow did not survive someplace over there. So now that she's over here and she asked me to put these amendments on under Article IX, which would be the Metro-East Solid Waste Disposal and Energy Producing Act. There is...the substance...legislation is...is replacing in that now, she's only asking for three hundred thousand dollars in the appropriation on that particular thing. I just want to not take up a lot of time of the Body here but I just wanted to tell you what these particular things did. There is no place to dispose of this solid waste, and for this part in our area we got...we must have someplace to do this. The Article IX B is known as the Urban Civilian Youth Service Act and that's one hundred thousand dollars. Now she has this money placed in some money bills around someplace. And then in Article IX C it's the State to agree to finance...the Finance Corporation Act...and if you bear with me for just a minute. And then in Article IX D it's assigned that a Minorities and Female Enterprise Act, they can simply assign the money to the bank and 9 E is the Illinois Public Aid Code and that amends the Public Aid Code. And then also that it...9 E2 the group facility for teenage pregnant girls. In other words, there are a number of young girls who become pregnant and they have no way to help them-

selves out and many of them are put out of homes and then they fall into disrepute and go in...and become, and start to being people who are street young ladies. Then the final one is to establish and implement an administrative program of halfway houses for alcoholic women. So that's the purpose of this bill and I'd ask for adoption of this amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Any discussion? Senator Philip. Senator Philip.

SENATOR PHILIP:

...yes,...I'm trying to understand what Senator Hall is trying to do to Build Illinois. What is it...what is the total price tag of this monstrosity?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall.

SENATOR HALL:

Well, Senator I thought maybe by...after we'd get it on, I'd sit down and discuss it with you. I don't know for my ownself.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Philip.

SENATOR PHILIP:

I...I would just ask for a roll call, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Hall has moved the adoption of Amendment No. 7 to House Bill 570. Those in favor indicate by saying Aye. Opposed Nay. In the opinion of the Chair, the Nays have it. Further amendments?

SECRETARY:

Amendment No. 8 offered by Senator Newhouse.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Newhouse.

SENATOR NEWHOUSE:

Thank you, Mr. President, Senators. Amendment No. 8 is

the amendment that pertains to apprenticeship and training. In the Build Illinois Program we want to make sure that everybody gets a chance to help Build Illinois. What's happening is that our youngsters in the City of Chicago do not...are not able to get into the training facilities, this amendment would permit parallel training facilities to be put together for that purpose. I'd like...I'll answer any questions. I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Any discussion? If not, Senator Newhouse has moved the adoption of Amendment No. 9 to House Bill 570. Those in favor...indicate by saying Aye. Opposed Nay. The...the Ayes have it. Amendment No. 9 is adopted. Further amendments?

SECRETARY:

Amendment No. 9 offered by Senator D'Arco.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. Amendment No. 9 changes the authority around from the Department of...from DCCA...DCCA will now have the sole responsibility of determining the amount of the loans and the interest rates of the loans instead of the Illinois Development Finance Authority. It seems to me that in order to finance these loans and appropriate the money, one agency should be the sole determining authority to make the decision as to who qualifies to receive these loans. Under the 570 as presented to this Chamber, there was...there was no...one agency was not the sole determining authority. And it was questionable as to...well, the...Illinois Development Finance Authority ultimately would decide this...

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator...Senator D'Arco...

SENATOR D'ARCO:

Yeah.

PRESIDING OFFICER: (SENATOR DEMUZIO)

I think...Senator Philip, are you surrendering? Senator Philip.

SENATOR PHILIP:

I...I am surrendering; quite frankly, I'm very pleased with the amendment, will be happy to accept it if that's the will of the...majority of the members.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator D'Arco has moved the adoption of Amendment No. 9 to House Bill 570. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 9 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. All right. With...with leave of the Body we'll go to House bills 3rd reading, page 2 on your Calendar. No bill that was on the recall list today that was recalled will be called today. And I'm advised by the President that most likely we will not be able to afford anyone an opportunity, at least, twice off of this list, so when your bill comes up, it seems to me that you ought to be ready to go. All right. Leave of the Body, House bills 3rd reading, top of page 2, House Bill 17, Senator Lechowicz. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 17.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate...House Bill 17 as amended would provide Cook County employees and officers article of the Pension Code a revisionary annuitant dies after the employee retirement but before the employee...a reduced annuitant being paid shall be increased...the original annuity. Amendment No. 2 would also extend the eligibility to utilize an optional benefit formula for deputy sheriffs who have attained the age of fifty and service...with twenty years of service for persons retiring after December 31st, 1985. It also would add a new option of benefit and contribution formula whereby an employee may elect to take additional contributions of three percent of salary in order to receive an additional one percent for each year of service for which the optional contributions have been made subject to the overall maximum for annuities currently contained in the code. This formula would also be effective...July 1, 1985. It also changed the current...benefit accrual rate from the graduated formula to a flat two percent, replace the current twenty-year service requirement with a ten-year requirement, changes the service requirement for early retirement without discount to the members over fifty-five but less than sixty with at least thirty years of service rather than thirty-five and remove the service requirement for minimum survivor's annuity. Basically, all the provisions in House Bill 17 were made at the recommendation of a study conducted by the county board, approved by both the Democrats and Republican members of the county board; and as you know, the county board presently is probably the best funded pension fund in the State of Illinois at eighty percent in lieu of our own which is at sixty-five percent. Be more than happy to answer any questions. If not, I ask for your favorable consideration for House Bill 17.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Any discussion? Senator Fawell.

SENATOR FAWELL:

Thank you, very much. I'm not trying to kill the bill or anything, but...I think everybody ought to maybe look at what this is going to cost, nineteen million five hundred thousand dollars out of Chicago...Cook County, if that's what they want. You got an accrued liability then of ninety-nine million four hundred thousand dollars if you pass this bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Rupp.

SENATOR RUPP:

Thank you, Mr. President. I would just like to ask one question. I want to make sure...this is what it's doing, that you're providing a chance for some individuals to add an additional benefit. Our thrust has been in pension funds to give uniformity and to bring the same benefits to everybody, but it looks like with this new additional provision that you put in there that you or I or someone up there could opt for an extra one percent each year. Now that to me is going a wrong way and it's a...it's a rather innovative type thing that you're starting, and I can just see that next year we'll have a whole batch of people in here and say, well, you're doing it for Chicago, we're going to have to do it down here. And I just wonder if we could have a little bit more details on just what that is.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Basically, that question was raised in committee and I responded to the question with the provision and also to Senator Fawell that presently the...Cook County Pension Fund is the best funded in the State of Illinois. And what they did is they made a study and the study made a recommendation

that in order to bring the present county employees' pension fund up to current status in comparison with other pension funds in the State they...they made the recommendation which is contained in 17, House Bill 17. In answer to Senator Rupp's question, that funding is also...what you did miss is that the employee himself pays an additional three percent for the one percent, so that is self-sufficient to say the least.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further...further discussion? Senator Watson.

SENATOR WATSON:

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Watson.

SENATOR WATSON:

Just some quick questions. This only affects Cook County, is that correct?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. Yes, it does.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

No State dollars involved at all?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz.

SENATOR LECHOWICZ:

I'm glad you pointed that out. Amendment No. 2 also took it away from the State Mandate's Act, it's all totally self-sufficient for the County of Cook.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

And I also read in here that you're...the overall effect reduces in one particular part of it from the age of fifty-five to fifty the requirement for eligibility for maximum benefits for a deputy sheriff?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz.

SENATOR LECHOWICZ:

I pointed that out, that's to make it comparable with the other police departments in the State of Illinois. And as you know, the city...the City of Chicago policemen have had that benefit for some time. The deputy sheriff's police have requested the same provision and its been approved by the county board.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

Well, the only thing that I'd be concerned about is that next year we'll see correctional officers coming in here wanting similar benefits, teachers, downstate teachers; once we open the door and make a crack, the...the...everybody rushes through. So, I don't know if this is such a good idea, but...okay...the State and it...and it's...no State...funds involved, which you said is correct. All right.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Macdonald.

SENATOR MACDONALD:

Yes, question of the sponsor. Senator Lechowicz, this, I want to make very sure, also includes county board members? Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz.

SENATOR LECHOWICZ:

Yes, ma'am, it does. And basically, again, this was conducted...a study that was conducted by the county board in order to bring the respective pension funds of the county in compliance with other pension funds. The recommendation in 17 have been approved by both sides of the aisle.

PRESIDING OFFICER: (SENATOR DENUZIO)

Further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

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

PRESIDING OFFICER: (SENATOR DENUZIO)

Indicates he'll yield. Senator Schuneman.

SENATOR SCHUNEMAN:

Senator, there was some confusion about what you said in...when...pertaining to the State mandate's exemption. Would you state that one more time?

PRESIDING OFFICER: (SENATOR DENUZIO)

Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President, I'll try to be as clear as possible. With Amendment No. 2, there is no State money in House Bill 17. It excludes it from the State Mandate's Act, it is totally self-sufficient by the county taxpayers in Cook County.

PRESIDING OFFICER: (SENATOR DENUZIO)

Senator Schuneman.

SENATOR SCHUNEMAN:

Well, thank you, then to the bill, Mr. President. As has been pointed out, this does only apply to Cook County, doesn't apply to the rest of the State. But I think all of us are called upon to vote on pension principles. And...I simply want to point out that a few years ago we made what I think was a mistake when we began to give a few employees around the State the right to retire at age fifty with twenty years service, we're expanding on that in this bill. And we

constantly do this sort of thing where we're giving pension benefits to one group of people and the following year everybody comes in and demands equity. Now, we ought to simply be aware of that, and I realize that this was requested by people from Cook County but it's up to us to make the decision on some of these things, so we ought to be aware of what we're doing.

PRESIDING OFFICER: (SENATOR DENUZIO)

Further discussion? Senator Lechowicz may close.

SENATOR LECHOWICZ:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Basically, that provision is in order so it'd be in compliance with the...City of Chicago Police Department. And if you recall the study that was made on a national basis, they recommended that people in law enforcement should have the opportunity to retire at a younger age because, unfortunately, you can't catch people who are running at...between fourteen to twenty...twenty-four when you are fifty. It's very difficult to keep in that physical shape. And what they're saying that if a person who has been in law enforcement with twenty years of service has the ability to retire at the age of fifty. This General Assembly has acted on that matter for other police departments. The County Sheriff's Office of Cook County has requested the same similar legislation for its county police department...county sheriff's police department. They have the same physical requirements, basically the same pay scale, a little bit less than Chicago Police Department but, unfortunately, they're exposed to the same type of situations as the police...as the Chicago Police Department. That...if that's the only provision that you're really concerned about in this...House Bill 17, it's already been acted upon. I believe that the county board has acted responsibly in stating that, please, consider the benefits under...under House Bill 17, we're willing to

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pay it out of our own coffers, not asking for one...one penny of State funds in trying to bring our Pension Code up in compliance with other pension codes in this State. And let me just also remind you that we're at eighty percent funding, the highest funded pension system in this State. I stongly recommend seventeen...House Bill 17 to you, it deserves your...your favorable consideration.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. The question is, shall House Bill 17 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 40, the Nays are 16, 1 voting Present. House Bill 17 having received the required constitutional majority is declared passed. House Bill 18, Senator Welch. House bills, 3rd reading, House Bill 18, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 18.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. House Bill No. 18 is an attempt to amend the Gas Revenue Tax Act and the Public Utility Revenue Act to provide that the...the utility tax levied on the consumers by the current five percent gross receipt tax be changed to a per unit tax where it is of most benefit to the consumer. What this bill will do is impose a tax of 2.4 cents per thermal unit of natural gas and .32 cents per kilowatt-hour of electricity. A provision in the bill states that whichever tax is the most benefit to the consumer will be the one figured by the utility company and assessed to the consumer of the utility. This bill has come down from

legislation last year through many meetings with constituent groups as well as members of the industry and the legislators and this is the final work product. The aim of this proposal is to slow the rate of growth and the gas and electric utility taxes and to substitute for the current sales tax a means by which conservation of energy is rewarded by taxing only the actual amount of gas or electricity used. Instead of the State being part and parcel of any utility tax increase, what this bill will do is make sure that the five percent increase every time a utility gets an increase in their assessed rate does not come as a windfall to the State of Illinois. And with projections of some forty percent increases for some utility companies over the next five years, the increase to the State will boost consumer rates beyond livable levels. So I would move the passage of House Bill 18.

PRESIDING OFFICER: (SENATOR DENUZIO)

All right. Any discussion? Senator Fawell.

SENATOR FAWELL

I'm sorry I spent the weekend reading the bills. Can you...would the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DENUZIO)

Indicates he will.

SENATOR FAWELL:

Can you tell me approximately how much this means as far as revenue loss is concerned to the State?

PRESIDING OFFICER: (SENATOR DENUZIO)

Senator Welch.

SENATOR WELCH:

The State of Illinois will not receive less revenue once this bill is imposed from the rate...the amount of revenue it's receiving this year. What will happen is, in effect, there will be a cap on the amount of revenue the State of Illinois receives at the approximate current level.

PRESIDING OFFICER: (SENATOR DENUZIO)

Senator Fawell.

SENATOR FAWELL:

Well, on...on page 2 of our analysis, and I would suggest my colleagues on our side at least look at it, it says, "The fiscal impact of the legislation will be a revenue loss of twenty to twenty-five million dollars during half of FY '86 according to an estimate of the Illinois Economic and Fiscal Commission." The other thing this analysis says is that presently the consumers can take this tax off as a sales tax, and with this bill there's a very good chance that the IMRS may no longer allow us to take that tax off which will, in effect, negate any kind of savings we will be able to serve the consumer with.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

All right. Further discussion? Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I rise in opposition to this bill. While I think that, as the sponsor has pointed out, this is an attempt to...to put a cap on the...State's revenue received from the utility's tax, and certainly I would agree that this is a regressive tax, nevertheless, this bill does...does far more than that. As has been pointed out, it applies the cap by shifting the basis for the taxation from a percentage of the...of the bill to a...a per therm. You cannot do that without shifting the tax burden among different kind...different classifications of users. And the...the author of the bill has...has attempted to resolve that problem by inserting a hold harmless provision, and in doing that, it...the result is that the State loses revenue. It is...since this bill would go into effect on the 1st of January, 1986, there is a...a six-month hit during fiscal '86 as far as the State's revenue is concerned, and that hit would amount to twenty-five million dollars. In subsequent years

that annualizes at a rate of fifty million dollars. I would suggest to everyone here that is interested and is trying to find a way to fund some educational reforms that this is not the time to pass this piece of legislation which erodes the State's revenue base. So I would strongly urge a No vote on House Bill 18.

PRESIDING OFFICER: (SENATOR DENUZIO)

All right. Further discussion? Senator...Senator...Senator Chew.

SENATOR CHEW:

Can't you see back here? Thank you, Mr. President. In reviewing this House Bill 18, we find that it would be a decrease in revenue, Mr. President, for the cities throughout the State of Illinois, and the mayors of the cities of the State of Illinois are in opposition to the bill. For that reason, Senator, I cannot support your concept because it does, in fact, reduce the revenue that the cities would take. And contrary to what you said, you spoke of the State and its revenue but you did not speak of the cities. And some of us do come and have some interest in what the cities do, and for that, I would be in opposition to House Bill 18.

PRESIDING OFFICER: (SENATOR DENUZIO)

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. I rise also in support of the bill, obviously, since I'm a hyphenated cosponsor. Let me just address a couple of points. While it is true that there will be in one sense a revenue loss, it won't be an actual dollar loss, Senator Etheredge, it will be a loss in growth that would otherwise perhaps take place. I would point out that a bill that the Senate has passed that you were the sponsor of has already capped the amount that the State will realize from the utility tax, again, I think reflecting the feeling that there really...the utility tax was never

intended to be what it is now, which is the second or third, depending on what you count, largest source of revenue to the State Treasury. It is by almost any measure a fairly regressive tax and certainly should not be that heavily relied on. I think your own bill, Senator Etheredge, reflected that concern. This is another way of reflecting the same concern. Secondly, just a brief comment on the deductibility. It is probably correct that while the current form of our gross receipts utility tax has...just very recently been declared to be deductible by IRS and this would not, that is not a matter of major concern to about two-thirds of the taxpayers in the State of Illinois who don't deduct to begin with. So they will be losing nothing by it. I would point out, in addition, that if President Reagan's tax reform or, indeed, many of the others are realized, there will no longer be any deductibility of State and local taxes and so that will be largely a moot issue. The third point I would like to make is the one thing that this form of utility tax revision does that Senator Etheredge's and others did not do, and that is, it really rewards those people who learn to conserve because you are paying on a per unit basis. If you learn to live with less energy, then you will, in effect, be rewarded for that. It seems to me that while we may be momentarily past the years of the oil glut and all, that we still have a strong commitment and should have in this country to learn how to conserve energy. This bill rewards those who do conserve energy and it seems to me for that reason alone is really the best way to bring about some relief on utility taxes. I would strongly urge an Aye vote.

PRESIDING OFFICER: (SENATOR DENUZIO)

Further discussion? Senator Bloom.

SENATOR BLOOM:

Thank you, Mr. President, fellow Senators. I rise in support of this because it seems to me that this Body has

addressed the concept of indexing, if you will, in the past; and I think that many of the reasons pointed out by the prior speaker, we ought to be changing the basis for this kind of tax. So, I don't see any problem in supporting this. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Collins.

SENATOR COLLINS:

Thank you. A question of the sponsor, please.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Collins.

SENATOR COLLINS:

Senator...Welch, can you...have you done a breakdown by area? I am interested in, for example, City of Chicago and just what does this reform translate into lost revenue?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Senator, basically the amount of savings will depend on the...the cost of your electricity and the projected increases in your electrical costs. The Commonwealth Edison area, which is at the Chicago area, will have perhaps the most savings. A recent report reflected the possibility that their rates would go up some forty percent in the next few years. So, if you figure that you're going to save more by the higher the rates are, the Commonwealth Edison customers are both cursed and blessed at the same time, I guess.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator...Senator Watson. I...I will point out that the...not simply because Senator Watson has gotten up, but the pace we're going, we are not going to get finished. Senator Watson.

SENATOR WATSON:

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

the...the sponsor a question.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Watson.

SENATOR WATSON:

This...this is simply a...a use tax, right? That's nothing more than...than a use tax. Those people that are utilizing electrical power are going to pay more, and those who are using less are going to pay less.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator...Welch.

SENATOR WELCH:

Yes, that's one way to look at it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

Well,...I think it's an excellent idea. I see nothing wrong with this at all. As the utility rates continue to escalate, this is going to actually give the people a break, something we don't do very often here. So I urge a Yes vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Etheredge, for a...wait a minute...wait a minute. Senator Etheredge, you're on the second list...Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I have heard that the fiscal impact on the State of Illinois would be roughly fifty million dollars, and I presume that those municipalities who expect to...who do, in fact, tax on a gross basis can reasonably expect to receive some money under the law as it currently sits. My question I guess is, what does this mean...what is the translation of the provisions of House Bill 18 as concerns the individual consumer? How much might I, as an average consumer, with three teenage daughters who use hair blowers and air condi-

tioners and curlers and every other electrical appliance known to man, how much do I save annually?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Senator Rock, the amount you save depends on how much you use. In the initial few years as we change over, there won't be much savings. The savings will come in as utilities continue to raise their rates but the amount the State takes in ends up being, in effect, capped at a per thermal unit or per kilowatt-hour as opposed to five percent...whatever the rate increase would be. So the specific figures could go from sixty dollars in the first few years to beyond a hundred dollars each family as time goes by. But specific figures would be difficult to come by because they're based on projected rate increases.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

But even for an ordinary user, depending on how much...and...and...I'd...I'd consider my...my home a big...utilization of utilities, but an ordinary user can expect to save sixty dollars annually?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Senator, to use the current jargon, the bill starts out as being revenue neutral, meaning that we tried to maintain the same amount of revenue for Fiscal '86 that we took in Fiscal '85 and, in fact, we're going to take in ten million more dollars. So, in the first year, in order to remain...retain that neutrality, the individual savings may amount to approximately sixty dollars or...or give or take, some money. It's in the further years that the taxpayers

will save money, not in the initial stages because it's based on increases. We're...in effect, there's a grandfathering in of existing costs of taxes to consumers necessarily to maintain our current income from the tax.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Etheredge.

SENATOR ETHEREDGE:

Thank you...thank you, Mr. President, I do apologize for rising a second time; however, that there...there is some misunderstanding as to the...the revenue impact of...of this legislation. In...I had indicated earlier that...on an annualized basis there would be a net loss of fifty million dollars in revenue, and that is...and that is a real loss in revenue, it is not because of a...a failure of the State to realize the...the annual growth from this tax source. It is a real loss. As some...as some of you will remember, I had introduced earlier in this Session Senate Bill 334, which was designed to...to cap the State's revenue from this regressive tax. I considered using, or...or switching to a per therm or kilowatt-hour base but found that that could not be done without reducing the...the State's revenue at a time I thought was...not...not the right year to do that. So, Senate Bill 334 does what this bill tries to do but does it in a way that is revenue neutral insofar as the State is...is concerned. I am told that Senate Bill 334 is now dying an agonizing death over in the House. But I would suggest to you that that was a much better way to go because what 334 did was to reduce the...the tax rate annually from year to year and was truly revenue neutral. This bill is not revenue neutral. Again, I would urge a No vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Welch may close.

SENATOR WELCH:

Senator Etheredge, I think that that was an excellent

idea that you had this year; in fact, that's why...I introduced the same bill last year and it didn't get anywhere, and that's why we have House Bill 18. This bill, in effect, will raise twelve million dollars more per year than your bill would. In Fiscal '85 we expect six hundred and sixty million dollars in utility taxes to come to the State of Illinois. Under House Bill 18, in Fiscal Year '86, we expect six hundred and seventy-two million dollars to come into the State of Illinois. Those are figures that are going to freeze as years go by the amount individuals pay to the State for their utilities. And when you look at the fact of the matter, utilities are something that everybody on fixed income as well as everybody earning money have to pay, they're as inevitable as death and taxes, I guess, and they are taxes on those who can least afford to pay them, those on fixed incomes. So what we hope to do is to, number one, put in some stability...stability into the process, save consumers some money and give the State of Illinois a fixed revenue source which they can depend on without losing money each year. And I would urge an Aye vote on House Bill 18.

PRESIDING OFFICER: (SENATOR DENUZIO)

The question is, shall House Bill 18 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 40, the Nays are 16, none voting Present. House Bill 18 having received the required constitutional majority is declared passed. House Bill 23, Senator Welch. House bills 3rd reading is House Bill 23, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 23.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. What this bill does is authorize two different university systems to establish colleges of engineering. The bill initially enabled the Board of Regents to establish a college of engineering at Northern Illinois University. An amendment put on the House directs the Board of Governors of State colleges and universities to establish an engineering school at Chicago State University. And I would urge passage of House Bill 23.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Any discussion? If not, the question is, shall House Bill 23 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 34, the Nays are 20, 1 voting Present. House Bill 23 having received the required constitutional majority is declared passed. House Bill 27, Senator Welch. House bills 3rd reading, House Bill 27, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 27.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. House Bill 27 provides that the Department of Mental Health and Developmental Disabilities shall provide an in-home care demonstration program for families caring for mentally ill and developmentally disabled persons. Families are not required to participate in this

program, however, and this bill authorizes that department to develop a training program to implement a demonstration program. We believe that the total cost of this bill will be somewhere around one hundred thousand to one hundred and fifty thousand dollars. And the purpose, of course, is for in-home care of mentally ill as well as...developmentally disabled persons. Although the department does do some in-home care with developmentally disabled individuals, little is being done with the mentally ill. And that is the purpose of this bill is to authorize the...demonstration program to see if it's feasible to try to...keep the mentally ill in homes with their families out of institutions and perhaps eventually save the State of Illinois a great deal of money for institutions. And I would urge passage of House Bill 27.

PRESIDING OFFICER: (SENATOR DENUZIO)

All right. Any discussion? Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I think we have a little disagreement on the cost of this. Our figures show it's around four million dollars, and I would also say the Department of Mental Health is already doing this type of thing, they feel that the concept is laudable and that the legislation is unnecessary.

PRESIDING OFFICER: (SENATOR DENUZIO)

Further discussion? Senator...Fawell, she must have read this one too. Senator Fawell.

SENATOR FAWELL:

You're right, I did. Would the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DENUZIO)

Indicates he will yield. Senator Fawell.

SENATOR FAWELL:

Did...did House Bill 2316 pass, which is an appropriation

for the four million dollars?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

I really don't know, Senator, but on...on the issue of the four million dollar appropriation, let me just say that the originators of this bill believe that that...figure is totally inaccurate and much more than the department needs.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Fawell.

SENATOR FAWELL:

Well...who introduced House Bill 2316 then?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

I think it may be the chairman of the Appropriations Committee, I...I don't know.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator DeAngelis.

SENATOR DeANGELIS:

Do any of these programs currently exist?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

A program to encourage...developmentally disabled individuals to have in-home care exists. The program for mentally ill staying at home has never been utilized or implemented by the department; in fact, I don't know that it really does exist in the department.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further...further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Well, maybe you ought to ask the department if it doesn't exist, why it doesn't and you might find out that it does.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Welch may close.

SENATOR WELCH:

Well, if it does, it's not being utilized at all and I don't think it...that it does exist. What we are trying to do is to, as you know, get individual's care at home. We talk about spending all this money on institutions and building and here is something that we're trying to do exactly the opposite by encouraging at-home care. The department says that it's supposed to cost something like four million dollars. Well, actually the money could probably be appropriated from existing line items and grants the department lapses at the end of each year. We don't...the...the structure of the demonstration program is one that is to be developed by the department, so the extent of it, if they say it costs four million dollars, they must have planned for a very extensive in-home program. What we're looking at is a much more modest program. The program is going to be run by the department so, therefore, they will determine its scope and its size. So, the...the monetary figure I think is...is a bit specious and...and just a debating point. I would urge adoption of this program because I think it's something that in the long-run is going to save the State money, it's something that we should be looking into and encourage the department to start investing in. And I would urge passage of House Bill 27.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Fawell, the gentleman had just closed. The question is, shall House Bill 27 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 33, the Nays are 24, the...none voting Present. House Bill 27 having received the required constitutional majority is declared passed. House Bill 34, Senator Savickas. House bills 3rd reading is House Bill 34, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 34.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DENUZIO)

Senator Savickas.

SENATOR SAVICKAS:

Yes, Mr. President and members of the Senate, House Bill 34 does exactly what the synopsis says. And in our note from the Illinois Economic and Fiscal Commission regarding the fiscal impact that...says that House Bill 34 would have a limited impact on State revenues from the boxing and wrestling admission tax. In the last five years only the Hagler-Hamsure fight at the Rosemont Horizon has approached the fifty thousand in admission tax receipts. And House Bill 34 is viewed as an incentive to attract major boxing and wrestling events from the casino states, Nevada and New Jersey. This was basically the comments that were issued by Joe Mudd in...representing the views of the Horizon...Rosemont Horizon and in their efforts to develop some reasonable method to attract major boxing and wrestling matches to Illinois. I would move its passage.

PRESIDING OFFICER: (SENATOR DENUZIO)

All right. Any discussion? If not, the question is, shall House Bill 34 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish?

Take the record. On that question, the Ayes are 52, the Nays are 2, none voting Present. House Bill 34 having received the required constitutional majority is declared passed. 43, Senator Davidson. House bills 3rd reading, House Bill 43, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 43.

(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, this bill does exactly what it says, saying that you got to carry a hypothermic thermometer in an ambulance or have available in an emergency room. And what we're talking about, ladies and gentlemen, is a little four dollar and a half thermometer that does read the temperature below normal. The normal thermometer you buy at a drug store use cannot drop down low enough to get the temperature when someone's temperature has dropped down to know how to treat them, and it's very critical for that, either life sustaining or lack of damage to that...permanent damage to that person that they...this thermometer be available so they'll know how to treat him. This is a good bill and I'd recommend a Yes vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall House Bill 43 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are 1, none voting Present. House Bill 43 having received the constitutional majority is declared passed. House Bill 48, Senator Luft. Senator...read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 48.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. House Bill 48 simply allows...the five percent...tax in enterprise zones applicable to subchapter S corporations and partners. There is another provision on this bill that I will defer to Senator Bloom for to explain.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Bloom.

SENATOR BLOOM:

Very briefly, thank you, Mr. President, fellow Senators. What it provides for, and I think I explained it when I put it on, that we could call it the LTV amendment. It provides for exemptions from the sales tax for an enterprise that is in an enterprise zone and a foreign trade zone if it is tied to the retention of two thousand jobs or the creation of two hundred new jobs. And if it is triggered by a tax relief at the local government level. Answer any questions, otherwise, seek a favorable roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Luft moves the passage of House Bill 48. Those in favor will indicate by voting Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. House Bill 48 having received the constitutional majority is declared passed. House Bill 49, Senator Hall. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

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House Bill 49.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hall.

SENATOR HALL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is exactly the same as...as the Senate bill that we passed out 39. This is the bill that the Governor finally worked out everything and all people concerned. This is why I said at long last this is a bill. And it was amended over there and it shows that what happens is that in territory...boundary of a city which land development can take place, they reduced it from ten miles to three miles. And...also it took out the condemnation power as that was said in the...Executive Committee. So I'd ask for the most...favorable support for this...legislation.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall House Bill 49 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 45, the Nays are 9, 1 voting Present. House Bill 49 having received the constitutional majority is declared passed. House Bill 52, Senator Marovitz. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 52.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the

Senate. House Bill 52 is a proposal to expand the background investigation of child-care facilities in the State of Illinois. The proposal provides a reasonable program for extending background checks of child-care facility licensed applicants and current prospective employees of these facilities. Licensed DCPS facilities are covered including day-care centers and homes, foster homes, institutions and group homes. The proposal in House Bill 52 provides both immediate safeguards at low cost to identify dangerous persons and long-term programs to thoroughly and accurately screen all applicant employees. There's two parts to this bill; first of all, there's the name check system, and the bill authorizes the search of the DCPS Child Abuse and Neglect Tracking System, CANTS. Those identified by these systems will be further investigated by fingerprint analysis through State and Federal computer law enforcement systems. The number of such investigations will be small and funding is reasonable and I've checked that with the director of law enforcement. The key elements of this part of the proposal are that the child-care facilities must maintain records assuring compliance for all their employees, information obtained shall be confidential and exempt from the Freedom of Information Act, and unauthorized release of such information is a Class A misdemeanor. This part of the bill becomes effective October 1st, 1985. The second part of the bill is the criminal background checks, and the key elements of this are the conviction of certain sex related crimes will prohibit employment in child-care facilities. The Department of Law Enforcement will be able to update criminal records on previous applicants and notify facilities as needed. The child-care facility can hire on a probationary basis until the background check results are available. Information is confidential and unauthorized release, again, is punished by Class A misdemeanor. An advisory committee including child-care facil-

ity representatives is created to advise the Governor on fees and implementation and for this part of the bill, the effective date is July 1st, 1987, and I would solicit your Aye vote for this very important piece of legislation.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall House Bill 52 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. House Bill 52 having received the constitutional majority is declared passed. House Bill 53, Senator Marovitz. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 53.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President, members of the Senate. House Bill 53 provides for the use of videotape or closed-circuit testimony of children twelve years or under when they are victims of sexual abuse or assault. It requires the court to order the videotaping of the testimony of a child if the state's attorney make such a motion. It allows the tape to be admitted into evidence at trial if certain conditions are met. It applies to children under the age of thirteen who have been the victim of criminal sexual abuse, aggravated criminal sexual abuse, criminal sexual assault or aggravated criminal sexual assault. The defendant has the opportunity to cross-examine the child at trial. And it authorizes the court to order the testimony of the child to be transmitted via closed-circuit television. Provides

for the child, the judge, the attorneys, the defendant and technicians to locate in a room other than the courtroom. If the child testifies closed circuit at trial, the child may not be required to testify in court, that is conceivable. It allows the defendant to cross-examine the child during the closed-circuit testimony. And I would solicit your Aye vote for this bill which is aimed at trying to relieve the trauma of a child in a very difficult situation.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, let me express some concern about what I understand this bill does. This is quite a bit different...I should alert the members to the bill, Senate Bill 179 that we approved here which provided for a videotaping but did not at the same time allow a...basically a repeat of the testimony on the part of the child before the trial. This bill, as I understand it, yes, it provides for videotaping but it allows either side to then request that the child testify at trial. So, as I understand it, what we have here is the distinct possibility that in many or most of these situations where there is a videotaping that by having either side in a position to request a resubmission of the child as a witness at the real trial, that the child could be subjected to more examination and testimony rather than less, and...and I...in my opinion, that sort of defeats the purpose of Senate Bill 179 that we originally approved here, so I am not going to vote for this bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

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

SENATOR MAROVITZ:

Just...thank you, very much Mr. President. Just in speaking to that last point, the bill as originally intro-

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duced did not have that provision that either side could require...of course, it would usually be the defendant, require the child to testify at trial, that was not in the original legislation. Judges and lawyers got together and at the request of the bar associations because of constitutional problems and the right of...of the accused to confront the accuser...that is a serious constitutional problem. The bill was changed at the request of the legal community, judges and lawyers so that at the request of the defendant, they would have an opportunity to confront the accuser at trial, that is why this provision was put back in there, and I would solicit your Aye vote for this very important bill for children in the State of Illinois.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall House Bill 53 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are 1, 1 voting Present. House Bill 53 having received the constitutional majority is declared passed. House Bill 54, Senator Lemke. House Bill 60, Senator Vadalabene. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 60.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Vadalabene.

SENATOR VADALABENE:

Yes, House Bill 60 would allow members of the Downstate Firefighters' Pension System to receive a refund on their contributions if the member has been on involuntary, nondisciplinary layoff for more than a hundred and eighty days. From the Illinois Economic and Fiscal Commission, the costs of permitting refunds or contributions would be rela-

tively minor, and I would approve an affirmative vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall House Bill 60 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are none, none voting Present. House Bill 60 having received the constitutional majority is declared passed. House Bill 62, Senator Berman. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 62.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. House Bill 62 and House Bill 90 which we'll address in a few minutes are two of about four or five bills that have come out of the House sponsored by their Committee on Elementary and Secondary Education which are the basis of the reform package as...molded by the House. In our committee we have deleted the matters that were duplicate of bills that we have already previously passed out of the Senate. These bills will not be the final form that we will see. We are involved in negotiations at the present time regarding the final version of the education reform package. I would solicit your Aye vote so that these matters are...will continue to be under discussion.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Berman moves passage of House Bill 62. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 56,

the Nays are none, none voting Present. House Bill 62 having received the constitutional majority is declared passed. House Bill 66, Senator Watson. House Bill 71, Senator Poshard. Read the bill, Mr. Secretary. For what purpose does Senator Smith arise?

SENATOR SMITH:

Thank you, Mr. President. I'm so sorry...Senate...House Bill...60, I was called to the telephone and I would have voted Aye on that, would you please register me...Aye vote on 60.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The record will so indicate.

SENATOR SMITH:

Thank you.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 71.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Poshard.

SENATOR POSHARD:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 71 amends the River Conservancy District Act and the Election Code to provide for nonpartisan election rather than the appointment of trustees to the board. The specific district included in this bill encompasses two counties and the representation would be the same as is presently being served. The only difference is that this bill will provide for the election rather the appointment of trustee members. This...this conservancy district has been authorized to issue its own industrial revenue bonds, it has a sizable industrial park. It handles literally millions of dollars each year in taxpayers' money, it has an intercity water system,...comprehensive recreational system. Many

people have called me on this bill wanting this board to be an elected board rather than appointed, and I would move for your consideration of this bill and...and your support of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator O'Daniel.

SENATOR O'DANIEL:

Yes, would the sponsor yield?

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will.

SENATOR O'DANIEL:

Senator Poshard, who wants this bill?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Poshard.

SENATOR POSHARD:

Well, as I've indicated, Senator O'Daniel, many people in the districts served by the...Rend Lake Conservancy District wants the bill. I've had several phone calls in favor of the bill. The director of the conservancy district has said that he would remain neutral on this, but we've had many calls on the bill, many people in favor of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator O'Daniel.

SENATOR O'DANIEL:

Yes, then what about the...the county board in Franklin County that...that wrote me a letter...I mean, then your county in...in opposition to this bill? And I might say that...the House sponsor has even contacted the news media and asked them to contact me and I haven't had one call in...in...in support of this bill. And there is three counties in this and two of those counties are located within my legislative and my senatorial district and...and my people are all opposed to it. And why would you single out one...one district in the State and ask it to be elective

when all the other districts in the entire State are appointed?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Poshard.

SENATOR POSHARD:

Senator O'Daniel, I believe the part of Hamilton County was taken out of this bill over in the House. It was amended, but Jefferson County is included in your district. As I had pointed out before, this conservancy district differs than most conservancy districts in that it handles a great deal of money, it has its own industrial park, it issues its own industrial revenue bonds, it has a large recreation complex which is currently we're trying to develop...to induce industry to come in and develop around that lake...it handles a lot of taxpayers' money and we're just in support of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator O'Daniel.

SENATOR O'DANIEL:

Then would you be willing to...amend this bill or...or have another bill that would make it applicable to all...all conservancy districts in the State?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Poshard.

SENATOR POSHARD:

Well, I can't speak for the other conservancy districts in the State, I can only speak for this one, and I think the majority of the people that are served by this district want this...this board to be elected rather than appointed because of the nature of its responsibilities.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator O'Daniel.

SENATOR O'DANIEL:

...I want to disagree with you, and another thing, you

need to know what the...where the district is, Hamilton County isn't in the district but Wayne County and Jefferson in my district and Franklin County in your district are the three counties that are involved with the Rend Lake Conservancy District. And I happen to be involved with this back years ago when it was...when the...during the formation of this...this district. And this...this district furnishes water for fifty-five different communities and municipalities. And I've had mayors and county boards and business people and farmers that called me and...and ask me to oppose this bill. You know, and I think it's very unfair for the House sponsor to pull this...this one district out and try to make an example out of it and...and subject the people of the area...and put them in this kind of a position. I just feel that it's...it's a bad bill and it should be defeated.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Further discussion? Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I rise in opposition to this. It applies, as I understand it, only to the Rend Lake District. And the fact is, having had the opportunity to visit there on a number of occasions, that's truly one of the ones that works. And the story around here is, if it ain't broke, why fix it? I think every area is accommodated and accommodated well by the present system. I think this is a mistake and I would urge Senator Poshard not to pursue it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

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

SENATOR POSHARD:

Well, thank you, Mr. President. I'd just like to ask again the question, how many conservancy districts in the State have the kind of responsibility that this conservancy

district and the board which serves it have? They take on the major responsibilities of municipalities. They have tremendous amounts of taxpayer money that they handle. As I said before, it's a...it's a good bill. The people in the district want it and I think the...the board would be more accountable to the people if...if it were elected instead of appointed. I ask for your favorable consideration of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall House Bill 71 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 2, the Nays are 53, 3 voting Present. House Bill 71 having failed to receive a majority...constitutional majority is declared lost. House Bill 72, Senator Poshard. Read the bill, Mr. Secretary.

END OF REEL

REEL #5

ACTING SECRETARY: (MR. FERNANDES)

(Machine cutoff)...72.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Poshard.

SENATOR POSHARD:

Well, Mr. President, I might say, I don't always understand why this Body acts the way it does. I didn't see...a whole lot funny about that bill but, at any rate, House Bill 72 amends the Mines Subsidence Article of the Insurance Code. It increases the total insured value that may be reinsured for mine subsidence from fifty thousand to one hundred thousand dollars by the...industry placement facility. I would ask for your favorable, most favorable, consideration of this good bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Keats.

SENATOR KEATS:

Senator Poshard, I...I...I don't mean this question to give you a hard time, but how much will this increase the insurance premium that just about everyone in this room pays? This was a big fight a couple of years ago. Cook County has mine subsidence insurance, and unless I'm wrong, there are no coal mines under Phil Rock's house but he pays for this insurance. How much will this increase his premium?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Poshard.

SENATOR POSHARD:

Senator Keats, I really don't know. We...we've never

been given an estimate of how much this would increase the individual premium of every taxpayer in the State. Senator Davidson is cosponsoring this bill with me. He may have been given that information, I don't know.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Keats.

SENATOR KEATS:

...I mean...I...I honestly don't mean it as harassment to give you a hard time. In...the way it works is, we have mine subsidence insurance unless we specifically, in writing, write to the insurance company, a...a specific written letter to get out of it. I don't have any former coal mines in Glencoe, I mean, as old as my house is, it...it still doesn't have coal mines underneath. What I'm saying is is...we're all paying this and...and this will increase the insurance premiums of...of basically everyone on the State it would appear. I may be in error. I'm just remembering this big fight a couple of years ago that all of us who don't have coal mines pay for this insurance.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Vadalabene.

SENATOR VADALABENE:

Yes, I rise in support of this bill. I was the sponsor of the mine subsidence insurance several years ago and I have the first policy that...that was written. If it...if my memory serves me right, the policy costs approximately ten dollars a year. It's not an exorbitant cost and I don't believe it would affect very many people who have to buy...mine subsidence insurance; however, you don't have to buy it, so that if the people in Chicago don't want the insurance, you know, just tell them to take it off of your policy. This is a good bill and the...homes today, you know, cost more than fifty thousand dollars and forget this mine subsidence insurance for ten or fifteen dollars a year or

whatever it may be, it is a very good investment and this is a good bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I...I think this bill is all right. The fact of the matter is that the people who operate the Mine Subsidence Insurance Fund in the State indicate that they have a three million dollar surplus in that fund now and, in effect, what happens is that that fund reinsures the private insurers who offer you the mine subsidence insurance and...as has been pointed out here, if anyone decides that they don't want to buy it, they simply can reject the coverage. So, I think this is a good bill and ought to be passed.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

...the...the only problem with this bill, why should the person in the State of Illinois who doesn't want it have to do something about it? Why doesn't the minority of the people that want it apply for it? Why do...why do...because...if you...if...if the average person doesn't notice on his policy, he is going to pay this premium. I mean, it's automatic. If he doesn't reject it, he pays it. You know, it's like...it's giving a...that's...that's probably why there's a surplus...that's probably why there's a surplus because I would assume there's thousands of people in the City of Chicago paying my...paying this insurance because they have never elected to reject it, they never knew it was on their policy, and it's just a way for the insurance industry to milk another sum of money out of these people. Why doesn't it...why don't the...why doesn't the law read that if you want it, you apply, that's all, and if...and why should you

have to not...to apply not to have it? It's silly.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I have quite a...in my area, quite a few places that have been suffering from...subsidence and I think it's important that we have this kind of legislation. Now, it has been asked around, do you want it? I...I've always been asked whether I want it but in some places, as here, and I think that as...it's been spoken by the previous Senator that there is a large amount...in that and I see no reason why this bill should not be passed.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rupp.

SENATOR RUPP:

Thank you, Mr. President. Actually, this bill...if some of us could have better recollection, was opposed by the insurance companies, contrary to what Senator Lemke said. The insurance companies did not want to do this and I was opposed for it, I was against this thing at that time. This is just a change in existing law. At that particular time, it was pointed out that this really was not a true insurance loss, the condition already existed. What you do with insurance is to provide and care for things that might happen at a future date. This had already happened, that's why one of the principles of insurance was violated when this was passed, that's why insurance companies were against it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Davidson.

SENATOR DAVIDSON:

Mr. President and members of the Senate, I rise in support of this bill. We sent the Senate bill out of here which I was the cosponsor...excuse me, I was the lead sponsor on,

59 to nothing on the Agreed Bill List. This only gives an opportunity, as all of you know, that the cost of...of a residence has gone up. It gives the raises to a hundred thousand dollars, so those of you who do live in that area such as Senator Poshard and I, any of you who own a home here in Springfield and, Sam, any of you...own a home here in Springfield outside of the ten square blocks of downtown Springfield will have an opportunity for your property to have some nine...subsidence under it at some time. The fact is, if you're lucky enough to not have it, you're fortunate, but those of us who do have that opportunity and since it's already sunk the whole street just a block over from my house, I'm very glad to have the fifty. I certainly hope we can go to the hundred so we have some possibility of recovering the cost of a house due to the cost of housing that's gone up from inflation. This is a good bill and I urge a Yes vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President. I rise in support of the bill and I, too, would like an answer to Senator Lenke's question, coming from Cook County as I do and I see, having asked that question, that the director...this is the bill now, as it's written now, the director shall exempt every policy issued or renewed in any county of one million or more inhabitants or any county contiguous to any such county. The way I read that language, that means that Cook County residents, for example, Senator Lemke, are not affected by this piece of legislation.

PRESIDING OFFICER: (SENATOR SAVICKAS)

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

SENATOR POSHARD:

HB 90
3rd reading

Thank you, Mr. President. I would like to point out and reemphasize what Senator Kustra just said. Under the Insurance Code, the director of insurance has the power to exempt any county from this which doesn't...is not undermined or does not need this kind of coverage, so that would apply to Cook County. In my area, so many of our small towns are undermined already. This is an important bill. The cost of housing has gone up. It just...fifty thousand dollars just simply doesn't cover the replacement value of a house that's damaged by mine subsidence now. I'd ask for your favorable support of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall House Bill 72 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 59, the Nays are none, none voting Present. House Bill 72 having received the constitutional majority is declared passed. House Bill 90, Senator Berman. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 90.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. House Bill 90 as amended in the Senate provides for early childhood programs as an option to be employed by school districts throughout the State, provides for early childhood advisory councils and the provisions as to the State Board of Education promulgating rules and regulations for the conduct of these programs. I solicit your Aye vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not,...Senator Rigney.

SENATOR RIGNEY:

I've had a number of questions about this bill. If a school goes into this program, does it then become mandatory for the kids attending that school?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR BERMAN:

Would you rephrase the question? I'm not sure I understood it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rigney.

SENATOR RIGNEY:

Well, right now, the children are attending half-day kindergarten. Suppose they go for this full-day program. This is not it?...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator...Senator Berman.

SENATOR BERMAN:

No, this not the full-day kindergarten. This is only an...an authorization to local school districts for early childhood, K through 5, and it's voluntary that would be...funded with grants from the State Board of Education, other types of...of funding, private and public that would be available and they can charge a fee for this service. It's similar to...to the bill we passed out of here which was Senate Bill 707, but if you recall that, that...was a mandated program and a tax authorization. Both of those elements have been taken out. This is strictly a voluntary program, and it is not the kindergarten program.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Keats.

SENATOR KEATS:

Thank you, Mr. President. In committee a group of us

voted president...present on this bill, some Republicans, some Democrats. It's sort of bipartisan questioning. We removed the mandate and removed the funding. Now how many of you in this room are dumb enough to think that it won't be a mandate that the State will be funding within a year or two? Now the prospective costs, if our numbers are correct, would be thirty-three to forty-five million the minute we mandate it. Now, right now, it isn't mandated and, right now, it isn't funded. I'm not really against the concept of early childhood education, but is this truly a role for the State or do you think we ought to tell some of the parents to get off their tail end and become more actively involved? Parents can become involved with this program but there's significant State action. You really have to ask yourself, is this the direction you really want to go? I'm not opposed to early childhood education, but if you carefully read it, I'm just going to vote Present the same way several of us did in committee to say, the concept is not unacceptable, but you know and I know if we're pushing it now, it'll be mandate shortly. It's thirty-three to forty-five million dollars and the next step is the parents won't have any involvement. If you read it now, the parental involvement is not that strong to begin with. I think we got some...that we ought to be asking more questions before we start saying, cradle to grave, and this really does start, as you noticed,...when we say early education, you can look at the age yourself. We're not just talking four-and-a-half-year-olds, we're going a lot farther back than that. Maybe we ought to think about this one some more, particularly as we exclude the next step being that we exclude the parents and the State pay for it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hall.

SENATOR HALL:

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

question?

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will.

SENATOR HALL:

Senator Berman, would you...I noticed here, it says, it requires school boards to employ qualified teachers...does that say to me that they're not using qualified teachers at this time and what are you mean when you say qualified teachers?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR BERMAN:

That provision merely requires that they be teachers similar to the teachers that are in K through twelve. So, we're not talking about just babysitters, we're talking about qualified, certified teachers.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hudson.

SENATOR HUDSON:

Would the sponsor yield?

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will.

SENATOR HUDSON:

Senator Berman, is this the bill that takes the educational programs all the way back to birth?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR BERMAN:

Yes.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hudson.

SENATOR HUDSON:

It provides not only for educational programs of...as of yet an undisclosed nature for children but also for parents?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR BERMAN:

Yes.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hudson.

SENATOR HUDSON:

My analysis indicates there was a great deal of discussion in committee as...as to exactly what the programs would be. Was there any determination arrived at as to what the programs would be that we're talking about?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR BERMAN:

Let me read to you from the bill so that we...so that you can evaluate, "The programs may include but are not limited to the following: programs to educate parents about the physical, mental and emotional development of children; programs to enhance the skills of parents in providing for their...children's learning and development, learning experiences for children and parents, activities designed to detect children's physical, mental, emotional or behavioral problems that may cause learning problems; educational materials which may be borrowed from...for home use, information on related community resources."

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hudson.

SENATOR HUDSON:

Thank you. To the bill, Mr. President. I have had some people come to me that seemingly represent those parents who feel that perhaps their children, wherever possible, should remain at home and be under the influence of their parents in these early years. They are concerned about the broad and rather sweeping scope of the programs that you have just out-

lined. Not that ideally, perhaps, some of them...wouldn't be of some value, but I think there are enough questions, at least on behalf of some of the constituents that I represent, about the whole program and the advisability of entering into it at such an early age to perhaps give us some concern.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator...Senator Karpel.

SENATOR KARPIEL:

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

PRESIDING OFFICER: (SENATOR SAVICKAS)

I'm sorry, Senator, what?

SENATOR KARPIEL:

Will the sponsor yield?

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will.

SENATOR KARPIEL:

Thank you. Senator Berman, when you say that this program is...not mandated but it's voluntary, I assume you're meaning it's voluntary for the school district to provide it. Is it also voluntary for the parents to put their children in it, assuming that a school district would provide it; so that parents who do not want to participate in that would not have to? All right, because I've gotten quite a few letters and quite a bit of communication from people who are very much opposed to full-day kindergarten, much less sending their children to school at age three. Now, are you saying three or did you...did you answer Senator Hudson that this is from birth?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR BERMAN:

The bill provides from zero to five.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Karpel.

SENATOR KARPIEL:

And are you saying that in order for someone to have...you're talking about school districts who provide this program for a new born baby and that...you're...nodding your head no. No, it isn't for new born babies?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR BERMAN:

The bill authorizes programs...early childhood education programs are programs for children in the period of life from birth to kindergarten and the parents of such children. Now, it will be up to the State Board and local...boards of education as to what the nature of the specific program and who it is addressing. That's in answer to your question, and in closing, I'll expand the purpose of it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Karpiel.

SENATOR KARPIEL:

Well, I just want to say here that I think that any school district who wants to go into this...and assuming that there is minimal parental participation, and you're saying that for a new born baby, assuming a school district does provide a program, whatever kind of a program that they provide, that this school...that that...age level has to be taught by a fully certified teacher? A day-care teacher wouldn't do for a...for a new born baby? I mean, we're not...I mean, there are day-care facilities in this State that have teachers that...there at the day-care facilities who are college graduated teachers who are in the field of day care, and you're saying that for a six-month-old baby or a year-old baby that we have to have fully certified teachers to provide this service. I think this whole program is...is silly when we've got our own from K through twelve that we haven't gotten figured out yet, we don't have funded prop-

erly, we don't have the kinds of...we're not turning out kids who can read and write, we're trying to reform education and now we're going to get into birth to five-year-old with fully accredited teachers to provide what to a six-month-old baby? I think this is silly and we should defeat it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Collins.

SENATOR COLLINS:

A question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Collins.

SENATOR COLLINS:

Senator,...is there any specific criteria for which one would...would...the services would be provided for all or is it just open to any and everyone if a school district decides that it would like to offer this program? Is it for everyone who wish to participate or is there any specific criteria with a specific purpose for dealing with families and children of that age?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

I'm...I'm not totally clear on what your question is. Let me indicate to you that it involves the children and their parents, that's a requirement; that the district is required to coordinate the programs with other educational programs, that the...the State Board of Education shall promulgate rules and regulations implementing the provisions of this Act. I...I'm not sure if that answers your question or not.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Collins.

SENATOR COLLINS:

Can...can we assume though that in those rules...that the

bill authorized the board to...to...to establish some rules and regulations, can't we then assume that part of that would be to establish some kind of criteria in terms of...of priority or need or of people that would be served, because I don't think you could serve every family with a child from zero to five years old. I...I just don't think you'd be able to do that, but I do think that that is a tremendous concept and there are a lot families and especially in those...in cases where we're talking about the number of single families and...and young mothers...having children at very young age and not being able to understand how to be a good parent or how to raise the children. I think this kind of a program would be a tremendous attribute to that...that kind of family. There are other circumstances also that I think would be a good idea. I think the program would go if we just kind of look at it in that vein and have a specific objective by which we wish to accomplish and it can do that, but just to leave it wide open, you may find yourself in some problems.

PRESIDING OFFICER: (SENATOR DENUZIO)

All right, further discussion? Senator Poshard.

SENATOR POSHARD:

Senator Berman,...I understand the intent of this bill and every research study that I've read says that there's tremendous gain to be realized from starting children at a very early age in education, but...and I guess I'm concerned about the logistics of working this out in the rural areas. In your discussions around the State in your commission, how would we work this out in the rural area where we're putting three-year-olds or two-year-olds or whomever on the...on the bus and transporting them twenty miles already to school. How do we get those children involved in this?

PRESIDING OFFICER: (SENATOR DENUZIO)

Senator Berman.

SENATOR BERMAN:

That's exactly the reason why the...the program is local district controlled and oriented. These local district must evaluate as to whether they think that an early childhood program, and we're talking about, realistically, probably three-, four- and five-year-olds, whether that type of a program would make sense for their constituents, and if it can be both logistically and educationally worked out, this...this Act authorizes it.

PRESIDING OFFICER: (SENATOR DEPUZIO)

Senator Poshard.

SENATOR POSHARD:

Well, sir, would this...would this not tend to be more favorably disposed to where those that live in the city where it's a simple matter of, perhaps, walking two or three block with your child to engage them in a program like this. I mean, the logistics could be worked out there much more simply than in the rural areas, and I would tend to think that the majority of the programming for an effort like this would exist in the...in the urban areas and not out in...in places like my district.

PRESIDING OFFICER: (SENATOR DEPUZIO)

Senator Berman.

SENATOR BERMAN:

I...I can't comment whether it would or whether it wouldn't, that...you know your district, I know mine. I think it would be valuable in my district.

PRESIDING OFFICER: (SENATOR DEPUZIO)

Further discussion? Senator Holmberg. Senator Holmberg.

SENATOR HOLMBERG:

If I might comment,...thank you, Mr. President. When we're talking about programs for parents and children, I think they could be done in a variety of ways. I know that many other States have, for instance, had a home visitor pro-

gram which is something the rural areas might be able to tie into. It's not necessary under a program like this to bring children anyplace. They could even be left in their home and employees of the school district actually visit and introduce play materials and ideas for good parenting right into the homes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Berman may close.

SENATOR BERMAN:

Thank you, ladies and gentlemen. I find the debate rather interesting and I'd just ask for another moment of your indulgence. We're talking about...throughout this Session, education reform and every paper in the State and every study has pointed out that in many, many cases the future success or failure of a child is many times determined by the time that child reaches the third grade of grammar school. Now, we say to ourselves, what has to be done in order to give children the best shot at succeeding in school? And just starting them at kindergarten in today's society many times is not sufficient. If we had the stable families, the two-parent-families, the one parent at home families that we had thirty years ago or twenty years ago and before, a lot of these things wouldn't even have to be discussed on the Floor of this Senate, but you and I know that we don't have those kinds of families. We have families to whom the school...parents to whom a school is anathema, parents who do not have a good, sound relationship based upon their experiences with school, and those vibrations are communicated to their children where the parents didn't appreciate school, didn't get much out of it and the children inherent...inherit that kind of negative response. What are we saying with this bill? And I thank the comments from Senator Hudson and others where parents express their apprehension. God bless those parents. Hopefully, they're doing the job that every

parent should be doing and that's why this is a permissive program. And I suggest to Senator Keats that the dollar figures you've put forth are totally fictitious. There is no figures...assigned to this program at this point, and at the proper time we will debate whether there is an allocation or not; but, ladies and gentlemen, let me tell you this, what we're talking about is a permissive program that will be decided by each local district as to whether they think bringing a program to the parent and the child will put that child on the right track, put the parent on the right track to encourage that child to have a lifetime of meaningful learning. The Chicago Tribune dedicated three or four or five days on their editorial page to this exact subject and I've got to tell you, I read that paper every day, as do many of you, I don't remember any other type of editorial page commitment to a single subject as they did to this, early childhood education. That's what the Tribune was talking about, that's what we're talking about. Give the schools the chance to do something to turn around these kids that without these kinds of programs are going to be losers and it's not only the kids that are going to be the losers, it's you and I and every other taxpayer. Whatever the cost of these programs is small change compared to the life of public aid, to...compared to the life of corrections, compared to the life of juvenile delinquency, compared to the life of the dropouts, that's what we're talking about. Give the educators a chance to give these kids a chance. I ask for your Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall House Bill 90 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 35, the Nays are 21, 2 voting Present. House Bill 90 having

received the required constitutional majority is declared passed. 120, Senator Sangmeister. House bills 3rd reading, House Bill 120, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 120.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sangmeister.

SENATOR SANGMEISTER:

Thank you, Mr. President and members of the Senate. The present law...or the old law used to be when you got a sheriff's deed during a foreclosure or took a deed in lieu of foreclosure, there was no revenue stamps that had to be affixed to that deed. Apparently the Attorney General or some state's attorney, I'm not quite sure which, I believe the Attorney General has rendered an opinion that if you look at the Act literally, there ought to be revenue stamps on there and no one has ever intended that and this bill will make the law clearer that there should be no revenue stamps attached to a mortgage foreclosure proceeding or a transfer in lieu of mortgage. Be happy to answer any questions, if not, would ask a favorable roll.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, any discussion? If not, the question is, shall House Bill 120 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. House Bill 120 having received the required constitutional majority is declared passed. 123, Senator Dawson. House bills 3rd reading, House Bill 123, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 123.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dawson.

SENATOR DAWSON:

Mr. President and Ladies and Gentlemen of the Senate, Senate Bill 123 has the State Board of Education establishing three different pilot projects to enter into contracts with the amendment for...special groups together...which such activities as leadership and organization and development to be included in the awareness program that we've had with different gang problems throughout the State of Illinois, and it requires that one of them be in the City of Chicago and there are two other ones throughout the State of Illinois...for a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...any discussion? The question is, shall House Bill 123 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...take the record. On that question, the Ayes are 54, the Nays are 3, none voting Present. House Bill 123 having received the required constitutional majority is declared passed. 124, Senator Lemke. House bills 3rd reading is House Bill 124, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 124.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

This amends the Code of Criminal Procedures, the section

governing speedy trials and continuance, limits the circumstances of which the court may grant the continuance in any case alleging murder and Class X felony or a Class 1 felony in which death or serious bodily harm was inflicted against the person indicative of heinous behavior or wanton cruelty. I think it's a good amendment. I ask for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, any discussion? Senator Marovitz.

SENATOR MAROVITZ:

Just a...just an inquiry. As...as the sponsor said, this is...this bill amends the Criminal Code of Procedure. What committee did this go to?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lenke.

SENATOR LENKE:

What committee? I think it was in Judiciary I, the committee you serve on.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

You mean the committee on...the civil Judiciary Committee? Is that the committee this went to?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...

SENATOR MAROVITZ:

...that...that you're the chairman of?

PRESIDING OFFICER: (SENATOR DEMUZIO)

...Senator...Senator Lenke.

SENATOR LENKE:

I didn't assign these bills and I...the bill was assigned there and I'm sure the same people that sit on one sit on the other and...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

I guess we should take this up with Senator Savickas who assigns these bills and maybe I...remind him that this is a criminal judiciary bill not a civil judiciary bill. Thank you, Chairman Lemke.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Barkhausen.

SENATOR BARKHAUSEN:

A question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Barkhausen.

SENATOR BARKHAUSEN:

...Senator Lemke, does the ability to obtain a...receive a continuance, does that apply to the State as well as to the defense?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

According to the staff, no, not under the speedy trial section that we passed. This only...this would...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

The...I'm not sure that I read the bill the same way and the concern that I have is under certain circumstances the inability to obtain a continuance by the State when, for example, they are...they have some difficulty in getting the evidence that they feel they need in order to effectively prosecute a...a crime of the type that this bill would apply to may, in fact, jeopardize the effective prosecution. For that reason, I think it's unclear exactly what we're doing here. We...by in...intending to...to crack down on crimes of this kind and make sure that continuances...aren't unjustifiably obtained by defendants, we may, in fact, be hindering

effective prosecution. For that reason, I think we should, at least, vote Present.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Sangmeister.

SENATOR SANGMEISTER:

Thank you. Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield.

SENATOR SANGMEISTER:

Along those some lines, Senator Lemke, I think your...your intent of your legislation is certainly laudable, but I have some of the same reservations that there are times when the State is going to need a continuance and you're talking about, you know, murder, Class X felonies or Class 1 felonies, you're talking about the high end which are the serious offenders. What...I noticed by the...the Calendar that it says, "provides for exceptions." Can you give me a...an exception where a State could get a continuance?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR SANGMEISTER:

I know they're under the...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Whoop, Senator....Senator Sangmeister. Senator...Senator Lemke.

SENATOR LEMKE:

According to the exception, unless the court expressly states its reason for finding that the ends of justice served by the granting of such countinuanace outweighs the best interest to the public, the defendant in a speedy trial; and these are the factors they consider, whether a continuance is probably necessary to make the proceedings possible to avoid a miscarriage of justice, where the case is so complex that it is unreasonable to expect the adequate preparation for

pretrial proceedings or for the trial itself without a continuance, whether failure to grant a continuance would...would deny the defendant reasonable time to obtain counsel, unreasonable denied the defendant of the State to continue of counsel or deny counsel for...for either party the reasonable time necessary for effective preparations taking into account the exercise of due diligence.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion?

SENATOR LENKE:

...therefore, under this, the State can't...request that continuance. What this does is prohibits the granting of such continuances due to the general congestion of the court calendar or the state's attorney's lack of diligent preparation or failure to...obtain available witnesses.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well,...all right, further discussion? If we're going to read every bill, we're going to be in trouble. Senator Sangmeister.

SENATOR SANGMEISTER:

I agree with you on that, but one other question, then I'm done. It's been indicated to me that perhaps this has to be pleaded in the inditement when it's originally...drafted or you cannot bring this motion at a later date?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LENKE:

According to this, it must be pleaded in the inditement as follows. It's a murder or a Class X felony or a Class 1 felony in which death or serious bodily harm was inflicted...against a person indicative of a heinous behavior and wanton cruelty, that they must plead in the pleadings. It's not just any Class X or Class 1, it's only in...in regards to a heinous crime.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Keats.

SENATOR KEATS:

Thank you, Mr. President. I'm reading our analysis and I hope some of my Republican brethren are...are reading their analysis here. I want to tell you, this bill reads an awful lot better in the analysis than some of the comments being made on the Floor. I want to tell you, unless the analysis is in error, this bill is probably a pretty good deal for some of your constituents. How many times have you talked to a constituent who says, this trial has been running on for two and a half years or whatever? Now this...remember, this just deals with heinous crimes, this is not petty, little nothing crimes, these are serious crimes. Take a look at your analysis and figure out the kind of crimes he's talking about. This is not shoplifting. They're serious crimes, and he's saying you can't get a continuance unless and there are about three items here listed that you can get them and then reasons why you can't get them, and one of the reasons why you can't get them is if the lawyer didn't do his homework. I mean, I...we had one case that we showed up at and...try this on for size, no defense...I mean, the other attorney never even showed up, they granted a continuance after some guy who is an hourly worker, who is a witness of a crime, droven in from his home, took what turned out to be almost an entire day off from work, didn't get paid a dime 'cause he's trying to be a diligent citizen. The other side, the lawyer never showed up and they granted him a continuance, and all we're saying is that as you look at it, it might set a precedent. Our judges are notorious for...oh, you got to blow your nose, here's a continuance. Read your analysis and see what you think.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, briefly to tell you that this...this is a good bill and this will encourage the prosecution of some offenses since it'll be more difficult to get a continuance and it is about time we get some of these cases on the road and get rid of them in court. I speak in favor of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Lenke may close.

SENATOR LENKE:

What this bill does is just simply...tightens up the...the automatic continuances that are granted to these heinous crime felons and lets the court make the decision and lets...let the parties explain the circumstances for giving these continuance in a court of law instead of just having it done automatically. I think it's a good law and it only applies to these crimes that are heinous and which the people...the public are very upset about. I think it's the best that these crimes should be prosecuted quickly. Thank you...I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall House Bill 124 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Senator Savickas. Have all voted who wish? Take the record. On that question, the Ayes are 46, the Nays are 4, 7 voting Present. House Bill 124 having received the required constitutional majority is declared passed. Page 4, we have now handled eighteen bills. House Bill 131, Senator Darrow. House bills 3rd reading, House Bill 131. Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 131.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Darrow.

SENATOR DARROW:

Thank you, Mr. President. House Bill 131 provides that the Supreme Court may establish administrative programs under which circuits designated by the court may acquire essential administrative personnel, equipment and supplies to assist the chief judge of the circuit in fulfilling his constitutional mandate. I'd ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, any discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Question of the sponsor, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Schuneman.

SENATOR SCHUNEMAN:

Senate Amendment No. 1 apparently added in Cook County and DuPage County into the bill. Our analysis originally indicated that the financial...or the fiscal impact of the bill was about seven hundred and fifty thousand dollars a year for the full year. How much would Amendment No. 1 cost?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Darrow.

SENATOR DARROW:

If you will recall when we were in committee, Senator "Pate" Philip's question about the possibility of adding DuPage County in. After discussing it further, I added DuPage County. Senator DeAngelis then asked about Cook County, and Senator Rock, and so we added Cook County, so we have the entire State covered. The amount of money that this will cost will be depending entirely on the Illinois General Assembly because we're the ones that appropriate the money for the courts. I really don't know how much additional

funds would be requested by the Supreme Court, but if they request it, that does not necessarily mean we're going to appropriate it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schuneman.

SENATOR SCHUNEMAN:

Well, I...I really don't think that is very responsive to the question, and I understand the people who asked about this particular amendment, but I guess the members ought to be aware that what we're doing here is setting up a system under which the chief circuit judge in each circuit will be able to hire his own staff, set up office arrangements, apparently, and that the State's going to pick up the tab for this. Now, I'm not sure that that's necessary. I've not been hearing anything from my local areas that somehow the chief judges...are overworked in any particular manner and, apparently, for the rest of the State, it would cost around seven hundred and fifty thousand dollars. Now, certainly by adding in Cook County and DuPage County, we're going to increase those costs significantly but I'm not sure how much and the sponsor did not respond really to that question, but just be aware of what we're doing here.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Keats.

SENATOR KEATS:

Again, to wake up some of my fellow Republicans, look at the first paragraph under staff analysis. I would like to ask a question of the sponsor to clarify if this is correct...is this one that allows the Supreme Court to set a salary of thirty some thousand dollars a year for a gofer?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Darrow.

SENATOR DARROW:

No, that bill is on postponed consideration, and if you

recall, I tried to amend it on another bill and I was unsuccessful and I'm not going to try that again.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Keats.

SENATOR KEATS:

But I'm reading our analysis and I'm trying to figure out who these assistants that the Supreme Court's hiring and that the State's paying for and the Supreme Court that won't let us audit those funds that they demand from every lawyer who practices in front of that court. What are they using those funds for that they won't let us audit...and what are these guys the State's paying for?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...Senator Darrow.

SENATOR DARROW:

Well, at the present time, each circuit has these offices set up already. For example, in the 14th Judicial Circuit, my circuit, Rock Island County has a chief judge, they have an office in the courthouse in Rock Island. Rock Island County is paying the bill for those services because that's the residence of the chief judge. Were the chief judge elected in Whiteside County, which is part of our circuit, then Senator Schuneman's county would have to pick up the tab for the chief judge who would be a resident of his county. These offices are already in existence. The difference is that at the present time, the counties are...footing the bill and it would be the county in which the chief judge resides, not even the entire circuit. So, there's no...no equity and on top of it, these services are...or these offices...the chief judge is mandated under the Constitution to have these administrative...programs and power, so we're fulfilling a constitutional mandate, but you're right, we are shifting it from the county in which the chief judge resides to the State.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Keats.

SENATOR KEATS:

Finishing the question, I appreciate that candor. Right now, and...and for a minute, and...and...you know, I'm not a lawyer, I'm honest, I work for a living. What...what...in terms of the court expenses, the State doesn't pay a hundred percent of these expenses. I know some of the counties do it. Why are we shifting a hundred percent of the expense to the State or is that normal in this case? I mean, I don't understand why the State is picking up a hundred percent instead of the county sharing some. I...I mean, it seems to me this is not our expense, these are county circuits and the counties normally pay parts of the various salaries within the court system.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Darrow.

SENATOR DARROW:

Well, the Constitution mandates that the chief judge exercise general administrative authority, and I assume in following that, that that would require...the Constitution would then follow that we should fund it and...from the State level. However, another argument can be made that as long as the counties are paying it, that's our real estate property tax that's going to pay for these offices, and I, for one, would like to get the...get the burden off the property owner for these offices and put it on the State.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. The question is, shall House Bill 131 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 41, the Nays are 16, none voting Present. House Bill 131 having received the required con-

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3rd Reading

stitutional majority is declared passed. 142. House bills
3rd reading, House Bill 142, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 142.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Bloom.

SENATOR BLOOM:

Thank you, Mr. President and fellow Senators. House Bill 142 reinstitutes a program that we had prior to the Emergency Budget Act of 1982, and it provides for State grants to certain enumerated public radio and TV stations in Illinois by permitting an eligible station to certify to the State Comptroller it's actual operating costs for the prior fiscal year and then it would serve as the basis for the grant. Secondly, the bill sets up two grant pools with seventy-five percent of the funds going to public television stations and twenty-five to public radio, and operating grants would be pro rata. I would answer any questions that you may have, otherwise, solicit your vote.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Further discussion? Senator Rock.

SENATOR ROCK:

Thank you, Mr. President. And every once in awhile, there's a good idea that comes along. This happens to be one. I urge an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

All right. Question is, shall House Bill 142 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 3, none voting Present. House Bill 142 having received the required constitutional majority

is declared passed. House Bill 156, Senator Vadalabene. House bills 3rd reading, House Bill 156. Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 156.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. House Bill 156 would extend the applicability of the Act to firefighters employed by universities. Currently, most of these firefighters are covered by the University Civil Service Merit Code for personal actions; however, the provisions of the Merit Code do not specifically address the disciplinary issues covered by the Firemen's Disciplinary Act. University firefighters would continue to be covered by the Merit Code for nondisciplinary matters. I know of no opposition to the bill. It is sponsored by the Associated Firefighters and I would...appreciate a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Any discussion? If not, the question is, shall House Bill 156 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. House Bill 156 having received the required constitutional majority is declared passed. House bills 3rd reading is House Bill 157, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 157.

(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 the Calendar says. Appreciate a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Rupp.

SENATOR RUPP:

Thank you, Mr. President. It seems that in this particular case when, you know, we're giving quite a bit of time this Session to safety, to helping people, to making sure that we take care of folks properly, but here's a bill that increases the speed limit, and it just doesn't seem to be any discussion on it. The other thing I wonder about, this bill does have to do with speedy things and it seems like it might speed back here with some other provisions in it. I would like to ask the sponsor if there are any intentions of adding any other items to this bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

I don't have any plans of adding any item to this bill, Senator Rupp. What someone else may do and since the House sponsor...it started in the House, what his plans are or not, I can't answer that.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rupp.

SENATOR RUPP:

My questions was not what you were intending to do, but do you know of any?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

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No one has discussed any further amendment to this bill with me.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rupp.

SENATOR RUPP:

Just a yes or no, Senator Davidson.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

Well, Senator Rupp, I just told you, you asked me do I know, and the answer is no.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, the question is, shall House Bill 157 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 44, the Nays are 10, 2 voting Present. House Bill 157 having received the required constitutional majority is declared passed. 164, Senator Jeremiah Joyce. House bills 3rd reading is House Bill 164, Mr. Secretary, read the bill. House Bill 164, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 164.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce. 164, Mr. Secretary.

SENATOR JEREMIAH JOYCE:

Thank you, Mr. President and members of the Senate. House Bill 164 provides that the widow of an active Chicago fireman may elect to receive a pension equal to fifty percent of the retirement annuity the deceased fireman would have been eligible to receive. Removes the requirement that an

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3rd reading

adopted child to be eligible for benefits must have been adopted before the fireman reached fifty years of age and removes the prohibition against paying ordinary disability benefits for alcoholism and VD and exempts the bill from the State Mandate's Act. I know of no opposition to the bill, and I ask for your support.

PRESIDING OFFICER: (SENATOR DENUZIO)

Any discussion? Any discussion? If not, the question is, shall House Bill 164 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 55, the Nays are 1, none voting Present. House Bill 164 having received the required constitutional majority is declared passed. 181, Senator Netsch. House bills 3rd reading, House Bill 181, Mr. Secretary, read the bill, please.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 181.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DENUZIO)

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr...Mr. President. House Bill...181 does two things. It equalizes the signature requirements for nominating those who are running for the office of ward committeemen and township committeemen both to five percent. The court had invalidated a prior position that had a larger requirement for one than for the other, and it also eliminates the maximum requirement. The 7th Circuit had held that...that was...could not be enforced by removal of the candidate's name from the ballot. So, for all practical purposes, it is also an invalid provision. I would be happy to answer questions. If not, I would solicit your support.

PRESIDING OFFICER: (SENATOR DENUZIO)

All right, any discussion? Senator Kelly.

SENATOR KELLY:

Mr. President and members of the Senate, I just want to point out that there was an effort made to try to increase this percentage from five to ten percent. The court had stated that there should not be a difference and we had attempted to amend this legislation to actually increase the township rather than ward committeemen percentage from five percent to ten percent, that...effort failed. We have other legislation later on addressing this same issue, and I intend to oppose this measure.

PRESIDING OFFICER: (SENATOR DENUZIO)

Further discussion? Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. I rise in strong opposition to this bill. What we did, and I think it's a more reasonable approach, we increased the base of the number of people that could qualify to petition for the office of ward committeeman and that is the more reasonable approach to this problem. All we're doing is allowing frivolous candidates to get on the ballot and then a more responsible candidate has to spend more time, more money, more effort simply because the person he's running against can't get the required number of votes. If you're a responsible person, you should be able to get the required number of votes and you should be able to...get the required number of signatures in order to qualify to be on the ballot in the first place. We've addressed this problem in Senator Kelly's amendment. We are all ready to vote a different formula, but there's no need to make it as easy as possible so anybody in the world can get on the ballot. I strongly oppose this approach and we're doing a disservice to the voters of the State of Illinois.

PRESIDING OFFICER: (SENATOR DENUZIO)

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3rd reading

Further discussion? Senator Netsch may close.

SENATOR NETSCH:

Thank you. If you want to change the base, that is pending in some other bills and you will have another opportunity. What this does and it does only that is to equalize the signature requirement between ward and township committeemen to five percent across the board, and if that seems like a high figure to you, I might mention, for example, that candidates for State Central Committee, which is a much larger area than a ward or a township, need file only one hundred signatures. Those who run for Congress are one-half of one percent. State Representative need one percent or three hundred, whichever is greater and so on and so on. There is almost no office provided for in the State Election Code which requires as high a petition requirement as the office of ward or township committeeman. It seems to me that an equalized five percent is more than adequate to protect against frivolous candidates.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall House Bill...181 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 14, the Nays are 38, none voting Present. House Bill 181 having...failed to receive the required constitutional majority is declared lost. House Bill 198, Senator O'Daniel. On House bills 3rd reading is House Bill 198, Mr. Secretary, read the bill, please.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 198.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator O'Daniel.

SENATOR O'DANIEL:

Mr...Mr. President and members of the Senate, House Bill 198 reduces the sales tax rate to zero on oil field exploration, drilling and production equipment and replacing...replacement parts costing more than two hundred and fifty dollars, and the reason for introducing this legislation was that Indiana has no sales tax on oil field equipment and it puts our independent oil producers at a disadvantage down in Southern Illinois, and the Illinois oil basin lays right along adjacent to the Indiana line, and...and this would stimulate oil field...oil drilling in Illinois and it would, as a result, generate revenue for the...for the State through income tax; and...and also, the bill would be very beneficial to our...our depressed farmers through their leasing and possibly oil production, and, you know, we passed legislation out of here that would remove the sales tax from automobiles built here in Illinois and manufacturing equipment, and I think the independent oil producers in the oil basin here in Illinois need some consideration and I would appreciate a favorable vote on it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, any discussion? Senator Fawell.

SENATOR FAWELL:

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Fawell.

SENATOR FAWELL:

Yeah, can...could you tell me...do you know what the reduction in the State revenues for the half of...half of...of Fiscal Year '86 will be?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator O'Daniel.

SENATOR O'DANIEL:

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I'm not sure that I can tell you for half. It says for the fiscal year would be from 1.5...to two million dollars.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Fawell.

SENATOR FAWELL:

Well, according to our analysis, it says that...we're going to lose four and a half million dollars for just half of Fiscal Year of...of '86. Now you double that...that's nine million dollars. The Economic and Fiscal Commission is against this as...as well as the second floor. I hope my colleagues are listening.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator O'Daniel may close.

SENATOR O'DANIEL:

I...I feel like this bill is probably just as good as the other one we had a while ago was bad and my seatmate here, my pal, he's going to be supporting this and I would appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall House Bill 198 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 32, the Nays are 22, none voting Present. House Bill 198 having received the required constitutional majority is declared passed. 202, Senator Vadalabene. House bills 3rd reading is House Bill 202, Mr. Secretary, read the bill, please.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 202.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. House Bill 202 changes the definition of earnings. It allows death benefits to be paid to the former spouse upon specific designation by the employee, provides up to one-year credit for accumulated sick leave, allows sheriff's law enforcement employees to reinstate special credit and it permits the IMRF board of trustees to procure group accident and health insurance for...IMRF members and it specifies that group health insurance plan is not a pension or retirement benefit for constitutional purposes, and it has the support of the IMRF, and I would appreciate a favorable vote.

PRESIDING OFFICER: (SENATOR DENUZIO)

Any discussion? If not, the question is, shall House Bill 202 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 58, the Nays are none, none voting Present. House Bill 202 having received the required constitutional majority is declared passed. 220, Senator Marovitz. House bills 3rd reading, House Bill 220, Mr. Secretary, read the bill, please.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 220.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DENUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. House Bill 220 permits waiver of the requirement of...the no-fault requirement of living separately for two years when the testimony or affidavit of either spouse shows that the spouses have lived separately for at least six

months immediately prior to the entry of the judgment of divorce, but still in the bill it says that, "The requirement of living separate and apart for continuous period in excess of two years may be waived upon written stipulation of both spouses filed with the court. Any period of cohabitation under written agreement of the parties to attempt to reconcile shall be included in the period of separation." So, that if people that have gone back together and tried to reconcile, that necessarily should not toll the period.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, any...any discussion? Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President and members of the Senate. I rise to oppose House Bill 220. In my opinion, I would call this the divorce on demand bill. You know, we all ready have a no...a no-fault divorce law in Illinois and this is for a two-year period. This legislation would make that six months and with only one individual partaking and saying that...that they have lived apart separately, and I think it just takes away from family life, not only from the husband and a wife but certainly the...the children. We already have a two...what I think is a fair and a reasonable law now and we might as well not have any marriage contract if we...if we delude everything that's in our laws, and I just would like to...state these opinions and I...I guess am somewhat conservative in my views and I just...intend to vote against this proposal.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, about a year and a half ago we passed the...the no-fault divorce bill here...but we said if the parties aren't living together for two years...either party can apply for divorce,

but this bill has some very good points in it but there's one thing I do object into the bill...in the bill, rather, and that's the part that says, either party hereafter six months, go ahead and file for divorce. I think Senator Kelly is absolutely right. I think there's too many hardships. I know already of too many hardships since the no-fault...divorce bill has passed where people have been married for thirty years, one spouse decides to leave the other and...it works...and this kind of a...can't do it yet unless he waits two years and by that time, maybe they can work out something for the surviving...the spouse who doesn't want the divorce, doesn't have the education to make a good living 'cause she's been a housewife all her life and then she's been thrown over for some chick twenty years younger. Now, I say...well, I'm telling you the truth, this has happened, and also I have cases where he's been thrown off for a guy twenty years younger, and I'm telling you the truth. I don't think that this is good policy. I do not feel we should encourage divorce. I think we should try and...encourage reconciliation, and the way this bill is drafted now, either party can sign after six months and say, well, now I'm entitled to file for divorce and get it. I feel that it's bad, and in all due respect to the sponsor, this bill was voted out of committee and I didn't even know this amendment was going on, and I...apologize 'cause I notice I voted Yes in committee but I was wrong if I did and, therefore, I speak against the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Rock.

SENATOR ROCK:

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Rock.

SENATOR ROCK

Why...why are we doing this?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

I'm glad you're asking so I get an opportunity to clarify this. There is no amendment on this bill. No...as Senator Geo-Karis said, no amendment was put on this bill and let me clarify it. We are not, n-o-t, we are not eliminating the two-year separation period. We are not doing that. According to the law today and according to this bill, both parties must waive the two-year requirement of living separate and apart. That is the law today, that is still the law regarding this bill. The only change this bill makes is that in the affidavit, after both parties waive it, after both parties sign an affidavit. In the waiver, both parties, in the...in the stipulation that says we've been living separate and apart for six months, after the waiver, then one party can do it as opposed to both parties. Where they...where both parties have agreed to waive the two-year period that plugs in the six-month living separate and apart period, one party can appear and say we've been living together, separate and apart. Here's the affidavit that says we both, together, waive the two-year period. Here's my testimony or my affidavit that we, jointly, have been living separate and apart for six months. That's what this does. It does not eliminate the two-year period for living separate and apart. Does not do that.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock. Oh, wait...the...Senator Marovitz.

SENATOR MAROVITZ:

Want to point out where it's at for...for Senator Rock and others. It's on page 2, section 2, and I can...very happy to read it. "That the spouses have lived separate and apart for a continuous period in excess of two years and

irreconcilable differences have caused the irretrievable breakdown of the marriage and the court determines that efforts at reconciliation have failed or that future attempts at reconciliation would be impractical and not in the best interest of the family; provided that if the spouses have lived separate and apart for a continuous period of not less than six months next preceding the entry of the judgment dissolving the marriage, as evidenced by testimony or affidavits of either spouse, the requirement herein of living separate and apart for a continuous period of two years may be waived upon stipulation of both parties." The two-year separation period is still in there. This only refers to...to. after that two year...after that agreement of waiver by both parties, this only refers to the six-month separation period.

PRESIDING OFFICER: (SENATOR DENUZIO)

All right, further discussion? Senator Rock.

SENATOR ROCK:

That wasn't the question I was asking, but go ahead, that's all right do...does the...does the attempt to reconcile that now exists under the law, does that toll the period of cohabitation or living...not cohabitation, the attempt to again cohabit, does that toll the period of living separate and apart?

PRESIDING OFFICER: (SENATOR DENUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

If there is a written agreement...between the parties.

PRESIDING OFFICER: (SENATOR DENUZIO)

Further discussion? Senator Rock.

SENATOR ROCK:

Well, I'm not sure I read it that way. You're...you're also adding language that says that any time after the parties cease to cohabit, any period of cohabitation under written agreement. So, you have to agree in writing to attempt to

reconcile, otherwise, the period is tolled and the period of...of living separate and apart starts over. Is that right?

PRESIDING OFFICER: (SENATOR DENUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

That's exactly right. What we want to do is we want to encourage people to try and go back together and work things out. That's the...that's the point of this so they'll be encouraged to go back together and try and work things out without saying, well, if you go back together, remember, you got to start the whole period all over again.

PRESIDING OFFICER: (SENATOR DENUZIO)

Further discussion? Senator Fawell.

SENATOR FAWELL:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DENUZIO)

Certainly.

SENATOR FAWELL:

Senator, as I remember that committee meeting, you and I were the only ones there, and I'm...and Sam knew about it. Just...can I just clarify a point. If...if someone, say, leaves on a vacation and...and they have agreed, indeed, that...that the six-month period...that the two way...two-year period is...is waived but they still expect the six-month period to be in existence. Is it possible, under this bill, for one spouse or the other to decide on...I'm not going to wait the six months, I'm going to put the affidavit in and if so, if he or she comes back and finds she's divorced, can she then knock...or he knock out that...that affidavit?

PRESIDING OFFICER: (SENATOR DENUZIO)

All right, Senator Marovitz.

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END OF REEL

REEL #6

SENATOR MAROVITZ:

The six...for...for clarification, the six-month waiting period cannot be waived under any circumstances whatsoever.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Fawell.

SENATOR FAWELL:

What I...what I mean is, if the other spouse says, wait a minute,...he...she went in and said the six-month period is over. I'm saying that it's not over. Is...and...and I was not here to...to...to...defend myself that the six-month period wasn't over, she just walked in, signed an affidavit and said the six-month period was over while I was...you know, out on the road selling beans or something. Is...is...is it possible for her to come back...him to come back in and...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

To clarify that for Senator Fawell, to begin with, they couldn't even get to that point unless she has already signed a waiver of the two-year period. Okay? As far as the six-month period, there would have to be a six-month period of living separate and apart. If, in fact, her husband, in your scenario, went in and perjured himself that they did not...she could go in over and above that and have the...the...the agreement and the divorce nullified.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Vadalabene.

SENATOR VADALABENE:

Bev, this is Sam, when we're not in Session for six

months, would this affect us?

PRESIDING OFFICER: (SENATOR DENUZIO)

Further...Senator Fawell.

SENATOR FAWELL:

Ask your colleague on the other side.

PRESIDING OFFICER: (SENATOR DENUZIO)

Further discussion? Senator Collins. We'll just advise everyone to bring your pajamas tomorrow, because the way we are going, we are just not going to finish. Senator Collins.

SENATOR COLLINS:

Let...I'm...I'm really trying to understand this and I am...was a sponsor and...and a cosponsor of no-fault divorce with the two-year period. Let me ask a question, I...maybe going back to that bill as...if I recall, the bill came from the House and was an original one. In that no fault under current law, we can under certain circumstances get a two-year waiver, a waiver of the two years. Is that...but both parties agree...after they have lived together...I mean, been separated for how long...

PRESIDING OFFICER: (SENATOR DENUZIO)

Senator Marovitz.

SENATOR COLLINS:

...before the waiver can...they would qualify for the...waiver?

PRESIDING OFFICER: (SENATOR DENUZIO)

All right.

SENATOR COLLINS:

Now...we're talking about from stage one now.

PRESIDING OFFICER: (SENATOR DENUZIO)

...Senator Collins, have you concluded your question? I...I never no when you are concluding your question. Senator Marovitz.

SENATOR MAROVITZ:

There is a two-year period when...when parties have to be living separate and apart, both parties have to waive that. In either case, they still have to be living separate and apart for six month even after they both waive the two-year period when they must be living separate and apart. So in no case can it be less than six months and it can't be waived by one party, only by both parties.

PRESIDING OFFICER: (SENATOR DENUZIO)

Senator Collins. Senator Hall.

SENATOR HALL:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DENUZIO)

Indicates he will yield. Senator Hall.

SENATOR HALL:

Senator...Marovitz, as I see this right now, that...before this is on both spouses must testify or submit to affidavits that they have lived apart, right?

PRESIDING OFFICER: (SENATOR DENUZIO)

Senator Marovitz.

SENATOR HALL:

The...

PRESIDING OFFICER: (SENATOR DENUZIO)

...Senator Hall.

SENATOR HALL:

...that...now you changed it to only where one person. Suppose that we have not lived apart that long and I tell...and I...what's to keep me from lying to say that the other party has been away? I mean, I'm trying to figure out...are you just trying to make the divorce easy? Is that what the problem is?

PRESIDING OFFICER: (SENATOR DENUZIO)

Well, Senator Hall, at your age, it probably wouldn't make any difference. Senator...Senator Marovitz.

SENATOR MAROVITZ:

I'll try and go through this again. I'll...I'll try and go through this again. Senator Hall, we won't get to that point until both parties have signed an affidavit that they agree to waive the two-year separation period. So, both parties under all circumstances, before this bill and with this bill must waive the two-year separation period. Then, under this bill, as far as the testimony or the affidavit regarding living separate and apart, one party can go to court and submit or testify that there has...that they have in fact been living separate and apart for sixth months. If he or she perjures himself, just like a lot of testimony in court today, there's no way to tell if somebody lies, but I...in this case, there's an easy way to tell if someone else lies. If your wife goes and says, you...we've been living separate and apart for sixth months and, in fact, you haven't been, you go back into court, she's guilty of perjury and there is in fact no divorce, but don't forget, there's already been a waiver voluntarily of the two-year period by both parties.

PRESIDING OFFICER: (SENATOR DENUZIO)

...Senator Hall. All right...Senator Hall.

SENATOR HALL:

Well, you know, there's a lot of question about whether you lived apart. How...who's going to prove that...that you have lied, that's my point.

PRESIDING OFFICER: (SENATOR DENUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

The best...the best proof that you lied is the other spouse. The other spouse will come in and...if, indeed, he or she finds out that somebody went ahead with the divorce and they didn't live separate and apart for six months, they'll go into court and that other spouse will be in...worse trouble than they ever were into the marriage.

PRESIDING OFFICER: (SENATOR DENUZIO)

Further discussion? Senator Weaver.

SENATOR WEAVER:

Just going to move the previous question.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

All right. Senator Weaver, there are...there are no...no longer any speakers that are viable. Senator Marovitz, may close.

SENATOR MAROVITZ:

Thank you, very much. Well, the funny thing is the important part of this legislation, not the technical part, was the part to encourage people to go back and try and reconcile, so that the period would not necessarily have to begin over again if parties in good faith tried to go back and work out their problems. That is the important part of this bill. The courts have said, we're having some technical...problems and rather than make both parties come in and testify or sign affidavits,...all we really need is one party to do that regarding the...the fact that they've been separated for six months. The two-year separation period still is in the law, nobody can get a no-fault divorce in six-months or less unless both parties agree and sign an affidavit. The important part of this bill is that if people want to go back together and try and work out their problems, they can do that without feeling the hammer, well, if doesn't work, you got to start that two-year period all over again. I solicit an Aye vote, this really...I hope we clarified all the questions.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

The question is, shall House Bill 220 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 19, the Nays are 35, none voting Present. House Bill 220 having failed to receive the

required constitutional majority is declared lost. 231, Senator Lenke. House bills 3rd reading, House Bill 231, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 231.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DENUZIO)

Senator Lenke.

SENATOR LENKE:

What this bill does is makes certain amendments to the Code of Corrections which were requested by the Department of Corrections in regards to contrabands and weapons in prisons. It also has another amendment...okay, and the other one attaches some bills that passed the Senate 59 to nothing. I ask for a favorable adoption.

PRESIDING OFFICER: (SENATOR DENUZIO)

Any discussion? If not, the question is, shall House Bill 231 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...take the record. On that question, the Ayes are 54, the Nays are 2, 1 voting Present. House Bill 231 having received the required constitutional majority is declared passed. Senator Marovitz, your light wasn't on. Senator Marovitz, for what purpose do you arise?

SENATOR MAROVITZ:

I guess just a rhetorical question, I guess this...this is the bill that amends the Criminal Justice Act and I just wondered what committee this...this bill went to, that was my only question.

PRESIDING OFFICER: (SENATOR DENUZIO)

Well, I'm sure Senator Lenke will inform you. Top of page 5, House Bill 242, Senator Sangmeister. House bills 3rd

reading is House Bill 242, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 242.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DENUZIO)

Senator Sangmeister.

SENATOR SANGMEISTER:

Thank you, Mr. President and members of the Senate. Senate Bill...or I'm sorry, House Bill 242 does exactly as the Calendar says it does. It provides that no teacher shall receive a deduction from his salary because of absence from a teacher's institute or equivalent...well, no sense reading everything that is in the Calendar. In other words, if he's got sick leave coming, he has a right to take it on that particular day, and also, a second amendment was put on that by the committee to make sure that it was tightened up the way they wanted it, and the third amendment that was put on, as it indicated on the Calendar, pertains to the grandfather clause on consolidation for districts.

PRESIDING OFFICER: (SENATOR DENUZIO)

All right. Any discussion? Senator Etheredge.

SENATOR ETHEREDGE:

Well, will the sponsor yield?

PRESIDING OFFICER: (SENATOR DENUZIO)

Indicates he will yield. Senator Etheredge.

SENATOR ETHEREDGE:

Senator, would you review the last part, the part dealing with the amendment? Would you tell me what that...what that would do...what impact that would have?

PRESIDING OFFICER: (SENATOR DENUZIO)

Senator Sangmeister.

SENATOR SANGMEISTER:

That particular provision grandfathers in the consoli-

dations exactly as it would in 2202.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge.

SENATOR ETHEREDGE:

Would this impact any current consolidation efforts in the State?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sangmeister.

SENATOR SANGMEISTER:

What it would do, Senator Etheredge, would put all of the school districts in the same position under the present current Illinois law as they should be and it would affect a current petition, that's correct.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge.

SENATOR ETHEREDGE:

I would like to...to call to the attention of the membership and...and I rise in...in strong opposition to this bill and to this amendment. This is a matter which we have voted before not only on an amendment earlier in this Session but in...in prior years. What is in essence the amendment which was put on this bill would have the effect of negating a number of years worth of work leading toward a consolidation of school districts in Grundy, Kendall and Will Counties. In effect what the amendment does is to change the rules of the football game in the fourth quarter. I don't think it's right for the...for the General Assembly to be stepping in and upsetting years of work that has been going on at the local level in order to achieve school...a school consolidation when we here profess to...to say that we want to be about the business of encouraging consolidations. I would strongly urge a No vote on this bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Jerome Joyce.

SENATOR JEROME JOYCE:

Yes, thank you, Mr. President. I, too, rise in opposition to this. I...I think that as Senator Etheredge says, we are...George and I are in an intramural fight here, what helps one district hurts the other district, and I'd just have to rise in opposition to this piece of legislation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Kenny Hall.

SENATOR HALL:

Will the sponsor yield for a question? Senator Sangmeister, who wants this?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sangmeister.

SENATOR SANGMEISTER:

What we want is equity for Joliet Township High School who is about to lose a hundred and sixty million dollars worth of assessed valuation because of a pending petition, and all we're asking for is that that school district be treated like every other school district in the State of Illinois and that the people in Joliet have a chance to vote on losing a hundred and sixty million dollars worth of assessed valuation, I might say to you, a very fair and a very equitable request.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senator Sangmeister, I'm...I'm sorry that you...that you amended what was otherwise a...a very good bill, one that you and I worked together on and I think came up with a...with a reasonable agreement on and was a good bill. And I guess further, it bothers me that I don't know how many other places you have this amendment, but there is a bill alive and well, 2202 which is on the Calendar, which I think

would address this issue on its own merit and probably that's the way we should do it. I...I think we're going to have to just defeat this bill because of the amendment.

PRESIDING OFFICER: (SENATOR DEBUZIO)

Further discussion? Senator Sangmeister may close.

SENATOR SANGMEISTER:

Well, Senator Maitland, if you want to commit to me a vote on 2202 when it's called, why then we can...we can certainly make other provisions in this bill. Just let me say to this General Assembly that I rise and ask for your support on this bill, only as a matter of fairness and equity. Because of the differences that you hear when Senator Joyce rise and Senator Etheredge, they represent part of a...a school district that has petitioned to take away a hundred and sixty million dollars worth or assessed valuation from Joliet Township High School. What that means is, that school district will have to fire some sixty teachers if in fact that happens. We changed the law a number of years ago in fairness, as we should have done at that time, to say that when you're taking assessed valuation away from a district, you ought to be able to at that point have the people who are losing the assessed valuation vote on it. That's all we're asking for, let the petition go forward, let the people decide, but my God, don't you think that the people that are losing that assessed valuation have as much right to vote on it as the people who are getting it? That's the current law, all we're asking for is that you take off the grandfather clause and let that be the law and let the people of Joliet survive.

PRESIDING OFFICER: (SENATOR DEBUZIO)

The question is, shall House Bill 242 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? Have all voted who wish?

Take the record. On that question, the Ayes are 28, the Nays are 20, 4 voting Present. House Bill 242 having failed to receive the required constitutional majority is declared lost...Senator...Senator Sangmeister requests postponed consideration. 243, Senator Fawell. House bills 3rd reading is House Bill 243, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 243.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Fawell.

SENATOR FAWELL:

Thank you, very much. This bill really does two things. Number one, it defines secondary education and the definition says that a...it is a school district so attendance centers...center serving grades nine through twelve or grades ten through twelve. There was an amendment added on to it that if a...there is a shortage...teacher shortage in any particular subject matter, the teacher qualified to teach...the State of Board of Education may make an...may make an exception to the citizenship requirement, and they also may make an exception to the citizenship requirement if there has been extenuating circumstances for delaying the ability of the holder of the certificate to file for declaration of intent to become a citizen. Be glad to answer any questions and otherwise I solicit an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Rock.

SENATOR ROCK:

Thank you, Mr. President. I would only point out to the membership that a similar bill, as I recall, failed to pass this Senate, I don't recall, I was just going to look it up. 607, is that...sponsor will yield, is that correct?

PRESIDING OFFICER: (SENATOR DENUZIO)

Senator Fawell.

SENATOR FAWELL:

The...yes, I guess it is, the sponsor of the amendment says it is.

PRESIDING OFFICER: (SENATOR DENUZIO)

Further discussion? (Machine cutoff)...Fawell may close.

SENATOR FAWELL:

I just solicit an Aye vote.

PRESIDING OFFICER: (SENATOR DENUZIO)

All right. The question is, shall House Bill 243 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...take the record. On that question, the Ayes are 52, the Nays are 1, 1 voting Present. House Bill 243 having received the required constitutional majority is declared passed. 247, Senator Watson. House bills 3rd reading, House Bill 247, Mr. Secretary, read the bill, please.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 247.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DENUZIO)

Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. House Bill 247 is just as it is mentioned in the Calendar. It provides for election...of social security coverage for township employees at a town meeting rather than elections. This passed out of committee 11 to nothing, passed out of the House 109 to nothing, supported by the township officials. The reason that they have to this, in 1980 when the consolidated election law came into

practice, it allowed...or...or said that all this had to go to referendum. Prior to that, it was all done at town meetings and we're just trying to revert to that practice...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Any discussion? If not, the question is, shall House Bill 247 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, 1 voting Present. House Bill 247 having received the required constitutional majority is declared passed. 251, Senator Netsch. House bills 3rd reading, House Bill 251. Read the bill, Mr. Secretary, please.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 251.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. This amends the Automobile Renting Occupation and Use Tax Act to increase the State rate from four percent to five percent on the various transactions. We enacted a law back in 1981 which replaced the sales tax on automobiles purchased for use as leased vehicles and...instead substituted the automobile renting occupation tax. When we increased the State sales tax to five percent a year ago or so, we failed to increase this one to keep track with it. It obviously was intended to be consistent with that and this bill accomplishes that objective.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall House Bill 251 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish?

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Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 46, the Nays are 5, 6 voting Present. House Bill 251 having received the required constitutional majority is declared passed. 257, Senator Luft. House bills 3rd reading is House Bill 257, Mr. Secretary, read the bill, please.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 257.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DENUZIO)

Senator Luft.

SENATOR LUPT:

Thank you, Mr. President. House Bill 257 addresses the Illinois Income Tax law. Illinois Income Tax law presently permits Illinois corporations who choose not to consolidate their tax returns to carry forward operating losses. Corporations who choose to consolidate, however, are not afforded that opportunity. What we're trying to do in House Bill 257 as amended is to simply treat for income tax purposes, corporations who...consolidate the same as corporations who do not consolidate on State Income Tax returns. I would try to answer any questions from the membership; otherwise, I'd move for the passage of House Bill 257.

PRESIDING OFFICER: (SENATOR DENUZIO)

Any discussion? If not, the question is, shall House Bill 257 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, 1 voting Present. House Bill 257 having received the required constitutional majority is declared passed. 262, Senator Lemke. House bill...Senator Lemke, for what purpose do you arise?

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3rd Reading
HB 262
3rd Reading

SENATOR LENKE:

Just to change the sponsorship on Senate bill...House Bill 272 to reflect Senator Savickas as a sponsor and I'm off of it. Thank you.

PRESIDING OFFICER: (SENATOR DENUZIO)

All right. With leave of the...with leave of the Body, is there leave to have Senator Lenke withdrawn as a principal sponsor of 272 and Senator Savickas added? Leave is granted. So ordered. All right. 262, is that similar request? House Bill 262 on 3rd reading, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 262.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DENUZIO)

Senator Lenke.

SENATOR LENKE:

This is...the reason...this is strictly a revisory bill and the reason it's not on the revisory...the list of agreed bills is the fact that somebody wanted to put amendment on it which turned out to be substantive and we didn't accept the amendment. So it's purely a revisory bill now and I ask for a favorable adoption.

PRESIDING OFFICER: (SENATOR DENUZIO)

All right. Any discussion? If not, the question is, shall House Bill 262 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. House Bill 262 having received the required constitutional majority is declared passed. 264, Senator Lenke. House bills 3rd reading is House Bill 264, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 264.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

What this bill is strictly a revisory bill and had a technical amendment on plus the...it was a revisory bill on the forceable detainer actions, a request of the Illinois Realtors...it prohibits the continuance for a period of five days in a forceable...unless the plaintiff requests it or the...made by the defendant who post sufficient security. I think it's a good bill, I ask for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Any discussion? If not, the question is, shall House Bill 264 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 59, the Nays are none, none voting Present. House Bill 264 having received the required constitutional majority is declared passed. 265, Senator Lemke. House bills 3rd reading is House Bill 265, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 265.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

This bill is strictly a revisory bill that was held of the list because somebody had an amendment which didn't clear through the President's Office as being revisory, and I ask for its adoption.

PRESIDING OFFICER: (SENATOR DENUZIO)

Any discussion? If not, the question is, shall House Bill 265 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. House Bill 265 having received the required constitutional majority is declared passed. 272, Senator Savickas. House bills 3rd reading is House Bill 272, Mr. Secretary, read the bill, please.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 272.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DENUZIO)

Senator Savickas.

SENATOR SAVICKAS:

Yes, Mr. President and members of the Senate, House Bill 272 and its amendment was put in in the old tradition of Abe Lincoln who was one of our greatest attorneys in the State of Illinois and, yet, never went to law school. House bill...the amendment on 272 would allow an alternate educational requirement for the ability to take the bar examine to practice law in Illinois. That alternate is the ability to get elected, serve and create and make the laws in our State of Illinois for at least ten years. This requirement is in keeping with about six other states throughout our union, California, Maine, New York, Vermont, Virginia and Washington all have alternate educational ability to take the bar examine. In California, a...instruction in law firm or correspondence law school would be one of the...one of the abilities to take the law examine. To serve under the personal supervision of a judge in the court of record in his chambers and study under him would allow you to take the bar examine.

So, six states in our union have alternate methods to allow individuals to take the bar examine. In Illinois, in 1983, twenty-seven hundred and sixty-seven students applied for the bar examine, twenty-five hundred and fifty-eight passed. In '84, twenty-nine hundred and forty-six applied for the examination, twenty-four hundred and eighty-six passed. So far in 1985, nine hundred and twenty-nine have applied, eight seventy-nine have passed. Here in the Illinois Senate, we have thirty-five persons that have at least ten years service; of that thirty-five, fourteen are attorneys already. So we're talking about approximately twenty-one people that would be eligible to take the bar examine. There are...approximately thirty-eight people in the House of Representatives that would have ten year's service or more. But out...of these twenty-one that would be eligible to take it, there is probably only four or five that are young enough, that are dedicated enough, that have served in this Body have become interested in law, not only in creating the law but now wish to go out and interpret it. There is some opposition. Jack Hayes from the Chicago Bar Association has voiced opposition but I think that's self-serving. There has been some concern from some of the educational institutions that have voiced concern but that...I think that's self serving. We are talking about one or two members of the Illinois General Assembly that would be interested and concerned and dedicated enough to pursue a career in law, and I think we should afford them that opportunity.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Is there any discussion? Senator Jeremiah Joyce.

SENATOR JEREMIAH JOYCE:

Thank you, Mr. President and members of the Senate. I rise in support of House Bill 272. Having served on a law school faculty and having had the experience to be associated

with law students and having served in this esteemed Body, we are still going to require that the applicant successfully pass a bar examine. I just want to know who those five are that Savickas is talking about so...Jones.

PRESIDING OFFICER: (SENATOR DENUZIO)

All right. Further discussion? Senator Dudycz.

SENATOR DUDYCYZ:

I have a question for the sponsor.

PRESIDING OFFICER: (SENATOR DENUZIO)

Indicates he will yield. Senator Dudycz.

SENATOR DUDYCYZ:

Senator Savickas, wouldn't it be more logical for attorneys who have served in the Legislature for at least ten years to be disbarred?

PRESIDING OFFICER: (SENATOR DENUZIO)

Senator Weaver.

SENATOR WEAVER:

Just a question of the sponsor.

PRESIDING OFFICER: (SENATOR DENUZIO)

Indicates he will yield. Senator Weaver.

SENATOR WEAVER:

Senator Savickas, do you have to be a graduate of a recognized law school in order to take the bar review course?

PRESIDING OFFICER: (SENATOR DENUZIO)

Senator Savickas.

SENATOR SAVICKAS:

No, Senator Weaver, I'm...I'm really going back with this amendment to about 1963, between 1961 and 1963, where here...where in the State of Illinois, if you were a law clerk or in a similar capacity in a law office and under personal tuition of a licensed attorney, and you could study and take the bar examine. We are just going back basically between 1961 and '63 when the law was changed that stopped this practice and it does not preclude you from going to

accredited law school. It just offers an alternate solution for those of us that are creating the law here in the Legislature.

PRESIDING OFFICER: (SENATOR DENUZIO)

Further discussion? Senator Schaffer...oh, I'm sorry, Senator Weaver wasn't finished. Senator Weaver.

SENATOR WEAVER:

You didn't answer my question, Senator. I...I said, in order to take the bar review course, do you have to have graduated from a recognized law school...the bar review course?

PRESIDING OFFICER: (SENATOR DENUZIO)

Senator Savickas.

SENATOR SAVICKAS:

No, I'm informed by my advisors...my legal advisors in the front row that all you need is money.

PRESIDING OFFICER: (SENATOR DENUZIO)

Further discussion? Senator Schaffer.

SENATOR SCHAFFER:

Well, this wouldn't force anyone who was here ten years to become one, would it?

PRESIDING OFFICER: (SENATOR DENUZIO)

Senator Savickas.

SENATOR SAVICKAS:

No, Senator, it wouldn't; and I'm...I'm reminded one of our great colleagues, Noble Lee, who was a dean of the John Marshall Law School years ago under the old law awarded degrees if you had a certain number of years as a legislator. So this practice was approved by even some of our deans of our law schools.

PRESIDING OFFICER: (SENATOR DENUZIO)

Senator Schaffer.

SENATOR SCHAFFER:

Well, I...there you had me scared, I...I was thinking

about my chances for reelection if I was...suddenly became a lawyer, but I don't think the time has quite come for this tradition to reinstate itself.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...further discussion? Senator Vadalabene.

SENATOR VADALABENE:

Yeah, thank you, Mr. President. I already have an honorary degree in law and since I had that...got that degree, I get three or four requests from my constituency thinking that I'm a lawyer. I believe that this bill would help me take care of those constituents and start making some money. I support this bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Geo-Karis.

SENATOR GEO-KARIS:

Did you tell...did you state earlier that in California, for example, if a legislator has served for ten years and he takes the bar...he or she takes the bar examination, she can...and passes it, she can qualify as a lawyer?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas.

SENATOR SAVICKAS:

No, Senator, I stated they have alternate educational requirements; in fact, California, one of our most progressive states and most liberal states, has...I think have a more liberal and less restrictive policy for taking the bar examine. One...one of the items is that you may have studied law diligently and in good faith for at least four years, and it lists which studies shall be in a law school or in a law office, in the chambers under the personal supervision of a

judge, by instruction from a correspondence school or any combination of the above. I think we're talking about, basically, allowing an alternate educational requirement method to be met for those that have diligently served in the Legislature creating the laws and have found after that they do have an interest in interpreting the laws that they've created.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, I cannot feel...help but feel that perhaps maybe we should pass this...this bill so that you can understand what lawyers really go through; however, if I went ahead and...and voted for this bill, I think they would send a psychiatrist to me because considering some of the legislation we've passed in...for ten years, I don't know very...that we would qualify very much as, shall we say, area died and intelligent people. However, I think the Senator is...to be commended because I'm sure this bill will make it...itself found in Time magazine or Newsweek 'cause it is unique. But if you could have assured me that California would recognize my Illinois license so I can go and live there and practice law, I'd go along with you bill, but, unfortunately, California doesn't work that way, and therefore, much as you...I...I'd be happy to leave you...pay my transportation but, anyway, all I'm saying is...and my minority leader will contribute the biggest bulk of it. But the point is...the point is that I do think that we do not qualify ourselves as lawyers just being here by...for ten years. I qualify already, I've been twelve years but I am lawyer, but I'm telling you right now, it might be a good thing to pass this bill just to see what you can do with it but I don't think it's the time for it. So I vote...I speak against it.

PRESIDING OFFICER: (SENATOR DENUZIO)

Further discussion? Senator Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Would the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DENUZIO)

Indicates he will yield. Senator Hall.

SENATOR HALL:

Senator Savickas, if you remember that Senator Philip, Senator Vadalabene and you and also Senator Newhouse, who is a lawyer, came along and so did Charlie Chew. Now, we've been here approaching nineteen years but the thing that worries me is when you said young enough. What do you mean young enough?

PRESIDING OFFICER: (SENATOR DENUZIO)

Senator Savickas.

SENATOR SAVICKAS:

Those that are young enough to actively pursue a new career after they've served at least ten years here in the Legislature. I'm sure that's...that would more than qualify you, and I'm sure that as you think about retiring from one career as a legislator, you may seek to pursue another career as a progressive, promising young attorney.

PRESIDING OFFICER: (SENATOR DENUZIO)

All right. Further...further discussion? Senator Berman.

SENATOR BERMAN:

I really stand in...with hesitancy because I hoped that my comments really wouldn't even be necessary. Every Session a bill comes along that the media jump on and overshadows the other five thousand pieces of legislation that we give serious attention to. I hope that the frivolity of the remarks is actually frivolity and that we don't move forward to pass this bill, because it will probably be the bill that

everybody will be remembered by if, in fact, it does pass. I think that there...the service in the General Assembly is a distinguishing, honorable, challenging effort. I would...suggest to my colleagues, it does not take the place of law school and I hope, although, I...compliment the sponsor on being unique and...and giving us something to think about, I hope that upon reflection, we reject the bill.

PRESIDING OFFICER: (SENATOR DENUZIO)

All right. Further discussion? Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I rise in opposition, obviously, to House Bill 272 both substantively because I think it is...it does not help any of us, but more than that, I guess, procedurally and I say procedurally for a reason. There were a series of probably twenty-five bills which purported to be revisory in nature and amendments have been successfully resisted to virtually all, not all, but virtually all on the basis that they truly were revisory. It was an attempt by the Commission on the Revision of State Laws to literally bring the...the codification up to date, and so many of us were not on the Floor when an amendment which purported to be technical was submitted to this bill; and more than that, let me say that we have, in my judgment, by virtue of this action and previous action and action I guess that we have already done again today literally destroyed any attempt in future Sessions to have a series of revisory bills if we are to allow this to go on. Not fifteen minutes ago we voted on a bill that was a revisory bill, and I voted also for a reason, to deny poor people, people who are unable to pay their rent a continuance of more than five days in a forceable entry action. I'm not sure any wanted to do that, particularly those who stand here day after day and purport to represent

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those who are unable to otherwise to represent themselves, but that, too, was an amendment to a revisory bill. What I'm suggesting that this is a very dangerous practice and one we ought not get involved in and so I urge an No vote to House Bill 272.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Savickas may close.

SENATOR SAVICKAS:

Yes, in closing, Mr. President and members of the Senate, I would remind you that this is not a unique concept, six other states in our union have alternate educational requirement proposals. There are approximately forty-five thousand one hundred and seventy-one registered attorneys in Illinois. So you're talking about a very minute percentage of any new attorneys that would be qualified to practice, and this is permissive, they must pass a bar examination, that's all it says. It says that if you have ten year's service and you had worked diligently and learned your lawmaking properly, that you have the ability to take the law...the bar examine to become a practicing attorney. I would solicit your support in this legislation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. The question is, shall House Bill 272 pass. Those in favor will vote Aye. Those opposed No. 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 11, the Nays are 39, 5 voting Present. House Bill 272 having failed to receive the required constitutional majority is declared lost. 275, Senator Lenke. 300, Senator Rock. On the Order of House Bills 3rd Reading is House Bill 300. Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 300.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Bill 300 would establish the community right-to-know and it's premised on the matter of public policy that people in our State, the citizens of Illinois, have a fundamental right and need to know the potential hazards of priority chemical substances. House Bill 300 would provide adequate information, we hope, with respect to priority chemical substances which are outlined in the provisions of 300 when they are discharged, emitted or disposed of into the environment of Illinois. This bill has been substantially amended to require only those companies to adhere to the provisions of this bill which are required already to obtain a permit from the Environmental Protection Agency, and it says that by March 1, 1987, they must file a report of...a priority chemical report which will outline in an estimated way, those discharges and emissions which may to the citizenry of the county be harmful. We have amended this bill at the request of some in the chemical industry who have attempted to suggest, and I think with some justification, that they are a little leery of estimates and so they wanted a tightening up and we have done that. And what it says effectively is once you file these annual reports, if there's no change from year to year, you can file a...an affidavit which says,...we're essentially doing the same thing with the same amount of these kinds of chemicals as we did last year, and that that information is to be compiled by the agency and there's to be a report...a summary report summarizing the...information which will be distributed to the chief executive officer of each county and to local health depart-

ments and to the members of the Illinois General Assembly. We last year argued long and hard about a worker's right to know...know those substances around which or...with which he was working, and now it seems to me it's time to...take the necessary next step, and the necessary next step is to say to those companies who are required already to file for permit with the EPA that we want to know what priority chemicals among those eighty-two that are listed that you emit or discharge or store on your premises, wouldn't have to draw any conclusion from that. The fact is we have a right to know and that's all this bill does, and I would urge an affirmative vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Welch.

SENATOR WELCH:

Question of the sponsor, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Welch.

SENATOR WELCH:

Senator Rock, does this include an emergency response plan for the local communities in case something does go wrong in a plant?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

It does not in that...the provisions for that kind of plan, as I understand it, were today amended into House Bill 1436, because, as I indicated when Amendment No. 1...was previously offered, those are literally two different subject matters and are...are to be dealt with, in my judgment, independently. I think once the information is...is filed with the Environmental Protection Agency and the citizenry have a right to go and inspect those files, and further the agency will summarize and send it to the local health department, I

think at that point, the chief executive of the county and...and those other...officials who are involved can then make...whatever kind of plans they feel are necessary.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Another question, does the bill...House Bill 300 include any requirements that businesses use estimates of the amount of...of pollution to be created through the air or in the water, and if they are estimates, what are those estimates to be based on?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Yes, at the top of page 5, it does call for estimates because I'm not sure anybody can be absolutely definitive. So it says, "Businesses shall conduct engineering estimates using reasonably available methods to adequately determine the quantities of priority chemical substances that are emitted or discharged into the environment and contained in waste materials."

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

The...if the estimates are low, is there a penalty on the...on the company for making a...a low estimate or...and if so, what's the penalty?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

There's no penalty whatever unless the...the lowball of an estimate or the inaccurate estimate is willful knowing and repeated. Absent any willfulness any knowingness or any repetition, there's no penalty whatever.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Rigney.

SENATOR RIGNEY:

Well, very briefly, Mr. President, I just want to say to the Body that this really is not a right-to-know bill. It never was from the outset and I don't believe that it is right now, and if we go home and tell our voters back home that somehow we voted for 300 with the idea that we voted for right-to-know, we're kind of misleading them on the subject. Furthermore, as I think Senator Welch's questioning has brought out, this is not an...an emergency response bill either...I would do nothing, for instance, to take care of the type of situation that a...arose in Bhopal, it just simply isn't a part of this legislation, and we will have to look to 1436 if we're going to have that type of an emergency response bill. Basically, it's a smokestack bill and kind of a poor smokestack bill at that, because apparently what we're going to be...relying upon here is a lot of estimates upon what's coming out of these various smokestacks without really knowing in most cases what is taking place. If we truly are going to annually test these smokestacks for what's coming out of there, I understand the cost for one of these tests can run somewhere in the range of seventy-five to a hundred thousand dollars for one annual test. I think that is rather unreasonable to suggest that we're going to ask business and industry to foot those kind of costs to produce a lot of statistical evidence that really isn't going to point to anything. It isn't going to be of much good to anyone once it's been accumulated, because once it has been accumulated, it becomes nothing more than kind of a mountain of paper work that stops at that particular point. So, I guess, unless you can somehow be convinced that there some...cause and effect relationship between these emissions on one hand and health problems on the other, frankly, I don't know what we're look-

ing for when we're accumulating the...the type of paper work that we are under...under House Bill 300. I think it's a poorly thought out piece of legislation and I hope that we're going to seriously consider giving it a red vote.

PRESIDING OFFICER: (SENATOR DENUZIO)

All right. Further consideration...or discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, Mr. President, Ladies and Gentlemen of the Senate, I fully thought and have agonized over this bill, House Bill 300, and I thought maybe the amendment would make it a better bill but after studying the amendment on the bill, I find it makes it worse. Now under this bill the big companies have the necessary money to quantify, I suppose, the various chemicals, but still, the little companies, the little businesses that I represent, they can't possibly afford it. We're trying to encourage business to come in here, we also have the Pollution Control Board that upon the proper petition can look into all these chemicals if they have to, and I don't know that we are going to do any better by passing this bill. I do feel that this bill since it lacks, absolutely lacks the response for emergency plan is bad, and not only that, there is no planning to avoid chemical disasters such as Bhopal and the Union Carbide plant in West Virginia...situation in West Virginia; and I can honestly tell you that I was very close to voting for this bill, and I wouldn't tell my side of the aisle how I was going to vote, but in all due respect to the sponsor and in...in view of the common sense approach that I think we have to have about business 'cause we can't have it both ways, I do feel the...feel that the Pollution Control Board is the avenue which we should go through instead of adding more piles of paper work, because we don't encourage business to stay here with piles of paper work, and then I think perhaps we can do a better job of...of safeguarding the

lives of our people, and, therefore, I regret but I have to speak against this bill as amended.

PRESIDING OFFICER: (SENATOR DENUZIO)

All right. Further discussion? Senator Rock may close.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I hate to engage in the same dialogue we had the other day, Senator Geo-Karis, but the fact is all the smaller companies about whom you're so concerned, your concern is justified and they have been removed from the provisions of this Act. And further I might say, that perhaps to a certain extent, I will agree with Senator Rigney that it's awfully difficult to measure with...with some degree of...of perfection emissions. But emissions is only one part of this bill and we have deliberately said, do the best you can. Given the technology...the companies...who are covered by this legislation now enjoy, give us your best estimate, take your best shot and unless you are willful in...in lying to us repeatedly, you're fine, just give us your best shot. But what's important, I think, is that there...there should be a way if there is not, and I suggest there is, there should be a way certainly to determine and report the amount of discharge of priority chemical substance into surface waters, ground waters and deep wells, they should know what they're doing in that respect. There should be a way to measure a discharge of priority chemical substances into the surface impoundments or into pits. If you're throwing this junk out wholesale, somebody ought to know how much you're throwing out and there certainly ought to be a way to...to list the priority chemical substances that are stored at your facility at any one time. I just think that...we...we are either going to accept the premise that the community has a right to know or they don't, and to label this as a smokestack emission bill is simply inaccurate. We are saying to you busi-

nesses who file permits with the Environment Protection Agency, that if you store, discharge, emit these chemicals, eighty-two of them that are virtually all carcinogens, we have a right to know. Now, either accept the premise that we have a right to know or you don't, and I would urge an Aye vote.

PRESIDING OFFICER: (SENATOR DENUZIO)

The question is, shall House Bill 300 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 26, the Nays are 24, 6 voting Present. House Bill 300 having failed to receive the required constitutional majority is declared lost. 304, Senator Berman. Senator Maitland, for what purpose do you arise?

SENATOR MAITLAND:

Mr. President, having voted on the prevailing side on House Bill 300, I move to reconsider the vote by which that bill failed.

PRESIDING OFFICER: (SENATOR DENUZIO)

All right. Senator Maitland moves to reconsider...having voted on the prevailing side, moves to reconsider the vote by which House Bill 300 failed. Senator Rigney moves to Table. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. The motion is Tabled. 304, Senator Berman. House bills 3rd reading, bottom of page 5, is House Bill 304. Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 304.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DENUZIO)

Senator Berman.

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2nd Reading

SENATOR BERMAN:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Bill 304...is one of a series of bills dealing with alzheimer's disease. This bill requires the Department on Aging to administer three-year pilot project grants for the development of specific services to meet the needs of victims of alzheimer's disease or related disorders, including adult day care crisis intervention, respite, home companion and home nursing services. I'd be glad to respond to any questions. I solicit your Aye vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall House Bill 304 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record.

PRESIDENT:

And on that question, there are 55 Ayes, no Nays, none voting Present. House Bill 304 having received the required constitutional majority is declared passed. The hour of six having arrived, we'll return and revert again to the Order of House Bills 2nd Reading. If you'll turn to page 67 on the Calendar, pursuant to leave earlier granted, we return to 2nd reading for the consideration of House Bill 1000, Senator Joyce. On the Order of House Bills 2nd Reading is House Bill 1000. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1000.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Are there amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator Joyce.

PRESIDENT:

Senator Joyce.

SENATOR JEROME JOYCE:

Thank you, Mr. President. Two years ago, when we passed the Employee Right-to-know Act, we acted only after a long series of negotiations between the labor movement and the employee community. As a result of these negotiations, the in-product was a bill which was clearly workable for both labor and employee perspective. All this amendment does is continue certain reporting requirements with the employee community...that the employee community had accepted at that time is not being erroneous and requirements which might otherwise be preempted as a result of a Federal court decision.

PRESIDENT:

Senator Joyce has moved the adoption of Amendment No. 1 to House Bill 1000. Is there any discussion? Senator Fawell.

SENATOR FAWELL:

Will the sponsor yield for a question?

PRESIDENT:

Sponsor indicates he'll yield, Senator Fawell.

SENATOR FAWELL:

Are you saying that what we're trying to do with this amendment is possibly overruling a...a Federal court decision?

PRESIDENT:

Senator Joyce.

SENATOR JEROME JOYCE:

We are...we are bringing this into line with the Federal court decision. We are deleting the rest of the stuff that was in it.

PRESIDENT:

Further discussion? Further discussion? If not, Senator Joyce has...Senator Keats.

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2nd Reading

SENATOR KEATS:

...you're doing away with the rest of the bill, I mean, what's in 1000 you're doing away with, which I'm hoping...what I'm saying is, is your amendment going on and doing away with the rest?

PRESIDENT:

Senator Joyce has moved the adoption of Amendment No. 1 to House Bill 1000. Further discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 2 offered by Senator Schuneman.

PRESIDENT:

Senator Schuneman on Amendment No. 2.

SENATOR SCHUNEMAN:

Thank you, Mr. President. Amendment No. 2 simply allows the EPA to reduce the number of samples required from a community water supply system serving twenty-five to a thousand persons. This is the language which we've been trying to work out with EPA and is basically what was included within Senate Bill 924 that got hung up in the House.

PRESIDENT:

Senator Schuneman moves the adoption of Amendment No. 2 to House Bill 1000. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDENT:

3rd reading. 1529, Senator Collins. Senator Collins.

ACTING SECRETARY: (MR. FERNANDES)

House...

PRESIDENT:

Do you wish the bill read?

SENATOR COLLINS:

Yeah.

PRESIDENT:

On the Order of House...

SENATOR COLLINS:

...let me have a point...today is the last day for bills on 2nd reading?

PRESIDENT:

Today...this is it, yes.

SENATOR COLLINS:

Okay, then, let me say this, I would have the bill read and then moved to 3rd reading and bring it back to 2nd reading. Now, it's my understanding, I have some conflict, that there is a tentative agreement, and then I've heard that there is no agreement, but I will move the bill with the understanding that it will not move off 3rd reading till such time that there is an agreement by all parties concerned.

PRESIDENT:

Senator Hudson.

SENATOR HUDSON:

Thank you, Mr. President. With all due respect to Senator Collins...and I don't know that there is a thing that I can do about what she may want to do with this bill except to remind her that if she moves it, she does so in violation of an understanding...clear understanding we had in committee that this bill which is a vehicle bill for police and fire collective bargaining would not be moved, repeat, would not be moved unless all parties had agreed. It would not be moved from 2nd to 3rd unless police had signed off on it, fire had signed off on it and presumably other parties namely municipalities and others interested in this measure. It is a highly significant bill, but that was our understanding, our covenant, if you will, in committee. So I would simply remind Senator Collins, with all due respect, of that under-

HB 1529
2nd Reading

standing and there has, it seems to me, been plenty of time from our last committee meeting to this for police...the police and fire to arrive at some understanding, if they were going to arrive at that understanding which apparently they have not done.

PRESIDENT:

All right. The sponsor requests that the bill be read a second time. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1529.

(Secretary reads title of bill)

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

PRESIDENT:

Senator Collins on Committee Amendment No. 1.

SENATOR COLLINS:

The Committee...Amendment No. 1 was a technical...amendment. I think it merely changed the effective date of the bill so that the bill could in fact go back to the House.

PRESIDENT:

All right. All right. Senator Collins moves the adoption of Committee Amendment No. 1 to House Bill 1529. Discussion? Senator Watson.

SENATOR WATSON:

I'd just like to ask the sponsor, Mr. President, if what my colleague here said was fact. Is it...if she made a commitment, I mean, what do we have to live by here if it isn't our word and commitments we make, and if she made that commitment then, I think she is...should think twice about what she is doing.

PRESIDENT:

Senator Collins.

SENATOR COLLINS:

Yes, let...let me say that there...there is a...you know,...a commitment to hold this bill and that this bill will not be moved until such time there is an agreement. Today is the last day and it's my understanding negotiations has in fact been constantly going on, that there is an amendment now being drafted and if we don't move it and move it back, then there won't be an opportunity to put the amendment on, that is my understanding. So that's why I'm...I...I...suggest that we move it to 3rd, then we'll move back for amendment, but my...my commitment is still not to move this bill out until such time there's agreement still stand. I will not move for passage of this bill until that time.

PRESIDENT:

Senator Watson..

SENATOR WATSON:

Okay...fine, but is that amendment an agreed amendment...by all parties, as Senator Hudson mentioned, or it...is there going to be some problems with it? If there's some problems with it, it certainly isn't agreed and you ought to keep bill on 2nd reading. A commitment is a commitment, I don't what else we have to...to offer...our fellow members other than our word. We can't do that, why, we haven't got a whole a lot.

PRESIDENT:

Further discussion? Senator Karpiel.

SENATOR KARPIEL:

Yes, thank you, Mr. President. First of all, I just want to reiterate that there was a commitment in committee not to move the bill until there was a...an...amendment...an agreed amendment. But beyond that, inasmuch as we have bills on the recall list today that were brought back and amended and then put back to 3rd, and it was stated, I believe, earlier today by you or whoever was in Chair that we would not

vote on those recall bills today. If we do in fact move this to 3rd and it's on a recall list tomorrow and it is brought back for amendment, will we then be able to...vote on it tomorrow?

PRESIDENT:

Yes.

SENATOR KARPIEL:

Why will the rules be different for tomorrow then for today?

PRESIDENT:

Because tomorrow is the last day to consider House bills on 3rd reading and we attempt to afford the members the opportunity to call their bills. They will be held till...as they have in the past years be held until the end of the call, but the fact is that every member will have the opportunity insofar as humanly possible tomorrow to get to his or her bill. Senator Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. We certainly do have a rule here and...as...as stated but when you're at the last day that we're here right now, and if I understand Senator Collins what she has...has reiterated was that if there is no agreement, the bill will not be called and that's the understanding that you have around here if you make an agreement, but here you run into the eleventh hour and you run into a crunch...suppose there is an agreement worked out and the bill is sitting over on 2nd reading, the bill is dead, that's the only thing. The reason that we do...and I think that everyone around here...is good as their word, that's the only thing that I see is that it would be unfair really to say she has made a commitment to you, she has told you she will not call the bill for passage, and that's the understanding that I think that most of us operate around here.

HB 1814
2nd Reading

PRESIDENT:

All right. Senator Collins has moved the adoption of Amendment No. 1 to House Bill 1529. Further discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. On the Order of House Bills 2nd Reading is House Bill 1814. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1814.

(Secretary reads title of bill)

3rd reading...or 2nd reading of the bill. The Committee on Agriculture, Conservation and Energy offers Amendments Nod. 1 and 2.

PRESIDENT:

Senator Bloom on Committee Amendment No. 1.

SENATOR BLOOM:

Yes, Mr. President, I think what we want to do is to Table those two committee amendments because we have worked out some language that I think is now acceptable to all hands. The most expeditious way to proceed would be to Table the committee amendments and then put on the two Floor amendments.

PRESIDENT:

All right. Senator Bloom has moved to Table Committee Amendments...Committee Amendment No. 1. All in favor of the motion to Table indicate by saying Aye. All opposed. The

Ayes have it. The amendment is Tabled. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 2, by the Committee on Agriculture.

PRESIDENT:

Committee No. 2, Senator Bloom.

SENATOR BLOOM:

Would Table that as well, Mr. President.

PRESIDENT:

Senator Bloom moves to Table Committee Amendment No. 2 to House Bill 1814. Any discussion? If not, all in favor of the motion to Table indicate by saying Aye. All opposed. The Ayes have it. Amendment No. 2 is Tabled. Are there further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDENT:

Are there amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 3 offered by Senators Bloom, Netsch and J. J. Joyce.

PRESIDENT:

Senator Bloom.

SENATOR BLOOM:

Thank you. This amendment was a...an essentially technical amendment which reworked the statement...clarified the statement of purpose at the beginning of this article and then made various changes that were suggested and that came to the attention of both the utility staff and the Senate committee staff, and it addresses, also, the fiber optics issue and the telecommunications...the co-ops and, I believe, has clarifying language on...inexpensive...inexpensive pricing and adds that...clarifies and makes certain that competitive service in no way...is being subsidized by non-competitive services. And, finally, provides at the discre-

tion of the commission information from cost studies be accorded proprietary treatment, and takes care of the problem of carriers that have no telephone number by using customer account number. I'm oversimplifying but that's basically the thrust of this amendment. Answer any questions, otherwise, seeks its adoption.

PRESIDENT:

All right. Senator Bloom has moved the adoption of Amendment No. 3 to House Bill 1814. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 4 offered by the same sponsor.

PRESIDENT:

Senator Bloom on Amendment No. 4.

SENATOR BLOOM:

Thank you. Before I explain the amendment, I would request that the face of the bill, the synopsis does not accurately describe it, it should read, "Universal Telephone Service Protection Act of 1985." I...would seek to have that changed later on. This amendment essentially...the issue that you all were getting beaten over the head on and that we, Senator Netsch and I, have...and Senator Joyce have lived with, was the question of whether or not AT & T could designate itself as competitive to the disadvantage of the other common carriers. The representatives of these groups sat down Friday and over the weekend and negotiated back and forth right up until I would say two and a half hours ago, and this amendment represents the compromise that they have reached which basically says that prior to the...August of 1987, if you try and change and designate yourself as competitive that you have to follow some front-end procedures with the commission. It also says that the commission

shall...the Commerce Commission shall study the need to retain mandatory prior approval and shall report to us. It basically puts off for a couple of years this issue. I think it's a good compromise. I'll answer any questions, otherwise, seek the adoption of this amendment as well.

PRESIDENT:

All right. Senator Bloom has moved the adoption of Amendment No. 4 to House Bill 1814. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDENT:

3rd reading. If I can have the attention of the membership, we will begin now on page 64 on the Calendar, the appropriation chairman and minority spokesman and the leadership have agreed that if we can read the House bills...the House bills on 2nd reading a second time, we will save a legislative day and we will not be required to deal with appropriation bills tomorrow but, on the contrary, can deal with them on Wednesday. And so we will read the bills, there will be no amendments...no amendments will be read in or offered. We will just merely read the bills a second time and the bills will remain on the Order of House Bills 2nd Reading, having been read a second time, and so on Wednesday we can handle the appropriation bills in accordance with our rules. (Machine cutoff)...Senator Luft, for what purpose do you arise?

END OF REEL

REEL #7

SENATOR LUFT:

...for announcement...for announcement, please, Mr. President. Can I make an announcement?

PRESIDENT:

All right...I...suppose. Go ahead.

SENATOR LUFT:

Before everybody starts scattering, I'd just like to make the announcement that tonight at Lanphier Park is Senate President Phil Rock's Night. The admission is two dollars. It admits the whole family and apparently somewhere around seven o'clock if...if anybody's there, the State Treasurer is going to sing the National Anthem and that may be worth the two dollars admission in itself, but I would like to make that announcement.

PRESIDENT:

Sure. Senator Joyce, for what purpose do you arise?

SENATOR JEROME JOYCE:

Thank you, Mr...Mr. President and members of the Senate. I ask leave of the Body to be added as a hyphenated cosponsor to House Bill 334.

PRESIDENT:

334, gentleman seeks leave to be added as a hyphenated cosponsor. Without objection, leave is granted. Senator Lechowicz, for what purpose do you arise?

SENATOR LECHOWICZ:

Well, I'd...like to add to Senator Luft's announcement that the proceeds from that...tonight's baseball game goes to a very worthy cause, Father Smith in Maryville Orphanage, and if you can't make Sunday's event and you haven't contributed, tonight would be a good way to do it. Thank you.

*Note on agreed
Bill List*

PRESIDENT:

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

SENATOR DUDYCYZ:

I ask leave of the Body to be added as a hyphenated co-sponsor with permission of the chief sponsor to House Bill 1529.

PRESIDENT:

All right, 1529, the gentleman seeks leave to be added as a cosponsor. Is leave granted? Senator Bloom, for what purpose do you arise?

SENATOR BLOOM:

Well, I just wanted to add, Mr. President, that if you do go to the game tonight, you'll have the opportunity not only to meet Pete Vannocen, the owner of the Peoria Chiefs, who's a great guy, but you might even have a chance to meet a...a beer distributor from Flora. Thank you.

PRESIDENT:

Senator Macdonald, for what purpose do you arise?

SENATOR MACDONALD:

Well, Mr. President, as you know, Maryville is also in my district and I...I guess I was unaware, I don't know, where I've been that this ball game was going to take place, but where...where is it taking place?

PRESIDENT:

There...there's a slip that we will be happy to provide you. All right, prior to going to House bills 2nd reading for the purpose of reading a second time the appropriation bills, earlier today while we are still with leave of the Body on the Order of House Bills 3rd Reading, Mr. Secretary...earlier today was the Agreed Bill List, commencing at page 27, was read a third time. All right, so the next roll call will be on final passage of the Agreed Bill List as read by the Secretary. All right, Mr. Secretary, have any motions been filed to remove bills on the Agreed Bill List?

SECRETARY:

Yes, Mr. President, the following bills have been removed by...either by five members, the sponsor or by recall: 146, 241, 626, 627, 704, 787, 898, 922, 952, 1086, 1106, 1285, 1393, 1453,...1961, 1970, 1977, 2108, 2182, 2226 and 2446 which is a total of twenty bills.

PRESIDENT:

Objections have been filed to those bills. Those objections will be honored and the bills will revert to the Order of House Bills on 3rd Reading and appear there on tomorrow's Calendar. So, the question is, shall the series of bills read in the Agreed Bill List earlier today excepting those bills that were just removed either by action of the sponsor or by request of...of five members pass. Those in favor of the Agreed Bill List as modified 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? On that question, there are 59 Ayes, the Nays as recorded in the Office of the Secretary of the Senate, and the same voting Present, this series of bills having received the constitutional majority by record vote is declared passed, and the record vote of the Ayes and Nays for each bill passed shall be entered in the Journal. Senator Poshard, for what purpose do you seek recognition?

SENATOR POSHARD:

Yes, thank you, Mr. President. With leave of the Body, I have permission of the sponsor to be included as a hyphenated cosponsor of House Bills 522, 627 and 1645.

PRESIDENT:

All right, gentleman seeks leave to be added as a cosponsor of the...I don't have the...give me the numbers. 522,...Senator Chew, for what purpose do you arise?

SENATOR CHEW:

Oh, after the business of today, Mr. President, we want

*MS 1070
2nd Reading*

to make known that our esteemed colleague, Mrs. Margaret Smith is having a little chat-n-chew over at the State House Inn starting as six-thirty until nine and would like to have you come over and chat-n-chew with the second Senator Smith here in Springfield.

PRESIDENT:

All right, thank you, Senator Chew. Senator Poshard has sought leave of the Body to be added as a cosponsor on House Bills 522, 627 and 1645. Without objection, leave is granted. On the Order of House Bills 2nd Reading, Mr. Secretary, the top of page 64, the appropriation bills will be read a second time. At the conclusion of that reading, we will adjourn until nine o'clock tomorrow morning, nine o'clock tomorrow morning. Tomorrow is the last day and so I ask everybody to be present and prompt.

SECRETARY:

House Bill 24.

(Secretary reads title of bill)

2nd reading of the bill.

House Bill 143.

(Secretary reads title of bill)

2nd reading of the bill.

House Bill 342.

(Secretary reads title of bill)

2nd reading of the bill.

House Bill 362.

(Secretary reads title of bill)

...2nd reading of the bill.

...House Bill 418.

(Secretary reads title of bill)

2nd reading of the bill.

House Bill 526.

(Secretary reads title of bill)

2nd reading of the bill.

House Bill 529.

(Secretary reads title of bill)

2nd reading of the bill.

House Bill 530.

(Secretary reads title of bill)

2nd reading of the bill.

House Bill 569.

(Secretary reads title of bill)

2nd reading of the bill.

House Bill 583.

(Secretary reads title of bill)

2nd reading of the bill.

House Bill 641.

(Secretary reads title of bill)

2nd reading of the bill.

House Bill 651.

(Secretary reads title of bill)

2nd reading of the bill.

House Bill 652.

(Secretary reads title of bill)

2nd reading of the bill.

House Bill 653.

(Secretary reads title of bill)

2nd reading of the bill.

House Bill 654.

(Secretary reads title of bill)

2nd reading of the bill.

House Bill 655.

(Secretary reads title of bill)

2nd reading of the bill.

656.

(Secretary reads title of bill)

2nd reading of the bill.

657.

(Secretary reads title of bill)

2nd reading of the bill.

658.

(Secretary reads title of bill)

2nd reading of the bill.

659.

(Secretary reads title of bill)

2nd reading of the bill.

660.

(Secretary reads title of bill)

2nd reading of the bill.

661.

(Secretary reads title of bill)

2nd reading of the bill.

663.

(Secretary reads title of bill)

2nd reading of the bill.

664.

(Secretary reads title of bill)

2nd reading of the bill.

665.

(Secretary reads title of bill)

2nd reading of the bill.

666.

(Secretary reads title of bill)

2nd reading of the bill.

667.

(Secretary reads title of bill)

2nd reading of the bill.

668.

(Secretary reads title of bill)

2nd reading of the bill.

669.

(Secretary reads title of bill)

2nd reading of the...of the bill.

670.

(Secretary reads title of bill)

2nd reading of the bill.

671.

(Secretary reads title of bill)

2nd reading of the bill.

672.

(Secretary reads title of bill)

2nd reading of the bill.

673.

(Secretary reads title of bill)

2nd reading of the bill.

674.

(Secretary reads title of bill)

2nd reading of the bill.

676.

(Secretary reads title of bill)

2nd reading of the bill.

678.

(Secretary reads title of bill)

2nd reading of the bill.

House Bill 677.

(Secretary reads title of bill)

2nd reading of the bill.

679.

(Secretary reads title of bill)

2nd reading of the bill.

683.

(Secretary reads title of bill)

2nd reading of the bill.

House Bill 693.

(Secretary reads title of bill)

2nd reading of the bill.

HB 993
2nd Reading
HB 1070
2nd Reading

721.

(Secretary reads title of bill)

2nd reading of the bill.

946.

(Secretary reads title of bill)

2nd reading of the bill.

947.

(Secretary reads title of bill)

2nd reading of the bill.

993.

(Secretary reads title of bill)

2nd reading of the bill.

1011.

(Secretary reads title of bill)

2nd reading of the bill.

1040.

(Secretary reads title of bill)

2nd reading of the bill.

1070.

(Secretary reads title of bill)

2nd reading of the bill.

1097.

(Secretary reads title of bill)

2nd reading of the bill.

1110.

(Secretary reads title of bill)

2nd reading of the bill.

1247.

(Secretary reads title of bill)

2nd reading of the bill.

2239.

(Secretary reads title of bill)

2nd reading of the bill.

2240.

(Secretary reads title of bill)

2nd reading of the bill.

PRESIDENT:

Any further business to come before the Senate? If not, Senator Netsch moves that the Senate stand adjourned until tomorrow morning. Tomorrow at the hour of 9:00 a.m. Senate stands adjourned.