

84TH GENERAL ASSEMBLY

REGULAR SESSION

June 25, 1986

PRESIDENT:

The Senate will please come to order. Will the members be at their desks and will our guests in the gallery please rise. Prayer this morning by the Reverend Gay Crede, United Methodist Church, Williamsville, Illinois. Reverend.

REVEREND GAY CREDE:

(Prayer given by Reverend Gay Crede)

PRESIDENT:

(Machine cutoff)...you, Reverend. (Machine cutoff)...of the Journal, Mr. Secretary. Senator Smith.

SENATOR SMITH:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I move that the reading and approval of the Journals of Tuesday, June 17th; Wednesday, June 18th; Thursday, June 19th; Friday, June 20th; Monday, June 23rd and Tuesday, June 24th, in the year 1986, be postponed pending arrival of the printed Journals.

PRESIDENT:

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

SECRETARY:

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

Mr. President - I'm directed to inform the Senate the House of Representatives refused to concur with the Senate in their amendments to the following House bills:

House Bill 1321 with Senate Amendment 1.

2785, with Senate Amendments 1 and 2.

3351, with Senate Amendment 1.

3525, with Senate Amendment 2.

And House Bill 3549 with Senate Amendment 1.

PRESIDENT:

(Machine cutoff)...Barkhausen, for what purpose do you arise, sir?

SENATOR BARKHAUSEN:

Mr. President, on a point of personal privilege. While we're at ease, I'd simply like to introduce Leonard Enes who is a constituent of mine from Grand Wood Park. He is down here with the Lake County and Cook County 4-H Clubs. I'd ask the Senate to welcome him.

PRESIDENT:

Welcome. Will our guests in the gallery please stand and be recognized...or he's right there. Welcome.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, resolutions.

ACTING SECRETARY: (MR. FERNANDES)

Senate Resolution 1106, by Senator Topinka.

1107, Senator Topinka.

And 1108, Senator Topinka, all congratulatory.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Consent Calendar. We'll start on page 3, House bills 3rd reading. Senator Fawell, 2625 and then we will proceed right down the Calendar...there are...I think six bills on the Order of Recall, we will skip them and take them at the end of the call. On the Order of House Bills 3rd Reading, House Bill 2625, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2625.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Fawell.

SENATOR FAHELL:

Thank you, very much, Mr. President, Ladies and Gentlemen of the Senate. This bill is for the State Board of Elections and it has been reduced by six hundred and fifty-five thou-

sand nine hundred dollars, and it is at a four...four million five hundred and thirty-four thousand nine hundred dollar...level. I would ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall House Bill 2625 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? Have all voted who wish? Take the record. On that question, the Ayes are 49, the Nays are none, none voting Present. House Bill 2625 having received the required constitutional majority is declared passed. Page 4,...page 4 on your Calendar is House Bill 2688, Senator Carroll. Mr. Secretary, House Bill 2-6-8-8.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2688.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is now a vehicle bill. I would suggest we pass it so that it can be placed in conference in case...as has happened before, there is a need. It is now for one dollar and I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall House Bill 2688 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 42, the Nays are 4, 1 voting Present. House Bill 2688 having received the required constitutional majority is declared passed. 2878, Senator

Sangmeister. House bills 3rd reading is House Bill 2878, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2878.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sangmeister.

SENATOR SANGMEISTER:

Yes, this is the State Appellate Defender's ordinary and contingent expenses and the Senate reduced it two hundred ninety-four thousand, and as passed by the House, the appropriation was five million one hundred and twenty-five thousand. The appropriation as you're voting on today is four million eight hundred and thirty-one thousand two hundred dollars and I move for passage of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall House Bill 2878 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 51, the Nays are 3, none voting Present. House Bill 2878 having received the required constitutional majority is declared passed. House bills 3rd reading is House Bill 2974, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2974.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Fawell.

SENATOR FAWELL:

Thank you, very much, Mr. President. This bill is for the Department of Military and Naval and it comes in at eight

million five hundred and thirty-two thousand five hundred dollars. We reduced it a hundred and ninety-six thousand five hundred dollars and I would ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall House Bill 2974 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 52, the Nays are none, none voting Present. House Bill 2974 having received the required constitutional majority is declared passed. House bills 3rd reading is House Bill 2975, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2975.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sommer.

SENATOR SOMMER:

Mr. President and members, this bill has been reduced seventy-one thousand dollars by action of the committee and I would move its passage.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall House Bill 2975 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, none voting Present. House Bill 2975 having received the required constitutional majority is declared passed. House bills 3rd reading is House Bill 2976...is on recall. House Bill 2977. 2978, Senator Donahue. House bills 3rd reading is House Bill 2978, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2978.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Donahue.

SENATOR DONAHUE.

Thank you, Mr. President. This is the fire marshal's...ordinary and contingent expenses and it is at the level of six million five hundred and eighty-six thousand nine hundred dollars.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall House Bill 2978 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 none, none voting Present. House Bill 2978 having received the required constitutional majority is declared passed. 2979. House bills 3rd reading is House Bill 2979, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2979.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dudycz.

SENATOR DUDYCZ:

Thank you, Mr. President. 2979 provides for the ordinary and contingent expenses for the Liquor Control Commission and provides for a three million dollar transfer from the Dramshop Fund into the GRF, and I ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall House Bill 2979 pass. Those in favor will vote Aye. Those opposed Nay.

The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, none voting Present. House Bill 2979 having received the required constitutional majority is declared passed. House bills 3rd reading is House Bill 2980. House Bill 2981. On the Order of House Bills 3rd Reading, the bottom of page 4, is House Bill...2-9-8-1, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2981.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schaffer.

SENATOR SCHAFFER:

This bill would appropriate seven hundred and twenty-six thousand six hundred dollars. It is down some twenty-six thousand nine hundred dollars from introduction in the Senate.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall House Bill 2981 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. House Bill 2981 having received the required constitutional majority is declared passed. House Bill 2982, Senator Schaffer. House bills 3rd reading is House Bill 2982, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2982. ✓

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schaffer.

SENATOR SCHAFFER:

Mr. President, this bill appropriates one million four hundred and two thousand six hundred dollars. It is down some nine thousand three hundred from introduction in the Senate. I'd appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall House Bill 2982 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. House Bill 2982 having received the required constitutional majority is declared passed. House bills 3rd reading is House Bill 2983, Senator Maitland. Is Senator Maitland on the Floor? 2984, Senator Fawell. House bills 3rd reading is House Bill 2-9-8-4, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2984.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Fawell.

SENATOR FAWELL:

Thank you, very much. This is for the Guardianship and Advocacy Commission. It is for three million two hundred and thirty-four thousand five hundred dollars, a reduction of a hundred and thirty-seven thousand five hundred dollars and I would ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall House Bill 2984 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On



that question, the Ayes are 56, the Nays are none, none voting Present. House Bill 2984 having received the required constitutional majority is declared passed. 2985...Senator Maitland on the Floor?...House bills 3rd reading is House Bill 2985, Senator Maitland? House bills 3rd reading, House Bill 2985, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2985.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President, Ladies and Gentlemen of the Senate. House Bill 2985 is one of the few that has been unchanged in the House in the amount of twenty-two...two hundred and twenty-one thousand seven hundred dollars.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

The Chicago Tribune has requested leave to take still photos. Leave granted? Leave is granted. Further discussion on Senator Maitland's 2985? If not, the question is, shall House Bill 2985 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 none, none voting Present. House Bill 2985 having received the required constitutional...majority is declared passed. Senator Maitland, how about 2983? You want...all right, with leave of the Body, we'll go back and pick up 2983. Is leave granted? Leave is granted. House bills 3rd reading, House Bill 2-9-8-3, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2983.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President. House Bill 2983 has been reduced by a hundred and fifteen thousand six hundred dollars. It now is in the amount of two million one hundred and eighty-seven thousand four hundred dollars.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall House Bill 2983 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are 1, none voting Present. House Bill 2983 having received the required constitutional majority is declared passed. House bills 3rd reading is House Bill 2986. 2987 is on the recall list. 2988, Senator Donahue. All right. House bills 3rd reading is House Bill 2-9-8-8, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2988.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Bill 2988 is for the Department of Conservation. It is...after Senate action, it's a one...a hundred and twenty-nine million six hundred and eighty-one thousand two hundred dollars. There's a difference of eight million one hundred and fifty-five that the Senate has added on.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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

2988 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 2988 having received the required constitutional majority is declared passed. 2989 is on the recall list. 2990, Senator Mahar. House bills 3rd reading is House Bill 2-9-9-0, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2990.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Mahar.

SENATOR MAHAR:

Thank you, Mr. President. House Bill 2990 does, in fact, make the appropriation for the ordinary and contingent expenses of the Department of Financial Institutions to the amount of three million nine hundred forty-nine thousand four hundred dollars.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall House Bill 2990 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 none, none voting Present. House Bill 2990 having received the required constitutional majority is declared passed. House bills 3rd reading is House Bill 2991, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2991.

(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 annual appropriation to the Historical Society Preservation Agency, eleven million nine hundred and sixty-four thousand eight hundred and ninety-one dollars. Appreciate a favorable vote.  
PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall House Bill 2991 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 57, the Nays are none, none voting Present. House Bill 2991 having received the required constitutional majority is declared passed. House Bill 2992, Senator Schaffer. House bills 3rd reading is House Bill 2992. Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2992.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schaffer.

SENATOR SCHAFFER:

Mr. President, the Civil Service Commission appropriation is for three hundred and seventy-four thousand three hundred dollars down some ninety-three hundred dollars from Senate introduction. Appreciate a favorable roll call.  
PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall House Bill 2992 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. House Bill 2993 having received the required

constitutional majority is declared passed. House Bill 2993, Senator Sommer. 2994, Senator Watson. House bills 3rd reading is House Bill 2994, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2994.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Channel 20 has requested permission to tape the proceedings. Is leave granted? Leave is granted. Senator Watson on 2994.

SENATOR WATSON:

Thank you, Mr. President. House Bill 2994 is the appropriation for the Department of Registration and Education. The introduction amount was eleven million four hundred and fifty-nine thousand, we reduced that a hundred and twenty-two thousand seven hundred dollars to a final figure of eleven million three hundred and twelve thousand nine hundred dollars. I'd move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall House Bill 2994 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, 1 voting Present. House Bill 2994 having received the required constitutional majority is declared passed. House bills 3rd reading is House Bill 2995, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2995.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge.

SENATOR ETHEREEDGE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is the appropriation...for the Department of Public Aid and it appropriates three billion four hundred and two billion...million five hundred and thirty-five thousand four hundred dollars. That represents a reduction of fifty-five million two hundred and forty-six thousand five hundred dollars from Senate introduction.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Discussion? If not, the question is, shall House Bill 2995 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 48, the Nays are 4, 5 voting Present. House Bill 2995 having received the required constitutional majority is declared passed. House Bill 2996. House bills 3rd reading is House Bill 2-9-9-6, Mr. Secretary. ACTING SECRETARY: (MR. FERNANDES)

House Bill 2996.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Schaffer.

SENATOR SCHAFFER:

Mr. President, the appropriation for the Department of Public Health is two hundred and fifteen million six hundred eighty-eight thousand nine hundred ninety dollars, an increase over introduction in the Senate of some one million six hundred and seventy-seven thousand dollars. Be happy to discuss the add-ons, if not, appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Discussion? If not, the question is, shall House Bill 2996 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 wish? Take the record. On that question, the Ayes are 54, the Nays are none, 1 voting Present. House Bill 2996 having received the required constitutional majority is declared passed. House bills 3rd reading is House Bill 2997, Senator Kustra. House bills 3rd reading, House Bill 2-9-9-7, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2997.

(Secretary reads title of bill)

3rd reading of the bill.

SENATOR KUSTRA:

Thank you, Mr...

PRESIDING OFFICER: (SENATOR DEMUZIO)

...Senator Kustra.

SENATOR KUSTRA:

...thank you, Mr. President and members of the Senate. This is the appropriation for the Department of Rehabilitation Services. There were three committee amendments, the first one eliminated House add-ons. The second one reallocated some Federal dollars for a new Federal grant program and the third one, introduced by the presiding officer, is a amendment that restores the two hundred thousand dollar House add-on which provides for a 9.5 salary increase for teachers at the Illinois School for the Deaf. I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall House Bill 2997 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted wish? Have all voted wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. House Bill 2997 having received the required constitutional majority is declared passed. 2998 is on the

recall list. 2999, Senator Rigney. Senator Rigney, are you ready? House bills 3rd reading is House Bill 2999, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2999.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Rigney.

SENATOR RIGNEY:

Well, Mr. President, I got an inquiry of the Chair. What...Mr. President, inquiry of the Chair. How did 2998 get on the recall list? I didn't request that.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Well, we're skipping it anyway for the moment. 2999, Senator Rigney.

SENATOR RIGNEY:

Yeah, Mr. President, I thought the sponsor made the decisions as to whether things went on the recall list...is that true?

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Well,...

SENATOR RIGNEY:

All right, we'll do 2999 and...we'll do 2999; apparently, there's no controversy with that. This is the reapprop. bill for the Department of Transportation in the amount of one billion eight hundred and sixty-five million hundred and fifty-one thousand, an overall change from the bill as it came from the House in the amount of two hundred and fifty-six million ninety-two thousand.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Further discussion? Senator DeAngelis. Your light is on, Senator DeAngelis. All right. If there's no further discussion, the question is, shall House Bill 2999 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. House Bill 2999 having received the required constitutional majority is declared passed. House bills 3rd reading is House Bill 3001, Senator Geo-Karis. House bills 3rd reading is House Bill 3-0-0-1, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill...3001.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, can we have some order, please. This will go much quicker if we pay attention. Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President, Ladies and Gentlemen of the Senate, House Bill 3001 is the budget for Department of Human Rights. It reduces it by five hundred and forty-six thousand three hundred dollars and it makes other...deductions, totaling seventy-eight thousand five hundred...eight dollars and I ask for your favorable consideration.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall House Bill 3001 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 54, the Nays are 1, 1 voting Present. House Bill 3001 having received the required constitutional majority is declared passed. House bills 3rd reading is House Bill 3003, Senator Dudycz. House bills 3rd reading is House Bill 3003, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 3003.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dudycz.

SENATOR DUDYCYZ:

Thank you, Mr. President. House Bill 3003 reduces sixty-seven thousand nine hundred dollars from the Industrial Commission's appropriation for a total of five million six hundred and twenty-nine thousand eight hundred dollars.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall House Bill 3003 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none...1 voting Present. House Bill 3003 having received the required constitutional majority is declared passed. 3004. House bills 3rd reading is House Bill 3004. Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill...3004. ✓

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Mahar.

SENATOR MAHAR:

Thank you, Mr. President. House Bill 3004 appropriates nine hundred and seventy-six thousand nine hundred dollars for the ordinary and contingent expenses of the Medical Center Commission. I move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall House Bill 3004 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish?

Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, 1 voting Present. House Bill 3004 having received the required constitutional majority is declared passed. 3005, Senator Karpel. Senator Karpel, 3-0-0-5. House bills 3rd reading, the bottom of page 6, is House Bill 3-0-0-5, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 3005.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Karpel.

SENATOR KARPIEL:

Thank you, Mr. President. House Bill 3005 provides for the ordinary and contingent expenses of the Illinois Racing Board. The...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Pardon me, Senator...Senator Karpel. Ladies and gentlemen, can we have some order, please. Can we break up the staff conferences. I can hardly hear the speaker myself. Senator Karpel.

SENATOR KARPIEL:

Thank you, Mr. President. The total appropriation is for nine million four hundred twenty-four thousand one hundred dollars which is a change of five hundred thirty-seven thousand one hundred less than it came over from the House.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall House Bill 3005 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are 1, 2 voting Present. House Bill 3005 having received the required con-

stitutional majority is declared passed. Page 7...page 7,  
top of page 7, House bills 3rd reading is House Bill 3006,  
Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 3006.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Woodyard.

SENATOR WOODYARD:

Thank you, Mr. President, members of the Senate. This is  
the annual OCE of ESDA. It's in the amount of eighteen mil-  
lion seven thousand three hundred dollars, a reduction of  
twenty-four thousand five hundred dollars. I would move for  
its passage.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall House Bill  
3006 pass. Those in favor will vote Aye. Those opposed Nay.  
The voting is open. Have all voted who wish? Have all voted  
who wish? Have all voted who wish? Take the record. On  
that question, the Ayes are 57, the Nays are none, none  
voting Present. House Bill 3006 having received the required  
constitutional majority is declared passed. House bills 3rd  
reading is House Bill 3035. Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 3035.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

Mr. President, members of the Senate, this is the annual  
appropriation of the Secretary of State's Office, a hundred  
and eighty-four million five hundred and nine thousand one

HB 3090.  
3rd Reading

hundred dollars. Appreciate a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall House Bill 3035 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. House Bill 3035 having received the required constitutional majority is declared passed. House bills 3rd reading is House Bill 3050, Senator Etheredge. House bills 3rd reading is House Bill 3-0-5-0, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 3050.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This bill appropriates one dollar to the State Board of Education. This represents a reduction of three hundred and eighty-five million eighty-five thousand one hundred and ninety-nine dollars since Senate introduction.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...all right, discussion? If not, the question is, shall House Bill 3050 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are none, 1 voting Present. House Bill 3050 having received the required constitutional majority is declared passed. House bills 3rd reading is House Bill 3090, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 3090.

(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 3090 appropriates one billion two hundred and forty-one million five hundred and sixteen thousand dollars in general revenue and Federal funds to the State Board of Education for the categorical reform and operations of that board. This level is a decrease of some one hundred and nine million dollars from the way the House sent it to us. This Body added ten amendments...total of which was some five million dollars. The two big ticket items, obviously, were the three and a half million dollars for the math-science academy and two and a half million for an increase in the gifted reimbursement program. I would seek a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall House Bill 3090 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. House Bill 3090 having received the required constitutional majority is declared passed. House bills 3rd reading is House Bill 3091. Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 3091.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 3091 appropriates one billion eight hundred and forty-five million four hundred and fifty thousand dollars in common school funds for the General State Aid Formula. It's an increase of eight and a half percent over FY '86 appropriations. Included in here is eleven million dollars for the supplementary payments to the elementary school districts and ten million dollars supplementary payments to the Chicago School District 299. Three million six hundred and fifty thousand is appropriated for summer school payments and eight...eight hundred and sixty thousand dollars for consolidation costs. The appropriation reflects the level of two thousand sixty-four dollars and twenty-three cents per pupil. I solicit your Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Karpel.

SENATOR KARPIEL:

Thank you, Mr. President. Senator, would you answer a question?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield. Senator Karpel.

SENATOR KARPIEL:

Senator Berman, is there anything in this appropriation that deals with the provisions that were in Senate Bill 2700 that did not...or House Bill...I think it was Senate Bill 2700 that did not get passed out of committee?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

No.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Karpel.

SENATOR KARPIEL:

Well, what...is the State board planning on doing about

reimbursing those school districts who have already provided the services and are not now getting reimbursed for those services?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

There was a bill that was introduced, it didn't come out of committee and what we've got to do is make a substantive change in law in order to accommodate them. I...I don't think it's going to be done this Session. We'll take a look at it next spring.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Karpziel.

SENATOR KARPIEL:

Well, I don't understand why there has to be a substantive change in law 'cause from what I understand, the State board was paying...for those of you that aren't aware of what I'm talking about, I'm talking about like orphanage or in...in the case of my school district, it...it goes over to the St. Charles Correctional Center and...and they teach the...the kids over there and they're not getting reimbursed by the State board for providing the teachers' services over there. They were until the State board changed their way of funding or of reimbursing the school district. I don't know why a substantive change is necessary. It would seem to me the State board could either change back their way of reimbursing or somehow or other provide for reimbursing these people for teaching over there.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

I have no argument with the merit of the proposal. Realistically, we're talking about a...a gap in payment that goes back ten years. We're talking about three million



dollars, I believe, roughly...five million dollars. This is not the year to make up for a...error that was made ten years ago. We'll make up for the error eleven years ago...next year. It...the money for that which is a...to a principal in an over...in a...in something that was done back in 1976 and '77 ought to be done when we've got enough money to take care of everything else. This...this is not the year.

PRESIDENT:

Senator Karpel.

SENATOR KARPIEL:

Well, I'm not going to continue the debate here but it would seem to me that we are providing money this year for new programs that we're just initiating and expanded programs, and it would seem to me that this could be the year to not do that and pay back the debt that we now owe the school districts.

PRESIDENT:

Further discussion? Senator Rupp.

SENATOR RUPP:

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

PRESIDENT:

Indicates he'll yield, Senator Rupp.

SENATOR RUPP:

Did you take the money out for the projects in the agriculture thing? Our galleries are filled with youngsters who are involved in agriculture. Do I understand that you have taken five million dollars out?

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

The questions that you're raising were addressed...should be addressed at the previous bill. This is the General State Aid Formula. The previous bill...dealt with the categorical grants and that has already been approved by the Senate.

PRESIDENT:

Senator Rupp.

SENATOR RUPP:

I'm looking at our analysis on 3091 and it says Committee Amendment No. 1, by Senator Carroll removes five million dollars from agricultural education. That's what our analysis says right here.

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

The House had five million dollars in Senate...in House Bill 3091. That money was taken out of 3091 and fifty thousand dollars was put into 3090 for that program.

PRESIDENT:

Senator Rupp.

SENATOR RUPP:

I...I sort of...I think we ought to look again at this particular thing. The absolute biggest industry that we have in Illinois is agriculture and, yet, you're giving fifty thousand dollars for training for these people going into it.

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

I couldn't agree with you more on the importance of agriculture to the State of Illinois. What I am saying to you, however, Senator Rupp, is that the line item dealing with this issue was in the bill that you just voted Aye for at a level of fifty thousand dollars. Now, I don't think that it would serve your constituents well or for you to serve them well for us to get into the debate on that line item, which I'll be glad to get into with you right here, as to the...the background and the reasons for why that was placed in 3090 as opposed to 3091. I think that many of us recognize that the problem with the question of the attention, not the funding

but the attention given to agricultural education is not here in the General Assembly but back home in those local school districts that you are so proud of defending. They've dropped the ball in my opinion.

PRESIDENT:

Senator Rupp.

SENATOR RUPP:

I'm wondering what ball they had to drop if you have fifty thousand...I...I would like to...and I'm sorry to ask for this but I would like the explanation, and I think it's deserved, why we are...as far as this is concerned doing this to the most important industry. We're not training people for it. Every other business that...of this sort, you...you...you absolutely stress the fact that we need the training. Do you think this is an easy thing? They have to have training too and I think that we are being absolutely wrong in not leaving this five million dollars in here and don't...if it's in this bill, I'd like the answer. I'd like you to go and tell us why this is...is being treated this way and I...and for blaming the local people, it's just like saying you folks in Chicago didn't do right because you didn't have the money, that's the case here. You give them...you give us the money and we'll get the training going properly.

PRESIDENT:

Senator Rupp, I just direct your attention to the bottom of page 7, House Bill 3200. Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President, Ladies and Gentlemen of the Senate. As the sponsor of Senate bill...House Bill 3200 along with Senator Demuzio and as the sponsor of the amendment which contains also the same language in 3200 that was passed by the House yesterday, will be back over here for concurrence tomorrow, I rise in strong support of the issue

to which Senator Rupp is addressing his remarks, but the concern we've had all along is that the program came in here in March, was presented to us. We saw it, we liked it, we supported it and this Body passed that bill out on 2255...Senate Bill 2255. The fact of the matter is, to carry out this program when it's eventually phased in will cost fifteen million dollars; but also, the fact of the matter is, there is no program yet this year. The bill has to go to the Governor, be signed, the committee will be selected and work in conjunction with the State board to put together a K through 12 ag. program. Now the way we do things around here is for the State board to have in place the program, put it in their budget, bring it to the General Assembly next spring where we'll...where we will then pass on it, but to put the original fifteen million dollars as suggested in now simply would be nonproductive. We have placed money in that bill to allow the State board to begin to put the program together. We're strong supporters, it'll be here next June and we'll seek...seek your support then.

PRESIDENT:

Further discussion? Senator Rupp.

SENATOR RUPP:

Are you indicating that we don't do just what you said we don't do, that we don't put the money up before a program is organized and set up? We do it all the time...all the time we do that and I just...and you know too that here...I don't care whether it's 2252 or what bill number it is, I think we should finance and get this thing going. We waited another year now, some of these youngsters will be out of school. I just think we ought to address it now and if we have to take time to do it and hold the bill and amend it back in...this came off this bill, Senator Berman, so let's put it back on.

PRESIDENT:

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

The sponsor yield for a question?

PRESIDENT:

Indicates he'll yield, Senator Geo-Karis.

SENATOR GEO-KARIS:

Since...since this...I...I agree...I concur with Senator Rupp, I don't think the removal should have taken place, but is there any assurance that you can give us that the removal of the five million dollars for agricultural education is going to be put back in in some other bill? What are we going to do about it? Are we going to do nothing? I represent farm areas myself and I'm rather concerned.

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

The allocation of the...money that was in 3090 is the amount of money that was determined to be necessary in order to move the program forward based upon the passage of the substantive bill, 2255. That is what has been appropriated for. It is...if you appropriate anything more than what has been in that bill, you're not going to be able to spend it based upon the time line of getting a meaningful program plugged into those schools. Now, you know, this is a nice election year. Senator Rupp has some constituents in the balcony, I applaud him for taking that kind of a position, but it's not...it has not been...it has not been...it was not removed for any purpose of undercutting an important segment of the educational program or the...agricultural industry of the State of Illinois.

PRESIDENT:

Senator Geo-Karis.

SENATOR GEO-KARIS:

Did you say we have a small appropriation in House Bill 3090? I see the...the analysis of 3090, I see fifty thousand

dollars for GRF funds for adult literacy in Rockford. Is that the appropriation you're talking about?

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

No, there is a line item in there. Amendment No. 15 is what was put on yesterday for that fifty thousand dollar agricultural education program.

PRESIDENT:

Senator Geo-Karis.

SENATOR GEO-KARIS:

Do I have your assurance, Senator Berman, that the...the small amount that has been put in is simply to start it out and that you will be coming back to help this fund in the future, because I think it's very important?

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

Let me tell you that you have...people that have even a greater commitment and interest...than I, the minority spokesman on the...on the Education Committee has spoken and indicated his concurrence in this bill...the bills that he has sponsored to move this program forward, and we are in support of that, nobody is trying to undercut agriculture in Illinois.

PRESIDENT:

If I can have your attention, WAND TV-Channel 17 has requested permission to shoot some film. Is leave granted? Leave is granted. Senator...further discussion? Senator Demuzio.

SENATOR DEMUZIO:

Well, thank you, Mr. President. I just want to echo what Senator Maitland has said on the other side of the aisle. Senator Rupp, if you wanted to address this problem yesterday

when we had the amendment, that was certainly an opportunity...opportune time for you to...to do whatever you wanted to do. The fact of the matter is is that we have a start-up program, we'll be back here in January. We have to honor our commitment to elementary and secondary education that we made last year and to higher education and we're having trouble doing that. So let's put the fifty thousand dollars...or if we go to conference, there's some other vehicle bills around here. If we don't go to conference on this bill, then we can continue to negotiate and I think that's the kind of agreement that most of us have...have been hoping that will take place between now and June 30th. But to get into a contest over this at this moment seems to me is...flies in the face of what we are attempting to do for vocational education in Illinois, and there's not been a stronger person in this Chamber for vocational education than what I have been.

PRESIDENT:

Further discussion? Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President. Only...to respond to the point that was made about the seniors that are now in agricultural programs and they will be...denied access to this program. Senator Rupp, the fact of the matter is, these seniors could not access that program because it simply would not be in place and that simply is not a true statement.

PRESIDENT:

Further discussion? Senator Rupp.

SENATOR RUPP:

I appreciate all this Monday morning quarterbacking, it's real easy. We've been sitting here for years and we've been talking for years about help in the agricultural end of the education process. So now we start but, that's great, we got the start and I can't do anything else except vote for the

start, but I do think that some of you should be ashamed what you're doing about taking this money out of it. If you don't think that would give a start to it, it surely would. I just think that it's...a little bit shameful to be doing this.

PRESIDENT:

Further discussion? Further discussion? If not, Senator Berman, you wish to close?

SENATOR BERMAN:

Ask for your affirmative vote.

PRESIDENT:

The question is, shall House Bill 3091 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. House Bill 3091 having received the required constitutional majority is declared passed. If I can have your attention, we have a couple of special guests and the Chair would yield to the chairman of the Senate Committee on Veteran Affairs, Senator Sam Vadalabene. Sam.

SENATOR VADALABENE:

Thank you, very much, President Rock and members of the Senate. We have with us this morning the State Commander of the American Legion, Commander Paul Breese who will say a few words. Commander.

COMMANDER PAUL BREESE:

(Remarks by Commander Breese)

SENATOR VADALABENE:

And now for a...just a few words, I would also like to...introduce Executive Director of the Amvets, Norman Bess.

MR. NORMAN BESS:

(Remarks by Norman Bess)

PRESIDENT:

I want to direct your attention to page 7. Senator



DeAngelis, for what purpose do you arise, sir?

SENATOR DeANGELIS:

A point of personal privilege, Mr. President. In the...

PRESIDENT:

State...state your point.

SENATOR DeANGELIS:

...in the gallery to the left up there we have Miss Ruth Johnson of the Christian Community. Ruth, would you stand up and be recognized. She's visiting us today.

PRESIDENT:

Welcome to Springfield. Thank you. The middle of page 7, on the Order of House Bills 3rd Reading is House Bill 3092. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 3092.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Davidson.

SENATOR DAVIDSON:

Mr. President and members of the Senate, this is three hundred and nine million nine hundred and ninety-eight thousand five hundred dollars. It's a reduction of two hundred and six million six hundred and sixty-five thousand six hundred dollars. My seatmate and I have just saved you half a billion dollars in the last five minutes. Appreciate a favorable roll call.

PRESIDENT:

The question is, shall House Bill 3092 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. House Bill 3092 having received the required constitutional majority is

declared passed. Senator Carroll, 3093. On the Order of House Bills 3rd Reading is House Bill 3093. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 3093.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is for the new employee suggestion award program. We cut the request in half. I would ask for a favorable roll call, it's two hundred and fifty thousand.

PRESIDENT:

Any...any discussion? Any discussion? If not, the question is, shall House Bill 3093 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. House Bill 3093 having received the required constitutional majority is declared passed. 3101, Senator Carroll. 3133, Senator Hall. 3191, I understand is on the recall. Top of page 8, 3253. 3255. On the Order of House Bills 3rd Reading, House Bill 3255. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 3255.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Carroll.

SENATOR CARROLL:

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

Senate. This is the ordinary and contingent expenses for the Office of the Attorney General. It is now some one hundred forty-four thousand dollars below last year's expenditures. We reduced it a hundred and twenty-two thousand. I would ask for a favorable roll call.

PRESIDENT:

Any discussion? Any discussion? If not, the question is, shall House Bill 3255 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. House Bill 3255 having received the required constitutional majority is declared passed. 3257. On the Order of House Bills 3rd Reading is House Bill 3257. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 3257.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is for the ordinary and contingent expense operations of the Judicial Branch of Government. We reduced it by some five million dollars, it is a hundred and forty-two million dollars. I would ask for a favorable roll call.

PRESIDENT:

Any discussion? Senator Keats.

SENATOR KEATS:

...thank you, Mr. President. Many of us from both sides of the aisle have been discussing the fact that the Supreme Court is the only State agency not audited by the Auditor General, the Auditor General being someone we specifically

tell to audit. Many of us do not understand why the Supreme Court feels that they are above the law that affects every other body within this State. When the Auditor General is sent to audit and report back to us on how funds are appropriated, I think it is not unreasonable that the people of this State who we represent should be aware of how the funds are spent. The Supreme Court has a private fund that they use on their own, they have made trips to Europe, they don't even deny they've made trips...the Supreme Court does not even deny that some of their members have made trips to various locations based on these funds. The funds are totally unaudited, we do not know how those funds are spent. The Auditor General's specific function is to get this information and, yet, the Supreme Court refuses to allow him to audit all their funds. For that reason, of course, he does not audit the rest of the funds, 'cause as he says, if you're the auditor, you don't have the auditee telling you what funds you can and cannot audit and how it should be run; for that reason, he refuses to audit the rest of their funds, a position perfectly reasonable. I think and many of us who have discussed this agree in a letter recently sent by Senator Netsch and Senator Macdonald specifically stressing this point of saying, this should be...this body should be audited just like every other agency so that you as the elected representatives of the people know what it is that money is being used for. The Supreme Court will allege that some of this money is not State funds; yes, that's partially true, but the point is, they demand that that money be paid which makes it the same as any other fee anyone else pays which makes it the equivalent to a State fund. State money brought in in fees is considered a State fund. The Supreme Court says money they demand in fees are different than any other fees and, for that reason, I think it is important that we support the Auditor General and demand an audit of the

Supreme Court funds and hold up their appropriation until they agree to be treated like every other agency. Boy, did I just get the President mad, here he is.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Rock.

SENATOR ROCK:

Well, thank you, Mr. President. There isn't any question but that we are obligated really to fund the third branch of government and that's what 3257 represents. Let me just point out for those of you who have not closely followed the controversy that the funds to which the gentleman is referring are the Attorney Registration and Disciplinary Commission, all of us who are licensed attorneys submit an annual fee for the self-policing of our profession. The Supreme Court has taken the position that as an equal but separate branch of government, the legislative audit is not appropriate in that respect. Now the Auditor General got on his high horse and said, well, gee, if I can't look at that fund, I'm not going to look at any. That is really not only inappropriate, it's a little dumb in my opinion. I urge an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator...Senator Keats.

SENATOR KEATS:

I appreciate what the President is saying but the Supreme Court is being blatantly hypocritical. They say their other State funds should be audited and the Supreme Court has sort of put up a shield to sue the Auditor General to make sure he audits these other funds, but the Supreme Court says fees collected here are State funds, fees we collect are not State funds. It is an interesting interpretation and I think until those funds are audited, we should at least hold up the appropriation until we get some okay for the Auditor General to do his functions to represent the people of Illinois to

protect us from this sort of action.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. On the substance of it, Senator Keats' position I think is absolutely correct. The Supreme Court is wrong about this and one of these days we'll get that resolved, but I don't think in the interim it makes any sense to play games with the whole appropriation process. It is involved in litigation that is currently pending; unfortunately, it's the Supreme Court who will have the final say on it which, you know, I admit is a real problem, but...but I think we really...cannot play...the system has to continue to function and eventually I think the right point of view which is that all of those funds are subject to audit will prevail, and I think that's how it ought to be resolved.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Carroll may close.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I agree with Senator Keats on the issue of the audit. I have agreed on that consistently since the issue first arose about nine years ago and, in fact, on occasion have put in amendments to the Supreme Court budget that it can only be spent on the Supreme Court portion of the budget only after it's been audited. I happen to believe those are public funds and they...I agree with the auditor that he...the Auditor General that even though the Supreme Court has asked him to come in and audit the other accounts, the Auditor General cannot and should not do that 'cause he could not legally give an audit opinion in his opinion if he has not audited all funds. The problem, however, is much greater

than that as we know, and let me say, several of the divisions within the court are very concerned. They would like to be audited already; they want to know if they're doing anything wrong and correct it which is one of the things the Auditor General reports always give us, that is corrective advice; and many of them are very concerned because of the length of years that has taken place since the last audit, some little things like are all the chairs in place and they don't know and the auditor generally comes up with some very good ideas on quality control and other such items. However, the total appropriation is the operation of the court's system, not just the Supreme Court, and it's the circuit court in Cook and...the other hundred and one counties and the appellate courts and all the divisions and the Probation Department and all else that goes into a hundred and forty-two million dollars. So, while I agree with Senator Keats on the issue of the audit, I do believe we have to continue the operation of the coequal branch of government and would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall House Bill 3257 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 37, the Nays are 7, 8 voting Present. House Bill 3257 having received the required constitutional majority is declared passed. 3343. House bills 3rd reading is House Bill 3-3-4-3, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 3343.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is the annual appropriation for the Crime Victims' Compensation Fund. I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall House Bill 3343 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, none voting Present. House Bill 3343 having received the required constitutional majority is declared passed. Senator Rock.

SENATOR ROCK:

Thank you, Mr. President. Before we get to the Order of Concurrence,...allow me to suggest that we go back to the beginning. I am told that the amendments that the staffs have been working on are...are, in fact, ready to go. We might as well pick those up and...and get them out of here.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, with leave of the Body, we'll return to...I am told that there are at least six bills, 2976, 2987, 2989, 2998,...3002, 3191. With leave of the Body, we'll return to the Order of...page 4, House Bill 2976, Senator Sommer.

END OF REEL



REEL #2

PRESIDING OFFICER: (SENATOR DEMUZIO)

Page 4, 2976. All right, Senator Sommer seeks leave of the Body to return that bill to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. House bills 2nd reading, House Bill 2976, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 2 offered by Senator Carroll.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. As a result of the new legislation we had passed last year dealing with utility reform and telephonic transmission reform, there were additional staffs necessary that the House had apparently cut. We had not dealt with it in our guidelines. This would be an add-back and transfer for that purpose. I would answer questions and ask for adoption of Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right...Senator Carroll has moved the adoption of Amendment No. 2 to House Bill 2976. Is there discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Page 5, 2987, Senator Geo-Karis. Senator...Senator Geo-Karis seeks leave of the Body...I beg your

pardon. All right, 2987. Senator Geo-Karis seeks leave of the Body to...2989? Well, 2987, Senator Etheredge. Senator Etheredge. What...what...what is your pleasure, Senator Etheredge? We are apparently ready to proceed on the Order of 3rd Reading, if...if you...all right, he wants it out of the record. Do...do you want to pass it? All right. On the Order of House Bills 3rd Reading is House Bill 2987. Senator Etheredge? All right. House bills 3rd reading, House Bill 2987, Mr. Secretary...read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2987.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge. Senator Etheredge.

SENATOR ETHEREDGE:

Mr. President, I...we haven't seen any amendments on...on this. So, let's...

PRESIDING OFFICER: (SENATOR DEMUZIO)

There are none. We are ready to proceed on 3rd reading. Senator Etheredge.

SENATOR ETHEREDGE:

On 3rd reading. All right. This is the appropriation's bill for the Department of Alcoholism and Substance Abuse. It appropriates sixty-four million nine hundred and twenty-one thousand seven hundred dollars, which is a reduction of seventy-nine thousand three hundred since Senate introduction.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Carroll.

SENATOR CARROLL:

Let me just explain maybe for the record and then to...either add or eliminate to the confusion. There had been a request for additional funds for the study for the

consortium on alcohol and substance abuse. We had done some in Amendment No. 2. It has now been identified by DASA that they could fund the rest of it out of their existing appropriation. There was no reason to tie their hands by adding anything or anything else, so that's why the amendment was not offered and we are, of course, in total support of the budget as suggested by Senator Etheredge.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? If not, the question is, shall House Bill 2987 pass. Those in favor will vote Aye. Opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. House Bill 2987 having received the required constitutional majority is declared passed. Senator Leitch, I skipped over 2986. No. 2989, Senator Sommer. Senator Leitch. Senator Leitch, for what purpose do you arise?

SENATOR LEITCH:

Yes, Mr. Chairman, we're waiting for an amendment for 2986 that pertains to the Exxon thing, so I'd like leave to hold that.

PRESIDING OFFICER: (SENATOR DEMUZIO)

House Bill 2989, Senator Sommer. Senator Sommer seeks leave of the Body to return House Bill 2989 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. House bills 2nd reading, House Bill 2989, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 25 offered by Senator Carroll.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

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

Senate. This is as a result of the request of the Bureau of the Budget on revolving funds for their EDP services. I would move adoption of Amendment No. 25.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll has moved the adoption of Amendment No. 25 to House Bill 2989. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 25 is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 26 offered by Senator Carroll.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This amendment is technical in nature only. It is a cleanup of no dollar impact.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll has moved the...adoption of Amendment No. 26. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 26 is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 27 offered by Senator Davidson.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

Mr. President and members of the Senate, this is a...amount of twelve thousand dollars which is slightly less than the one-fourth part of what the costs would be for the Illinois Chamber...Orchestra for the expenses to perform at the Lincoln Center at our...at Radio Center in New York. The orchestra director was chosen the outstanding young conductor in worldwide competition in Indianapolis this April and the orchestra has been invited to perform to...in Lincoln Center

and will be on national television promoting Illinois and this is out of that band fund which we have done. Move the adoption of the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Davidson has moved the adoption. Senator Carroll, for discussion?

SENATOR CARROLL:

Just...Senator Davidson, if we could, we won't oppose it now, but we've had some problem on what this orchestra is. We've had no detail on it whatsoever. The other items we have funded out of these have been basically school programs. We don't know if this is or isn't and we need some explanation...and, fine. Thank you...it will be provided, fine.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...Senator Davidson has moved the adoption of Amendment No. 27...further discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 27 is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 28 offered by Senator Friedland.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Friedland.

SENATOR FRIEDLAND:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This amendment would provide nine thousand two hundred and fifty dollars to the Imperials...Dundee Imperial Scots Band that will perform at Klondike Days in Alberta, Canada. I urge your favorable consideration of this...been reduced by substantial amounts from the original request.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Carroll.

SENATOR CARROLL:

No, that's fine. It...it falls within the same category as the other bands we've done and we would be supportive.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, those in...all right, Senator Friedland has moved the adoption of Amendment No. 28 to House Bill 2989. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment 28 is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 29 offered by Senator Mahar.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Mahar.

SENATOR MAHAR:

Thank you, Mr. President and members. This amendment appropriates the sum of two million dollars to the Department of Commerce and Community Affairs for a grant to the City of Palos Heights for the site preparation and further development of a currently undeveloped portion of land, some forty to forty-five acres in...in size along the Cal-Sag Canal.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Mahar has moved the adoption of Amendment No. 29 to House Bill 2989. Discussion? Senator Carroll.

SENATOR CARROLL:

Well, I hate to accuse Senator Mahar of being dilatory, but this is the same amendment that was Amendment No. 17 yesterday that failed, Mr. President, and I would ask for a ruling as to whether it would be in order to use the identical amendment. Amendment No. 17 failed yesterday, it is now reappearing in identical form as Amendment No. 29.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Mahar.

SENATOR MAHAR:

I would suggest that this amendment is not exactly the same. You can compare it with the one that was introduced yesterday, it's not exactly the same amendment, and I don't mean by the number either.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Mahar, could you describe for the Chair in what respects that it differs from the amendment from yesterday?  
Senator Mahar.

SENATOR MAHAR:

...the wording is entirely different.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Well, it's...it's the same project as described and the same dollar amount, same location, same verbiage as the dollars described in the amendment yesterday which had been offered in the House at one point, and it's exactly the same on which the issue was decided yesterday in the negative.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis, for what purpose do you arise?

SENATOR GEO-KARIS:

A point of parliamentary inquiry. I mean, is there any particular rule that says that a similar type of amendment cannot be introduced at this time?

PRESIDING OFFICER: (SENATOR DEMUZIO)

No, I think the question was as to whether or not the germaneness as to whether or not the identical amendment that was offered yesterday and failed could be reoffered again at this time.

SENATOR GEO-KARIS:

Well, is there a rule that a similar amendment cannot...that's what I'm saying, it cannot be offered at this...I don't know of any such rule.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...Senator Geo-Karis.

SENATOR GEO-KARIS:

I think he's entitled to ask for a...vote on his amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, we haven't denied him that opportunity yet...Senator Mahar.

SENATOR MAHAR:

Thank you, Mr. President. Yesterday, we were amending an amendment. Today...if you'll compare the two, you'll see this is an amendment to the bill.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Well,...Senator Carroll.

SENATOR CARROLL:

I think Senator Mahar may be getting different instructions.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Oh, Senator Mahar.

SENATOR MAHAR:

Can we hold this for a moment?

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Okay. Well, Senator Mahar.

SENATOR MAHAR:

Thank you, Mr. President. The amendment has been changed to appropriate one million dollars to the Department of Commerce and Community Affairs.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Well, is there leave to...to have the amendment amended on its face? I understand that has been done. Is leave granted? Leave is granted. Now, Senator Mahar moves the adoption of Amendment No. 29. Those...discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 29 is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

3rd reading. (Machine cutoff)...House reading...House bills 3rd reading,...page 6. 2993, Senator Sommer. Oh, Senator...2998, Senator Rigney. Senator Rigney on the Floor?



Senator Rigney, what is your pleasure in regards to 2993?

Senator Rigney.

SENATOR RIGNEY:

Mr. President, I'd like to call it back to 2nd reading.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rigney seeks leave of the Body to return House Bill 2998 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. House bills 2nd reading, House Bill 2988, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 18 offered by Senator Carroll.

PRESIDING OFFICER: (SENATOR DEMUZIO)

I beg your pardon, 2998, Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This was a request by the Department of Transportation. In the reappropriation they had...reduced...a particular Public Transportation Technical Studies line because there had originally been no request from any locals to receive that money. They recognize now that they needed a hundred thousand dollars that they had asked us to take out of the reappropriation, they need it as new appropriation money and that was discovered in the last twenty-four hours or so. This amendment, at the request of the Department of Transportation, would be to add back, in effect, that hundred thousand dollars but make it a new appropriation for technical studies and I would its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Carroll moves the...Senator Carroll...Senator Carroll, was this your...all right, Senator Carroll moves the adoption of Amendment No. 18. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 18 is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 3000, Senator Donahue. Senator Donahue seeks leave of the Body to return House Bill 3000 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. House bills 2nd reading, House Bill 3000, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 4 offered by Senator Donahue.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Amendment No. 4 to the Department of Mines and Minerals is a lump sum amount of two hundred and ninety-one...thousand dollars seven hundred dollars to the Mine Permit Review Program. This is Federal funds and it just indicates that to the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, Senator Donahue moves the adoption of Amendment No. 4 to House Bill 3000. Discussion? Question is,...those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 4 is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Page 7, 3101. 3133. Senator Geo-Karis, for what purpose do you arise?

SENATOR GEO-KARIS:

Well, I think...one of my bills is...3302, is that what you...there's an amendment I think that Senator Carroll has and you almost skipped over it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, I beg your pardon, I'm...I...I missed one. All right, with leave of the Body, we will go back to 3002. Senator...Geo-Karis, I want to thank you for pointing that out to me. With leave of the Body, we will return to 3002. Senator Geo-Karis seeks leave of the Body to return House Bill 3002 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. House bills 2nd reading, 3002, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 2 offered by Senator Carroll.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. As we had done with other departments, the Department of Human Rights had a preference as to where they would like to take their cut and where they would need their money. This is a reallocation of no dollar impact but allows them to reallocate to...to suit their needs. I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll moves the adoption of Amendment No. 2 to House Bill 3002. If no...no discussion, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Now, 3101, Senator Carroll. 3133, Senator...3191, Senator Hall. Senator Hall seeks leave of the Body to return House Bill 3191 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. House bills 2nd reading is...House Bill 3191, Mr.

Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 2 offered by Senator Hall.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Amendment No. 1 to House Bill 3191 appropriates one dollar to do...to DMDD for a study of space needs. This is a vehicle bill. I move for the adoption of that...hold it just a minute.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Hall.

SENATOR HALL:

I stand corrected. Amendment No. 1 is already on there, this...Amendment No. 2. This appropriates a hundred and forty thousand dollars for GRF to DCA for a grant to the East St. Louis Area Development Authority. I move for the adoption of this amendment.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Hall has moved the adoption of Amendment No. 2. Discussion? Senator Etheredge.

SENATOR ETHEREDGE:

Yes, will the sponsor yield, please?

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Sponsor indicates he will yield. Senator Etheredge.

SENATOR ETHEREDGE:

Senator, you and I had a conversation about this a few...a few moments ago and I just want to make sure I understood correctly. Did you indicate to me...I understood you to indicate to me that this was going to go into a Conference Committee, that we would...and that we would talk about this appropriation?

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Hall.

SENATOR HALL:

I don't know what's going to eventually happen to their budget, you know. I have no way of knowing what happens around here, but I'll be happy to talk at any time, Senator, but I can't guarantee what's going to happen, so I just want to place this amendment on. This was in before and I just wanted to ask...that's all.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge.

SENATOR ETHEREDGE:

Senator,...then I would appreciate some additional explanation as...as to how this appropriation would be used.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall.

SENATOR HALL:

It's the same level of funding as last year, Senator, and that's the way...it's the same level of funding that we passed out of here last year.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge.

SENATOR ETHEREDGE:

What do we use this money for, Senator?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall.

SENATOR HALL:

It's for economic development, Senator,...it's appropriated to the Department of Commerce and Community Affairs for economic development of the ordinary and contingent expenses of that department.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge.

SENATOR ETHEREDGE:

Did...did we use the money last year?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall.

SENATOR HALL:

Yes, the department itself indicated that that hundred and forty would be used.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall has moved the...Senator Etheredge.

SENATOR ETHEREDGE:

Do they...does the department give this in the form of a grant to the East St. Louis Development Council? Is that...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall.

SENATOR HALL:

You're absolutely correct and that's the way they do it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Yeah, a question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator DeAngelis.

SENATOR DeANGELIS:

Senator Hall, why is this in the mental health budget?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall.

SENATOR HALL:

We just changed it to a DCCA appropriation, Senator.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

Now, wait. You are taking money in the mental health budget for DCCA?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall.

SENATOR HALL:

No, this was a vehicle bill and...that...we just moved it over into that fund.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...Senator DeAngelis.

SENATOR DeANGELIS:

Well, we just did the DCCA budget about four minutes ago. Why didn't it go in that?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall.

SENATOR HALL:

Well, I just had them to draft it for that...at that time, I just asked them to draft it for that and that's why it was done, Senator. I...I just had them to...since mine was a vehicle bill, I said draft it and put it in there.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

I think we've got enough bills floating around. We really don't need anymore.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Hall has moved the adoption of Amendment No. 2. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further...further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. All right, we...we will now start right over from the top and go right back down the Calendar. We're going to go right back down the Calendar on 3rd reading. Page 4, House Bill 2975, Senator Sommer. Beg your pardon,...we did pass that bill. My Calendar was in error. House Bill 2976, Senator Sommer. House bills 3rd reading, House Bill 2976, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2976.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sommer.

SENATOR SOMMER:

After the restoration of some...some of the cuts, this bill is still substantially down from what it was sent to the...sent from the House to us. Most of the money that was deleted was for new initiatives and new employees, and I would ask your support on the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is shall House Bill 2976 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. House Bill 2976 having received the required constitutional majority is declared passed. House bills 3rd reading is House Bill 2977. Sponsor indicates No. 2980, Senator Schaffer. House bills on 3rd reading, bottom of page 4, House Bill 2980, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2980.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schaffer.

SENATOR SCHAFFER:

Mr. President, this bill is for an appropriation of one million two hundred and ninety-two thousand two hundred dollars. The reduction in the Senate was one hundred and twenty-two thousand five hundred. We have created some very



serious problems with this agency but the decision has been made to try and work out our differences in the Conference Committee and appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall House Bill 2980 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. House Bill 2980 having received the required constitutional majority is declared passed. Page 5, 2986, Senator Leitch. Still waiting. 2989, Senator...Senator Carroll, for what purpose do you arise?

SENATOR CARROLL:

Just to identify on...on 2986, with permission of Senator Leitch, we will ask permission that that be held for later in the day. It...it has been indicated that if there is a solution quickly forthcoming on the Exxon monies...the distribution, that we would amend it onto this bill and then be able to move it back to the House for concurrence. So, with leave of the Body, if we could come back to that order of business a little bit later in the afternoon.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, is leave granted? Leave is granted. We'll come back to it. (Machine cutoff)...2993. All right, I beg your pardon, 2989, I skipped over it again. Senator Sommer, 2989. House bills 3rd reading is House Bill 2989, Mr. Secretary.

SECRETARY:

House Bill 2989.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sommer.

SENATOR SOMMER:

Mr. President and members, this is the DCCA appropriation. It is down some sixty-five million as it came from the House due to the fact that the House put on eighty some amendments, most of which we haven't adopted. We would anticipate that this will now go to conference because they will want some input into the amendment process.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Question is, shall House Bill 2989 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are none, 1 voting Present. House Bill 2989 having received the required constitutional majority is declared passed. Page 6, House bills 3rd reading is House Bill 2993. Sponsor indicates he wants that held. 2998, Senator Rigney. House bills 3rd reading, middle of page 6, is House Bill 2998, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2998.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rigney.

SENATOR RIGNEY:

Mr. President, this is the current year allocation for the Department of Transportation in the amount of one billion seven hundred and eighty-two million four hundred and fifty-five thousand four hundred dollars. This represents a change downward from the way it came from the House...approximately seventy-five million dollars.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall House Bill 2998 pass. Those in favor will vote Aye. Those opposed Nay.

The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are 1, none voting Present. House Bill 2998 having received the required constitutional majority is declared passed. House bills 3rd reading, House Bill 3000, Senator Donahue. House bills 3rd reading is House Bill 3000, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 3000.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President. The figure here is six million twenty-eight thousand four hundred dollars. The increase that has been added on to this is all Federal funds.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall House Bill 3000 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. House Bill 3000 having received the required constitutional majority is declared passed. Senator Dudycz, for what purpose do you arise?

SENATOR DUDYCYZ:

Point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

State your point.

SENATOR DUDYCYZ:

Mr. President and Ladies and...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Dudycz. Senator Dudycz.

SENATOR DUDYCZ:

Thank you, Mr. President. Mr. President and Ladies and Gentlemen of the Senate, we have some special guests in the visitors gallery this afternoon. We have members of the Ukrainian-American Youth Association and their parents. The...our guests are residents from Senator Nedza's district. I would ask for our guests to please rise and be recognized.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Oh, would our guests in the gallery please rise. Welcome to Springfield. Senator Geo-Karis, for what purpose do you arise?

SENATOR GEO-KARIS:

On a point of personal privilege, Mr. President. I have the pleasure of introducing Dennis Walsh from the 4-H Club from Antioch, Illinois, one of my constituents. He's in one of those two galleries and hope that you welcome them here.

PRESIDING OFFICER: (SENATOR DEMUZIO)

If our guests will rise and be welcomed by the Senate...in the gallery somewhere. Senator Geo-Karis, are you prepared on 3002? All right. House bills 3rd reading, House Bill 3002, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 3002.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, the...House Bill 3002 relates to the ordinary and contingent expenses of the Commission on Human Rights as amended, and I move its passage.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Question is, shall House Bill 3002 pass.

Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. House Bill 3002 having received the required constitutional majority is declared passed. House bills 3rd reading, page 7, 3101, Senator Carroll. 3133, Senator Hall. Senate Bill 3191, Senator Hall. House bills 3rd reading is House Bill 3191, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 3191.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. The bill does exactly what it says on the Calendar and I'd move for the adoption...passage of this legislation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. For some reason, I have a feeling that this bill is...is an orphan nobody wants to adopt, and when you force adoption, you can create some abuse and I think this one could be seriously abused if it gets adopted. Probably abused with a veto. I urge opposition to this.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Further discussion? Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President. I would point out, we just discussed this...amendment a few moments ago and the sponsor was kind enough to answer a number of questions. It is not

an appropriation to the Department of Mental Health and Developmental Disabilities, it's now an appropriation to...to DCCA, and it is for a hundred and forty thousand dollars for economic development that DCCA did not include in their own budget.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, Senator Hall may close.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. The...the Governor signed this appropriation last time and what this does...it's at the same level of funding that it was at the last time; and evidently, the gentleman on the second floor thought it was a good piece of legislation, and I am certain that it's...it's going to be used in the same good manner that it was before. This means jobs and things into areas that are depressed. We often talk about we want to find places that where we can stimulate some interest and this will certainly do that. So, at this time, I'd ask for a...a favorable support on this bill. Everybody on here should be on support of trying to bring people up and see that they're on jobs instead of trying to get some other form of relief.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is,...

SENATOR HALL:

Ask for this appropriation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...question...question is, shall House Bill 3191 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 30, the Nays are 27, none voting Present. House Bill 3191 having received the required constitutional majority is declared passed. Senator

Etheredge, for what purpose do you arise?

SENATOR ETHEREDGE:

I would request a verification of the affirmative roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge has requested a verification. Will all the Senators be in their seats. The Secretary will read those who voted in the affirmative, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge, do you question the presence of any member who voted in the affirmative?

SENATOR ETHEREDGE:

Senator Jeremiah Joyce.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jeremiah Joyce on the Floor? Senator Jeremiah Joyce is on the Floor sitting at...to my left.

SENATOR ETHEREDGE:

Senator Nedza.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Nedza on the Floor? Senator Nedza on the Floor? Senator Nedza? Senator Nedza is on the Floor. He's to my left.

SENATOR ETHEREDGE:

Senator Newhouse.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Newhouse. Standing right behind me on the Podium.

SB 415  
non concur

SENATOR ETHEREDGE:

Senator Savickas.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas is...just walked in the door. They just pop up, don't they? All right, on that question, the Ayes are 30, the Nays are 27. On a...none voting Present. On a verified roll call, House Bill 3191...having received the required constitutional majority is declared passed. (Machine cutoff)...page 8...on page 8 is House Bill 3253. Okay, we are now successfully concluded our business on 3rd reading. We will now move to the Order of Secretary's Desk Concurrence. Senator Rock.

SENATOR ROCK:

Thank you, Mr. President. If I can direct the members attention, we will begin at page 12, right at the top. My only suggestion is that the two staffs...have indicated that it might be better to hold the appropriation bills till tomorrow or later today. My suggestion is we go right through the substantive bills on the Order of Concurrence and we'll get to the appropriation bills after the staff has had a chance to fully analyze them.

PRESIDING OFFICER: (SENATOR SAVICKAS)

On the Order of Secretary's Desk Concurrence we have Senate Bill 233, Senator Topinka. Senate Bill 415, Senator Degnan. Senator Degnan.

SENATOR DEGNAN:

Thank...thank you, Mr. President. I move to nonconcur in Senate Bill 415 and ask the House to recede from Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Degnan moves to nonconcur in House Amendment No. 1 to Senate Bill 415. All those in favor indicate by saying...Senator DeAngelis.

SENATOR DeANGELIS:



Yeah,...thank you, Mr. President. May I ask why the sponsor refuses to concur?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Degnan.

SENATOR DEGNAN:

Yes, you may ask. I did not like the House amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Guess that's it, Senator. Senator DeAngelis. Senator DeAngelis.

SENATOR DeANGELIS:

Well, it looks rather innocuous to me, but maybe he got up grouchy this morning, I don't know.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is that a question, Senator or...Senator Degnan moves to nonconcur in House Amendment No. 1 to Senate Bill 415. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. The motion carries and the Secretary shall so inform the House. Senate Bill 602, Senator Etheredge. Senator Etheredge. Senator Etheredge.

SENATOR ETHEREDGE:

Yes, I would move to concur with the House amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator...Senator Etheredge moves to concur with House Amendments 1 and 2. Is there discussion? Senator Netsch.

SENATOR NETSCH:

Yeah, I think it would be helpful, Senator Etheredge, if you explain what the amendments do and so on.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Etheredge.

SENATOR NETSCH:

I have not...had a chance to look at them all yet.

SENATOR ETHEREDGE:

Senator, I have...I've just been running through the papers here...excuse me, just a minute.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator, do you want to study that and we'll go on to the next order? Senator Etheredge.

SENATOR ETHEREDGE:

Yes. Senate...or pardon me, the first amendment reduces the amount of accelerated sales tax payments certain large retailers must pay, reduces that from a hundred and ten percent of the prior year's liability to a hundred and five percent, that's the first amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

And the second amendment?

SENATOR ETHEREDGE:

The second amendment...permits the Department of Revenue to share certain information regarding used car sales with persons it contracts with to determine the validity of selling price reported on returns, and the intent of that amendment is straight...pretty straightforward.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

A question of the sponsor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR WELCH:

Senator Etheredge, on the second amendment, what you're doing is you're providing a list of values for automobiles for reporting the sales tax for used car sales between individuals. Is that correct?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Etheredge.

SENATOR ETHEREDGE:

That's correct. It...the...what is provided is the selling price on the return, the vehicle identification number, the year, the make and model name or number of the

vehicle, the county code, the purchase date and the mileage, that information so that these things can be tracked.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

The list of values that's going to be provided...this is going to be provided publicly so that when a person sells a private car they have to be close to that value when they report the sales tax, is that the purpose?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Etheredge.

SENATOR ETHEREDGE:

...this information is not distributed publicly but it is made available to those that the department is contracting with.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch.

SENATOR NETSCH:

I'm sorry, I...I had not finished before. I...I...I did not have anything on the first amendment, that's what I was looking for, Senator Etheredge; and as I understand it, it does have a cash flow impact on the State because it does change the threshold under which the quarterly payments are made, is that correct?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Etheredge.

SENATOR ETHEREDGE:

Yes, Senator, I'm informed that it...it...it would have a nine million dollar tax impact.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch.

SENATOR NETSCH:

And that is a nine million dollar cash flow affect on Fiscal Year '87.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator...Etheredge.

SENATOR ETHEREDGE:

Yes, Senator, we...I think you...you've put it well. It is a cash flow impact. We collect the money. It is just that there would be a delay in its...collection and so that that would...that nine million dollars would be collected in Fiscal '88 instead of Fiscal '87.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch.

SENATOR NETSCH:

Again, just for the record, because anything that takes money out of next year's budget, even though we get it eventually, is a little bit scary at this moment in time. Why are we doing this? That is, in what...to what was it a response?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Etheredge.

SENATOR ETHEREDGE:

I would assume that it was in response to the...the request of those people who have the obligation of collecting and reporting this...this tax on behalf of the State, Senator. I am...I'm sorry I can't tell you more than that.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch.

SENATOR NETSCH:

...what I was looking for...was there a particular problem that the change in the threshold really was a...a reaction to which would legitimize it, if you will?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Etheredge.

SENATOR ETHEREDGE:

I'm...I'm sorry, I didn't hear that question, Senator.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch.

SENATOR NETSCH:

I...it may be a repeat, but what I had said was, was there a particular kind of problem that had developed with the prior threshold that really necessitated changing it in this fashion which does, in fact, have a cash flow impact on next year's available...available revenues?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Etheredge.

SENATOR ETHEREDGE:

It is a...what is being proposed here in this amendment, I think, is a follow-up of action that was taken a couple of years ago in...in connection with the...the STEP Program and we...we made some changes at that time that reflected, I think, what was in the best interest of all concerned given those...that economic setting, but now the economic setting has improved and they now feel that this change would be in order.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch.

SENATOR NETSCH:

Well, I...I'm not suggesting in any way that it is unreasonable from the perspective of those who would be benefited by it. I...I just think that we ought to have the record clearly show that this may not be as tough a year as the one in which the acceleration was initially introduced, but it is a year in which there is a tightness of revenue and this does, in fact, have a cash flow affect on the available funds for Fiscal Year '87. I...I don't see any particular problem with the reporting of the data on the used car sale, and I assume that will help us enforce it since we're not doing terribly well on that tax.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Etheredge

moves to concur in House Amendments No. 1 and 2 to Senate Bill 602. 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 57, the Nays are none, none voting Present. The Senate does concur in House Amendments 1 and 2 to Senate Bill 602 and the bill having received the required constitutional majority is declared passed. Senator Topinka is back in her seat and popping up and...Senator Lemke, for what purpose do you arise?

SENATOR LEMKE:

A point of personal privilege. I'd like to introduce some people in the President's Gallery, if we can take the time. From the Concerned Women of America, Susie Wyberg and with her daughter, Kirsten; Deborah DeVaughn, from Channel 38 and with the...Concerned Women of America and Ruth Johnson, the assistant principal at the Amelia Earhart School in Chicago and they're with our good friend, Reverend Norman Schneller of the Concerned Christians Americans. I ask for their...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Would they please rise and be recognized. Senator Topinka has also risen and seeks leave of the Body to go back to Senate Bill 233 for the purpose of concurrence in House Amendment No. 1. Is there any objection? Hearing none, leave is granted. On the Order of Concurrence, Senate Bill 233, Senator Topinka.

SENATOR TOPINKA:

Yes, Mr. President and Ladies and Gentlemen of the Senate, thank you for going back to 233. I would ask for concurrence. The amendment is basically just a change in the effective date which is needed by the Secretary of State's Office in order to put out the publications which are required in the bill on organ transplants. That's it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Lemke.

SENATOR LEMKE:

I...I'm not against the House amendment, but I'm...I think this bill should be in a Conference Committee because I think that when we put on...Senate Amendment No. 2, we didn't fully want to do this. I don't think that we want to delete the prohibition from the...we prohibit the person who makes the determination of whether somebody is dead to...also be the solicitor of the organs. I don't think we want to do that. I mean, I think that is wrong. I mean, I don't want to...I...I should be a...if we're going to allow it, then there should be a second opinion of another doctor, but I don't think I want my doctor determining that I'm dead and then go out and sell my organs for fifty thousand dollars to somebody...make a fifty thousand dollar fee. Maybe it's not going to happen but it's going to happen someday and we're going to have egg in our face, and I think it's a wrong thing to do. I think there should be a second...physician involved here so this could be done. I...I just think it's a bad amendment and I think we should put this bill in Conference Committee and revise this to...to protect ourself from some embarrassment when some unscrupulous doctor, like Blickman or somebody that was in the clinics, is operating to make money. I think it's a bad amendment and I think this bill should go back to the drawing board and taken out and put something else to control this.

PRESIDING OFFICER: (SENATOR SAVICKAS)

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

SENATOR TOPINKA:

Yes, I would ask for concurrence. As I said, this amendment is strictly the effective change of the Secretary of State...publication which the bill requires. Also, I would note that there is a Federal law that precludes the selling

of organs, so it's quite stiff at this point. The bill has been agreed to by some fifteen to eighteen organizations, including religious ones as well, so I would ask for a concurrence.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 233. 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 33, the Nays are 15, 1 voting Present. Senate does concur in House Amendment No. 1 to Senate Bill 233 and the bill having received the required constitutional majority is declared passed. Senate Bill 937, Senator Darrow.

SENATOR DARROW:

Thank you, Mr. President. I would ask leave to become a chief joint sponsor of Senate Bill 937 and handle it since Senator Dawson isn't here today.

PRESIDING OFFICER: (SENATOR SAVICKAS)

You've heard the request. Hearing no objection, leave is granted. On the Order of Concurrence on Senate Bill 937, Senator Darrow.

SENATOR DARROW:

Thank you, Mr. President. Senate Bill 937 as amended changes the Illinois Emergency Employment Act slightly. The suggestions are from the Department of Commerce and Community affairs. The amendments that have been added broaden the areas eligible for these benefits. Originally it was the area that has the highest unemployment in a service delivery area. This broadens it to all areas experiencing high employment in the service area. It also covers the situation where an employee works for, say, three months and then leaves the employment, the employer is not penalized for that. I would move that we concur with the House amendments



to Senate Bill 937.

PRESIDING OFFICER: (SENATOR SAVICKAS)

These are House Amendments No. 2 and 4, Senator Darrow.  
Is there discussion? Senator Fawell.

SENATOR FAWELL:

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

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will.

SENATOR FAWELL:

Senator, according to our analysis, this conference bill  
will include not only dislocated workers, disadvantaged youth  
and adults but also unemployed summer youth. Is...is that  
true?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Darrow.

SENATOR DARROW:

It possibly could include them, but...remind you, under  
this Act, it is up to the employer to choose who he wishes to  
hire for long-term employment and I don't...don't foresee any  
employer hiring someone for one or two months. They want  
long-term employment. By the time a employer goes through  
the rigamarole of setting up the accounts and withdrawing  
the...the different benefits...it just does not pay for  
short-term employment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Fawell.

SENATOR FAWELL:

Does it also delete reference to the employee repayment  
of funds for employees who do not actually continue employ-  
ment past the six-month period?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Darrow.

SENATOR DARROW:

Yes, that was what I explained. You don't want to penalize an employer. For example, the way the legislation now reads that's on the books, if an employer was to hire someone and after three months that person walked away and quit, the employer would be penalized and I...we didn't feel that that was fair to the employer to be penalized for someone quitting work.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Fawell.

SENATOR FAWELL:

We...do we have any idea what...what this is going to cost?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Darrow.

SENATOR DARROW:

The appropriation that we passed out...of here this morning was one million dollars.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr...thank you, Mr...thank you, Mr. President. Senator Darrow, you allowed your bill to be stripped and this amendment became the bill, correct?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Darrow.

SENATOR DARROW:

The bill that I adopted this morning was Senator Dawson's bill and evidently it was stripped over in the House and this amendment placed on. Senator Dawson was in favor of that move by the House.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

Well, I might point out to the Body that that bill that

was put on here did not enjoy universal appeal in the House itself and apparently received no recognition in the Senate 'cause it was not allowed out of Rules. Now I'm not going to say this amendment which is the bill is a bad bill, but I don't know that I'm prepared to determine what the impact of making these fairly serious changes are and I just have some real serious questions about it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, Senator Darrow may close.

SENATOR DARROW:

At the present time, we've enacted the Illinois Emergency Employment Act. It's on the books. We're funding it at one million dollars. The changes in Senate Bill 937 are the recommendations of the Department of Commerce and Community Affairs. It broadens the amount...the areas of the State that would be eligible for these funds. For example, in my own district, the way it was originally drafted, Rock Island County would be the county that would be available for these funds not the other counties in the service delivery area. We're broadening it so other counties would be available throughout the State of Illinois. Secondly, we're trying to change it so that the employer would not be penalized for the employee who walks off the job. I think these are good changes. I...I think we can live with these changes. They're for the benefit of the State and the benefit of the employer, and I would ask for...concurrence with Senate Amendments 2 and 4 to Senate Bill...or House Amendments 2 and 4 to Senate Bill 937.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Darrow...the question is, shall the Senate concur with House Amendments 2 and 4 to House Bill...I'm sorry, to Senate Bill 937. 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

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concurrency

voted who wish? Take the record. On that question, the Ayes are 36, the Nays are 6, 10 voting Present. The Senate does concur with House Amendments 2 and 4 to Senate Bill 937 and the bill having received the required constitutional majority is declared passed. Senate Bill 943. Senator Zito seeks leave of the Body to handle that for Senator Dawson. Is leave granted? Leave is granted. Senate Bill 943, Senator Zito.

SENATOR ZITO:

Thank you, Mr. President and members. House Amendment No. 1 was attached to Senate Bill 943 and it made two substantial changes, the first of which changed the law...by effecting one of four criteria under the eligibility for a loan. Presently, an applicant must have worked full-time as an RN for at least one year in order to be eligible...Senate Bill 943, now would permit an applicant...requiring that applicant to have at least one year of permanent legal residency in Illinois. The other change to the baccalaureate assistance law would be to stagger the terms of the members of the Nursing Assistance Advisory Council. This would ensure that some experienced members remain on the council as new members are appointed. I don't know of any opposition and would appreciate concurrence to House Amendment No. 1 on Senate Bill 943.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall the Senate concur with House Amendment 1 to Senate Bill 943. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, none voting Present. The Senate does concur with House Amendment 1 to Senate Bill 943 and the bill having received the required constitutional majority is declared passed. Senate Bill 1063, Senator Luft.

House bill...I'm sorry, Senate Bill 1063, Senator Luft.

SENATOR LUFT:

Thank you, Mr...President. I would move that the Senate concur in House Amendment, I believe, No. 3. That amendment strikes everything after the enacting clause and literally includes Senate Bill 2289 that passed this Body, sponsored by Senator Kustra. I will read the summary of what Senate Bill 2289 did, which is now Amendment No. 3, "It repeals the income tax deduction for a business making a contribution to a certified community based organization, applies the enterprise zone investment tax credit to partners and to shareholders of Subchapter S corporations, permits partnerships subject to the Personal Property Replacement Income Tax Act to deduct evaluation limitation amount that represents gains from transaction enter into prior to 7-1-79, allows a farmer making estimated income tax payments to disregard the...January 15th deadline and all subsequent deadlines for such payments if by March 1st that farmer has paid the entire amount of his tax due for the year, permits a group of persons who derive business income only from Illinois to qualify as a unitary business, allows an additional month to file an income tax return to a corporation that has received a filing extension, prohibits using net operating loss carry-forwards from...tax years prior to 1986 in calculating...net loss for tax year 1986 and subsequent...years...tax years, allows adjustments to the taxable income of a trust or estate for an amount permanently set aside for charity," and makes a few technical changes. I would try to answer any questions or Senator Kustra could maybe answer any questions; otherwise, I would move that we concur in House Amendment No. 3 to Senate Bill 1063.

PRESIDING OFFICER: (SENATOR DEBUZIO)

All right, discussion? Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President. Senator Luft told it like it is. It was the Department of Revenue's clean-up bill and there is no opposition that I know of. I urge a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Just...everybody will just calm down, we will all be afforded an opportunity to speak. Further discussion? Senator Netsch.

SENATOR NETSCH:

Thank you. I don't, basically, disagree with what Senator Kustra just said. It is, in fact, the Department of Revenue's clean-up bill, but it is not just technical. There are...a few substantive provisions, and for the record, I want to mention only two. One is a slight revision in the unitary filing provisions involving, obviously, the corporate income tax which does extend to...residents whose business income is derived solely from Illinois the same benefits that are afforded certain other unitary businesses. This was not done in any of the original versions of the unitary compromise. I would have to say I think it is certainly eminently fair, and because the corporation has to meet the definition of a unitary company to begin with, it is not opening the door other than to those who are doing business solely in Illinois to whom it had been closed in the first place. That will have a...a slightly negative impact but probably very slight on State revenues. I think it is fair to say that that is balanced by the one other provision that should be noted and that was an elimination of the deduction that was provided in Senate Bill 209 which we passed last session. That allowed businesses that contributed to certain antigang activities to have an income tax deduction. The Department of Revenue is quite right, that is not the appropriate way to achieve that. It has now been achieved in the proper way and Senator Marovitz assures me that there is a grant in this

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Concurrence

year's appropriations. I assume that that will remain there as a matter of good faith and this provision then is absolutely correct; and I think, other than that, everything else is fairly cleanup, technical, not of enormous substantive import.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, I just want to point out what House Amendment No. 3 says and...and I think there might have been an error in the language here and I think maybe we ought to clarify for legislative intent. It says here, "Deletes everything in the bill and amends the Illinois Income...Tax Act, the award...the Act awarding income tax deductions to businesses for...for contributions to promote gang control." I don't think they mean to promote gang control and this is...I just...I'm sure that that's not the purpose of the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Question is, shall the Senate concur with House Amendment 3 to Senate Bill 1063. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. The Senate does concur with House Amendment 3 to Senate Bill 1063 and the bill having received the required constitutional majority is declared passed. Senate Bill 1164, Senator Joyce...1244, Senator Marovitz. Senator Marovitz on the Floor?...1820, Senator Barkhausen. Okay, page 12, in the middle, Secretary's Desk Concurrence is Senate Bill 1320, Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, it is my intention to ask

concurrence in House Amendments 1, 3, 4, 5, 6, 7 and 8 and to seek nonconcurrence in House Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? All right, Senator Barkhausen moves to concur with House Amendments 1, 2, 3...Senator Barkhausen, I apparently wasn't paying attention. Senator Barkhausen.

SENATOR BARKHAUSEN:

...in essence, I want to concur in all amendments except House Amendment No. 2 and to noncur in House Amendment 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. All right. All right, Senator Barkhausen is...the motion...Senator Keats, for what purpose do you arise?

SENATOR KEATS:

Have I got the right...Amendment 2 says, "Any director or officer of a not-for-profit corporation who receives more than a hundred thousand per year in total compensation is expected to file a government ethics statement." Is that what Amendment 2 does? I...am I looking at the right spot?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

That's right, Senator Keats, and that is the amendment that I am seeking to have us nonconcur in.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Barkhausen moves the...the question is, shall the Senate concur with House Amendments 1, 3, 4, 5, 6, 7 and 8. Those in favor will vote Aye. Those opposed...will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish?

Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. The Senate does concur with House Amendments 1, 3, 4, 5, 6, 7 and 8 to Senate Bill 1320. Senator Barkhausen now moves to nonconcur in Amend-



ment...House Amendment 2 to Senate Bill 1320. Those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. Motion carries and the Secretary shall so inform the House. Senate Bill 1468, Senator Maitland. 1491, Senator Rock. Bottom of page 12, Secretary's Desk is Senate Bill 1491, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1491 with House Amendment 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I will move this Body to concur with House Amendment No. 1. It requires clear and convincing proof that a licensee has caused a child to be abused before his or her license may be revoked. That is currently the standard of proof in licensure hearings before registration and education. The fact is, this just explicitates and codifies what is the current practice. It's an amendment that I agree with and I would urge that the Senate concur with House Amendment No. 1 to Senate Bill 1491. This is the expansion of the Child Abuse, Neglect and Reporting Act. I know of no objection and I would urge an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Discussion? All right. The question is, shall the Senate concur with House Amendment 1 to Senate Bill 1491. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, 1 voting Present. The Senate does concur in House Amendment 1 to Senate Bill 1491 and the bill having received the required constitutional majority is declared passed. 1517, Senator Lemke. Senate Bill 1517, Mr. Secretary.

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END OF REEL

AB/1552  
non-concurrence

REEL #3

PRESIDING OFFICER: (SENATOR DEMUZIO)

Oh, wait...wait a minute. Senator Lemke.

SENATOR LEMKE:

...we want a nonconcurrency.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, when we get there. Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1517 with House Amendment 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

I ask for a nonconcurrency in...in the...in the House amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Lemke moves to nonconcur with House Amendment 2 to Senate Bill 1517. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. Page 13, 1552, Senator Lechowicz. Senator Lechowicz on the Floor? Senator Lechowicz, top of page 13, charitable games? All right, top of page 13, Secretary's Desk is Senate Bill 1552, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1552 with House Amendment 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I move that the House...or the Senate does not concur with House Amendment No. 1, and I'd like to have that

matter go back to the House and see if they would withdraw Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Lechowicz has moved to nonconcur with House Amendment 1 to...to Senate Bill 1552. Is there discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House.

PRESIDENT:

(Machine cutoff)...the Order of Secretary's Desk Concurrence is Senate Bill 1558, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1558 with House Amendments 1, 3, 4 and 5.

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

Well, thank you, Mr. President. When Senate Bill 1558 left here it was a bill that simply provided that a unauthorized person who...uses a red oscillating light would be guilty of a...of a Class 4 felony. It has now come back to us including that measure but also one that includes the so-called repeal of the sign and go law which...it was in effect from July the 1st of 1970 through January 1st of 1984. It's my understanding as it is now that once a Illinois resident, a motorist has been stopped to...for a traffic violation that he, in fact, could simply sign on the back of the...of the...sign the ticket and request his so-called court appearance. Now, the repeal will require that the driver's license or cash or security or other deposit be posted in order that the court may have sufficient collateral, I guess you could say. The fact of the matter is, I guess, in 1985, there were a hundred and thirty-four thousand and twenty-two cases that were entered and only eighty-four thousand and eighty-three that were cleared, and the Secretary of State's Office is

apparently processing and receiving suspensions on an annual rate of approximately two hundred and forty-seven thousand per year of those individuals who, apparently,...who have just simply put the ticket in their pocket and...and have not gone to...to court. It is simply repealing and putting this back where we were. Apparently, it is supported by the circuit clerks, the Secretary of State; and if there's any discussion, I'll attempt to respond.

PRESIDENT:

Is there any...I beg your pardon. Is there any discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. I don't have any problem with the repeal of the stop and go provision, but in discussion with the Secretary of State people, I inquired as to whether or not we still have in effect in Illinois a law that allows a motorist to pay their bail or a traffic ticket through the use of a credit card. Is that...is that still in effect?

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

I'm advised that we have never had that procedure in...in Illinois. Other states do have it but we apparently do not.

PRESIDENT:

Senator Schuneman.

SENATOR SCHUNEMAN:

Well, it was my understanding, that one of the last years that Representative Ebbesen served in the Legislature that that law actually passed and was signed but, perhaps, I'm mistaken about it. It seems to me that some procedure of that kind might be recommended since we're going to do away with the stop and go provision.

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

Well, I'm advised and I remember that there are, in fact, bond cards, for example, that various insurance companies afford the motorist the opportunity to have in their...their...their wallet or their possession. I'm advised by the Secretary of State's Office that the provision to which you talk to is that the State police have indicated that they've never had that...that provision for utilization of credit cards.

PRESIDENT:

Further discussion? Any further discussion? If not, the question is, shall the Senate concur in House Amendments 1, 3, 4 and 5 to Senate Bill 1558. Those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 Ayes, 1 Nay, none voting Present. The Senate does concur in House Amendments 1, 3, 4 and 5 to Senate Bill 1558 and the bill having received the required constitutional majority is declared passed. Senator Darrow on 1564. On the Order of Secretary's Desk Concurrence, Senate Bill 1564, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1564 with House Amendments 1 and 2.

PRESIDENT:

Senator Darrow.

SENATOR DARROW:

Thank you, Mr. President. We can just consider House Amendment No. 2 because House Amendment No. 2 deletes everything after the enacting clause including House Amendment No. 1. This original legislation which Senator Dunn and I sponsored together broadened the authority of a judge so that he could have a juvenile work beyond the township limits or beyond the unit of government limits as a part of his reha-

bilitation. What the...what the bill in its present form with House Amendment No. 2 does is reinstate the prohibition against requiring a minor to perform public service work outside his county of...residence as a condition of probation or discharge if that minor resides in Cook County. Basically, what we're doing is applying Senate Bill 1564 to areas of the State other than Cook County. I would move we concur with House Amendment No. 2 to Senate Bill 1564 and I...I suppose we should concur with House Amendment No. 1 to Senate Bill 1564 also.

PRESIDENT:

All right. Senator Darrow has moved concurrence in House Amendments 1 and 2 to Senate Bill 1564. Any discussion? If not, the question is, shall the Senate concur in House Amendments 1 and 2 to Senate Bill 1564. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. The Senate does concur in House Amendments 1 and 2 to Senate Bill 1564 and the bill having received the required constitutional majority is declared passed. Senator Lemke on 1565. On the Order of Secretary's Desk Concurrence is Senate Bill 1565. Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1565 with House Amendments Nos. 1, 3 and 4.

PRESIDENT:

Senator Lemke.

SENATOR LEMKE:

We move to nonconcur and ask for...have it go in a Conference Committee.

PRESIDENT:

Senator Lemke.

SENATOR LEMKE:

We want to nonconcur.

PRESIDENT:

I see, all right...I beg your pardon. Senator Lemke moves to nonconcur in House Amendments 1, 3 and 4 to Senate Bill 1565. Those in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and the Secretary shall so inform the House. Senator DeAngelis on 1570. On the Order of Secretary's Desk Concurrence is Senate Bill 1570, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1570 with House Amendments 1 and 4.

PRESIDENT:

Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. I move that the Senate do concur with House Amendments No. 1 and No. 4 to Senate Bill 1570. The bill created a new crime on false requests for emergency medical services, and in it the penalty was a Class 4 felony. The House changed it to a Class A misdemeanor, that was Amendment No. 1. Amendment No. 4 are...is basically the elements of Senator Geo-Karis' bill which deals with elderly abuse, and I would urge that we concur with that also.

PRESIDENT:

All right. Senator DeAngelis has moved concurrence on House Amendments 1 and 4 to Senate Bill 1570. Is there any discussion? If not, the question is, shall the Senate concur in House Amendments 1 and 4 to Senate Bill 1570. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. The Senate does concur in House Amendments 1 and 4 to Senate Bill 1570 and the bill having received the required constitutional majority is declared passed. 1576, Senator Kustra. On the Order of



House...Secretary's Desk Concurrence is Senate Bill 1576.  
Mr. Secretary.

SECRETARY:

Senate Bill 1576 with House Amendment No. 1.

PRESIDENT:

Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President and members of the Senate. This is the bill that establishes criminal liability for adults who rent rooms to minors for the purpose of underage drinking parties. In the Senate Committee, we added two amendments; one which would require the hotel to post the notice requiring people of the law and another amendment which would require the hotel and motels to include this statement of the law in their contracts. Over in the House there was objection raised to these two amendments by the Hotel-Motel Association. I would rather not back off but agreed to back off so we'd get this bill through and get it into law. So it's with some reluctance but I do move to concur in Amendment No. 1 to Senate Bill 1576.

PRESIDENT:

All right. Senator Kustra has moved concurrence with House Amendment No. 1. Any discussion? If not, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 1576. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. The Senate does concur in House Amendment No. 1 to Senate Bill 1576 and the bill having received the required constitutional majority is declared passed. 77, Senator Kustra. On the Order of Secretary's Desk Concurrence is Senate Bill 1577. Mr. Secretary.

SECRETARY:

Senate Bill 1577 with House Amendments 2 and 3.

PRESIDENT:

Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President and members of the Senate. This is the bill that extends dramshop liability to adults who rent rooms to those underage for drinking party purposes. The...amendment which was added does two things. It adds the saving clause to the Dramshop Act to protect causes of action which accrue before the effective date of the Act and, let's see, that's the first amendment. I guess the second amendment adds an effective date upon becoming law. I'd move concurrence with this amendment.

PRESIDENT:

All right. Senator Kustra has moved concurrence with House Amendments 2 and 3. Is there any discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Question of the sponsor, Mr. President.

PRESIDENT:

Sponsor indicate he'll yield, Senator Schuneman.

SENATOR SCHUNEMAN:

Senator, you indicated that the bill would extend dramshop coverage. Do you mean the requirements of the Dramshop Act could be applied to the operator of a hotel or a motel, not...I'd like to know what this means.

PRESIDENT:

Senator Kustra.

SENATOR KUSTRA:

It...it is under the Dramshop Act but the language does not hold the hotel or motel owner responsible. It holds the adult responsible for any damages which occur as a result of that adult renting a room for someone who is underage, who then does damage as a result of a party or whatever. No

liability for the hotel or motel owner whatsoever.

PRESIDENT:

Senator Schuneman.

SENATOR SCHUNEMAN:

Well, my question is, whether there's liability under the Dramshop Act.

PRESIDENT:

Senator Kustra.

SENATOR KUSTRA:

I guess I'm not following your...your...your question then. Not...not as the Dramshop Act is...is written for tavern owners, for example. We're talking about holding adults responsible for the damages that would occur from their renting a room for one of their children or whoever.

PRESIDENT:

Senator Schuneman.

SENATOR SCHUNEMAN:

Okay, I...I'm late in getting at this, I realize this...this is late in the ball game. My concern is this, that there may be the operator of a motel or a hotel or an owner of a...motel or hotel without a bar and without dramshop insurance to protect him under that specific liability that's imposed upon him under the Dramshop Act. And when you mentioned Dramshop Act, that triggered the question in my mind whether or not you were extending that specific liability to apply to these instances.

PRESIDENT:

Senator Kustra.

SENATOR KUSTRA:

I do understand your question. No, this does in no way extend dramshop liability to the hotel or motel owner.

PRESIDENT:

Further discussion? Any further discussion? If not, the question is, shall the Senate concur with House Amendments 2

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concurrency*

and 3 to Senate Bill 1577. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. The Senate does concur in House Amendments 2 and 3 to Senate Bill 1577 and the bill having received the required constitutional majority is declared passed. If you'll turn to page 14...top of page 14, Senator Etheredge on 1612. On the Order of Secretary's Desk Concurrence, top of page 14, is Senate Bill 1612. Mr. Secretary.

SECRETARY:

Senate Bill 1612 with House Amendment No. 1.

PRESIDENT:

Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I move that the Senate concur in House Amendment No. 1. What the amendment does is to shift responsibility for the administration of the Veterans' Scholarship Program from the Department of Veterans' Affairs to the Illinois State Scholarship Commission. I'd be happy to respond to any questions.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator...well, we'll start with the ladies. Senator Geo-Karis.

SENATOR GEO-KARIS:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will.

SENATOR GEO-KARIS:

Isn't this the very thing that the Veterans' Commission...the veterans' organization have objected to? Haven't they said to leave that with the Veterans' Commission?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Etheredge.

SENATOR ETHEREDGE:

I have received a letter from the American Legion with that request, yes, Senator.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

So...what you're doing then is not complying with the American Legion request. Is that right?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Etheredge.

SENATOR ETHEREDGE:

Yes, that is...that is the case. However, I have received requests to go forward with this amendment from other sources and...and, quite frankly, I found the arguments on the other side of this issue more compelling.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, Mr. President and Ladies and Gentlemen of the Senate, I'm not convinced about the arguments from the community colleges on this. I think the American Legion has a good point in it and I would ask the Senator, with that amendment, that if he would either withdraw the bill from the record or else put it in a Conference Committee, because I do feel that the Veterans' Commission should have a chance to operate and I...I don't think we've given them enough of a good chance. I do feel that they should be honored far more than the request of the community colleges.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rupp.

SENATOR RUPP:

Thank you. I, too, rise in opposition to the acceptance of this amendment. We have had conversation from both sides

of this and I think this is a veteran's scholarship. I think it should remain in the hands of the veterans' organization, not to be taken out and placed into some other thing with the other scholarships. You know, there have been some inferences in the past about how some of the scholarships on that side have been handled, so maybe, perhaps we ought to examine the possibility of shifting all the scholarships to the veterans, maybe both sides are wrong, but I don't believe that at this time we should make a change and take veterans' scholarships away from veterans' organizations and their control in our...in our department. I ask that the sponsor...ask for and set up for...reject this and ask for a Conference Committee.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schaffer.

SENATOR SCHAFFER:

Well, we've defeated this once already, I guess we're going to have to do it again. I would respectfully remind everyone that originally the Scholarship Commission had this program and when budget times get cut...got tough, they decided the one group that they didn't feel was deserving were the veterans. So they just killed the whole program, and then the hue and cry that followed with that and led to this program being transferred to the Department of Veterans' Affairs. I know it'll be pointed out that we have a whole new board, but I ask, is there a veteran on that board on...I'm unaware of one. The simple fact of the matter is, that the Department of Veterans' Affairs has erred gravely as has the administration in allowing the department to get away with playing the financial game they had; when they had to make a two percent cut, they just took it out of this fund, gave the scholarships out and shorted the colleges which was wrong. And now...I guess to some degree we should be faulted for allowing them to get away with that. I think

we need to take steps and see that the Veterans' Department is never allowed to do that again. I think we have the wherewithal in the Legislative Branch to get that kind of a commitment and...and this program will go forward. The simple fact is that the veterans...I don't...I think will remember with dismay what happened to the...their program when the Scholarship Commission had it. No one from the Scholarship Commission has told me they want this authority. I think this is not a good idea and I would suggest to you that this is one of those issues that you will hear when you go home from all of our friends in the veterans' organizations, if we, in fact, thumb our noses at those who have served in this manner; and I would urge a rejection of this amendment once and for all, and I would also urge all of us to join together perhaps in a letter to the Executive Branch saying that we will not tolerate that kind of budget chicanery again and...that the...the department ought to be stopped by the bureau and by the Governor's Office from ever trying that sneaky stunt again. But that is the answer and, Senator Etheredge, you need a rifle and you're using a nuclear bomb.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I rise in support of the motion to concur. I find it interesting...the previous speaker suggested that we send a letter, I don't think a letter is necessary. We had testimony in the Appropriations II Committee that pointed out that the Department of Veterans' Affairs messed up dramatically in taking care of the veterans regarding these scholarships, and I think that they have forfeited their right to continue to supervise this program. It's a scholarship program that ought to be handled the same way that other scholarships are

handled with an efficient operation which we do have in the Illinois State Scholarship Commission. You'll be doing more for the veterans by putting it into the professional hands of the Scholarship Commission than allowing it to remain in a place where the veterans were denied access to the money that they ought to have when we passed this program for veteran scholarships. So I stand in support of the motion to concur.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Holmberg.

SENATOR HOLMBERG:

I, too, rise in support of this particular amendment. I was present in the Appropriations Committee where we heard testimony of only eighty percent funding of the scholarships for veterans. I think we cannot let that continue. If there were some problems at one time with the Illinois Scholarship Commission, I'm...of the opinion from what I have heard that those things are no longer present, that everything is being run very efficiently. This is an entitlement program. The scholarships must continue, let's give it to somebody who's minding the store and right now that's the Illinois Scholarship Commission. We want the veterans to have those scholarships and we want them at full funding, and I believe this is the way to do it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Keats...I mean, Senator Kustra.

SENATOR KUSTRA:

Well, thank you, Mr. President, members of the Senate. I rise in support of the amendment. I think we have to do what's best for veterans right now, this year, next year and in the future. Previous reference was made to the fact that once upon a time the Scholarship Commission had this program and didn't handle it well, twelve years ago, whatever it was. Well, anybody who's been around here a few years ago knows that the administration of the Scholarship Commission back in



those days was not very good, it was miserable, but under the leadership of Larry Matejka, the Scholarship Commission is probably one of the best run agencies in this State. And so we ought to place this program where veterans can be served best, and that is in the Illinois State...Scholarship Commission and that's why we ought to vote concurrence on this matter.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Vadalabene.

SENATOR VADALABENE:

...yes, thank you, Mr. President and members of the Senate. I just want to say briefly that I'm between a hard rock and whatever you want to call it on this issue. I happen to come from a...the home town of SIU-Edwardsville where the veterans have been admitted to the college and the Department of Veteran Affairs has not paid for their tuition. And, on the other hand, for the past twenty years, I've been handling legislation for the veterans who support...who do not support the...the scholarships going to the Scholarship Commission. I'm going to vote with the veterans even though my college in Edwardsville...your college is being penalized. However, I want it to be known that the Department of Veterans' Affairs if they take Jack Schaffer's recommendation and do something about it, maybe this will alarm them to the extent that we're not going to tolerate it anymore. But the universities are suffering, the veterans are not...I don't know what they're doing with the money but they're not giving it to the colleges, and I think that that should be investigated and see what happens, but I'm going to vote against the proposal.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

I...I'm going to rise against this for the very simple

reason after talking to many veterans, veterans who will construe this as a move to take away their benefits. They have already...are very skeptical of what's going on in Washington and they're very skeptical that in 1989 the GI Bill ends and they're very skeptical that this is ever going to be passed. They have construed this as a move, most veteran organizations as to eventually mold these scholarships into the Scholarship Commission and then eventually mold the program out. That's what they have construed and you're not going to sell it any other way, and I've talked to veterans' groups and they are willing to go after the Department of Veterans' Affairs to get this thing straightened out so the program is handled. But every time a department does something wrong, we can't just start taking things away and putting it somewhere else and start guessing about it. I think this properly...belongs in the Department of Veterans' Affairs 'cause it concerns veterans in this State, and if we mix this up in the Illinois State Scholarship Commission and we happen to get in trouble there and they start wanting to shift the money from the veterans' program into the other scholarships, you will see a...a lot of veterans not too happy. Therefore, I think this should stay where it's at, we should work...if we need to pass a...whatever we have to do, Appropriations Committee to go after the Department of Veteran Affairs to make sure that this program is properly administered, and I'm sure that the Governor will go after his director to get this properly administered too; therefore, I...I urge an Aye...a No vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hall.

SENATOR HALL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I have supported everything that the vets. have ever brought in twenty years that I've been here, but the reason

this was introduced, if you could be present and heard what had happened to veteran scholarships, the executive director of the junior colleges came in and he testified strongly against the handling of these scholarships. We're doing what we feel is best for veterans, we're not opposed to...many of these people just because they got the name veteran, but it was the veterans is the one that are suffering; and that's why under...strong scrutiny from questions of the members of that committee, if you could hear what happened, they just took it upon themselves to not pay off these scholarships. The veterans are the losers and that's why this originated. I'm going to be supportive of this.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Nedza.

SENATOR NEDZA:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Very briefly, the...the...the question which is before us I believe is the scholarships for veterans. Now, I think the...the Veterans' Affairs Commission erred. If they make a mistake, as Senator Lemke had mentioned, somebody makes a mistake, there's a lot of departments that make mistakes, shall we then take everything away from that particular department and give it to somebody else? I don't think so. I think that the suggestion by Senator Schaffer to straighten out their act will be one which would be justified. Veterans have been taking care of veterans. Is the question their scholarships or the community college budgets? And I think that's not the question before us. It's scholarships for veterans and I urge a No vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Poshard.

SENATOR POSHARD:

Yes, thank you, Mr. President. I'd just like to reiterate a conversation in the Appropriations Committee at the

time we were discussing this. I asked the...the director of the Department of Veteran Affairs directly, if we commit full funding to the scholarships next year, will you spend that amount of money on the scholarships next fiscal year, '87? And his response was no, no commitment to do that. So, Senator Schaffer, have you been informed by the Department of Veteran Affairs that they have changed their mind on that commitment now because we put the...the question to them directly and the response was, no, they would not commit to spending the money even if we gave it to them.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schaffer, that was a question.

SENATOR SCHAFFER:

Well, the problem we relate to and I think...it's possible that some of the members don't understand the exact situation. First of all, no veteran lost anything; it was the colleges, particularly the community colleges that were shorted. The veterans all got their scholarships, attended school, they didn't lose a thing, no veteran suffered. The problem was, in that relatively small department when the Governor's Office came down and said we want a two percent cut, that if they had tried to take the two percent out of the other line items excluding the multi-million dollar...whatever the total appropriation for the scholarship is, they would have, for instance, had to practically close down the Quincy Home. The problem is not just with the department, it's also with the administration. You can't ask...it's one thing when you have a...a huge department and a huge...we talk hundreds of millions of dollars like the Scholarship Commission, they've got a little room to maneuver and that department...that line item has to be exempted from these two percent and one percent or three percent cuts that come down. So it isn't just the department, it's also the Governor's Office, they have to have the mathematical

intelligence to understand that that is an impossibility. If...if you eliminate the whole rest of the department, you...you know, you...you almost wipe them out if he can't take that. That's why he said what he said. But the point is, we can't let the Governor's Office and the department do that again, and...and, frankly, the only way I know to do that is to get a commitment from the Governor's Office per se; because if...if...if they come down and ask for a two percent from that department, he has to close the Quincy Home, close the LaSalle Home or one of those other facilities to do this. To answer your question, I don't have a commitment. I've talked to the Governor's Office and I think they understand the problem and I think they're sympathetic and I think we can get a commitment, but the bottom line is that the people that want to change this, in fact, are really trying to shift it to the Scholarship Commission and I don't know...I don't question the intent of any my colleagues in either Chamber, but I know that the veterans view this as the first step in taking their scholarship away from them, the one they earned, and they paid a high price for that scholarship and we ought not to give them the impression that we are now going back on our word.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Dudycz.

SENATOR DUDYCZ:

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

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR DUDYCZ:

Senator Etheredge, was this amendment at the request of the Illinois Scholarship Committee?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Etheredge.

SENATOR ETHEREDGE:

No, it was not at the request of the State Scholarship Commission.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Dudycz.

SENATOR DUDYCZ:

Can you tell me if there are any veterans on the Illinois State Scholarship Commission?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Etheredge.

SENATOR ETHEREDGE:

I do not know the background of the people who serve on that commission. I would be astounded if there were not some veterans however, simply because it's a...it's a board of some size and...and I would expect veterans to be there.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Dudycz.

SENATOR DUDYCZ:

How many members are on the commission?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Etheredge.

SENATOR ETHEREDGE:

I believe that there are nine, Senator.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Dudycz. Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. I am absolutely appalled at the rhetoric I am hearing on this concurrence motion. First of all, let us all stand and be proud that Illinois is the only State in the United States that gives all veterans scholarships. So this conversation about jeopardizing those scholarships is hogwash. The issue we're talking about is compatibility and efficiency. Now, if we were to...fragment the various scholarships, we would have none of them in the

Scholarship Commission because there's only one scholarship for scholarship and that's the academic scholarship and we would probably put that into the Gifted Students Program. We have a National Guard Scholarship, should we put that in the National Guard Commission? We have one for needy students, should we put that in public aid? Come on, fellows, wake up and smell the coffee. This is efficiency and I have to tell you, if there's any scholarship that I've had any trouble with in my district, it's been the veterans' scholarship with the colleges and, Senator Schaffer, with some of the students also. I urge that we support this concurrence motion.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Keats.

SENATOR KEATS:

This is a...a legitimate question. There are really only two type veteran scholarships; one is this, the other is the National Guard Scholarship that is administered by the Scholarship Commission. Now, my memory of the Scholarship Commission in the last few years...administration of the...the National Guard Scholarship Commission is, let's merely say, questionable. They always run out of funds, they always over commit and the National Guard members are often in problems and...with that scholarship; in fact, they keep putting a limit on that scholarship saying, you know, this year we allocate X number of dollars. The only trouble is when the Legislature passed this law, we never said they could do that. It was a grant program saying if those people would serve us in the Guard, they would get this scholarship. The Scholarship Commission at that time having a bunch of liberals didn't believe in service to their country and kept limiting it and damaging it. What I'm going to ask, if they've continued to do that with the National Guard Commission Scholarship, then in that case, we shouldn't give them this one too. If they've cleaned up their act, well, then

they have a legitimate ground that we might trust them to manage this scholarship. Could I get an answer to that question 'cause, I mean, honestly, I...I'm asking that as a sincere question. That's not a slur, that's just a question.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Further...discussion? Senator Geo-Karis for the second time.

SENATOR GEO-KARIS:

Mr. President, Ladies and Gentlemen of the Senate, I apologize on speaking a second time. I am a veteran, I will be benefiting by these scholarships but there are a lot of veterans who can...benefit. As Senator Keats mentioned about the National Guard Scholarship, I have a letter here dated June 12, 1986, from a gentleman who's the coordinator of Veterans' Affairs at Parkland College in Champaign, Illinois. And he points out that the Scholarship Commission is responsible for...administering the Illinois National Guard Scholarship, and this scholarship has been inadequately funded in the past and the schools have had to bite the bullet in these instances. But we passed the veteran scholarship for veterans and I think when the veterans...rather the...Scholarship Commission Board has nine members and none of whom is a veteran, I think it behooves us to stay with the Veterans' Commission. I think we should give them a chance to get their act together, as Senator Schaffer says, and I certainly speak against this bill because I don't think it's fair. I'm not going to have the Scholarship Commission just ignore the veterans, they have been ignored in the past and I think it's high time that we remember our responsibility when we created the Act for the veterans' scholarships.

PRESIDING OFFICER: (SENATOR SAVICKAS)

For a second time, Senator DeAngelis.

SENATOR DeANGELIS:



Well, I'm sorry to rise on a...for the second time but, Senator Geo-Karis, could you read the first paragraph of that letter you alluded to that's written on the Parkland College letterhead and find out what the gentleman does? Okay. No...no...no, that's what...what he really does.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rupp.

SENATOR RUPP:

Thank you, Mr. President. I think some of us are perhaps guilty of short memories or completely ignoring some of the past debate on this Floor. I remember that we were talking about the committee itself, the Scholarship Committee, not too many years ago and how inefficient it was and, I think, didn't we have to get rid of the director? Didn't they also move? Wasn't there a period when the scholarships under the regular Scholarship Commission weren't even being put out? I think that we at that time expressed and understood and...and did show some understanding. I think it's a...this time we should have some back. I think we should leave it with the veterans.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I rise in support of the motion to concur and, obviously, as we've heard for the last fifteen minutes, some of my friends are for this and some of my friends are against this. The fact is, it is a scholarship program and who better to administer it than the Scholarship Commission? As a matter of fact, if you'll back up a page on Senate Bill 1607, one of the House amendments provides seven million dollars for next fiscal year for veterans' scholarships. Now there isn't any intent on anybody's part to in any way diminish, impair or take away any rights or benefits enjoyed by

veterans. The difficulty we've had is that the department poorly administered the program and, as a result, the receiving schools, the community colleges and the colleges, have been shortchanged because the department in addition to the shortchanging refused, and I underline refused, to come in for a supplemental to pay that bill. Now there have been assurances made by the Scholarship Commission that they will not hesitate...they have not hesitated in the past to come back to this General Assembly and say, hey, we had more students than we figured on, we need more money. The whole point of it is we invoked the scholarship, we put the scholarship into place to pay the schools; schools aren't getting paid, it doesn't make any sense. I urge an Aye vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

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

SENATOR ETHEREDGE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. The purpose of this motion to concur in the House amendment is to protect the scholarship program for our veterans. If you review the recent history and forget the...I think...when people talk and criticize the State Scholarship Commission, they're talking about something that happened twelve years ago...twelve years ago. What I'm talking about now is something that has happened several times in the last few years...in the last ten years, not once, not twice. The...every time the Department of Veterans' Affairs has asked to balance their budget, they have balanced it out of this program by making reductions in this program. The purpose of this concurrence motion is to protect the funding of that program for our veterans who eminently deserve this kind of support. I think the program deserves good, efficient...administration. I am confident, I am satisfied the State Scholarship will provide that administration. I urge

*SB 1624  
concurrent*

you to vote Yes on this motion to concur.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 1612. 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 37, the Nays are 17, none voting Present. The Senate does concur in House Amendment No. 1 to Senate Bill 1612 and the bill having received the required constitutional majority is declared passed. Senate Bill 1624, Senator Demuzio. Senate Bill 1634, Senator Lemke. Senator Lemke.

SENATOR LEMKE:

I move...I would move to concur in the House amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

On both of them, Senator?

SENATOR LEMKE:

On both amendments, yes, 1 and 2.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Keats.

SENATOR KEATS:

Just seeking an explanation, it doesn't look controversial, but I just think an explanation on these is a good idea.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

What this is is...is...this bill is similar to 3302 without the three-day cancellation clause. The penalties are...are the same. That's the only thing it does. There's no three-day cancellation clause in this bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

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

SB 1673  
Concur

SENATOR LEMKE:

I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall the Senate concur in House Amendments No. 1 and 2 to Senate Bill 1634. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are 1, none voting Present. The Senate does concur in House Amendments No. 1 and 2 to Senate Bill 1634 and the bill having received the required constitutional majority is declared passed. Senate Bill 1666, Senator Maitland. Senate Bill 1673, Senator Topinka. Senator Topinka.

SENATOR TOPINKA:

Yes, Mr. President and Ladies and Gentlemen of the Senate, on 1673 I would move to concur with Amendments No. 1, 2, 3, 6, 7 and 8 which are all, it is my understanding, agreed to by the various transportation agencies involved, and I'll be happy to answer any questions specifically if anybody would liked to get into any one of them.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall the Senate concur in House Amendments No...Senator Rock.

SENATOR ROCK:

Just a question. Is...is...do I read House Amendment No. 1 correctly that we are exempting some vehicles from weight limitations?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Topinka.

SENATOR TOPINKA:

Yes, we are exempting...putting...well, we're...we're...clarifying the existing law regarding the weight limitations on garbage haulers and tow truck operators for a very simple reason. When they get stacked up and

packed in and/or when they are carrying a car, it would indeed make them heavier even though you're adding something to this that would normally not be in the weight of the vehicle. IDOT supports that as well.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Well, then...then if you will also explain Amendment No. 3.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Topinka.

SENATOR TOPINKA:

This is basically an extension of what is currently in place for Cook County which came out of the inimitable Lincoln Towing situation of a while back, and it...this amendment does not, therefore, affect Cook County which has already taken care of itself on this front. And it would require private property owners to post notice on parking lots which would let the vehicle owner know where his or her vehicle has been towed.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

This is the Sangamo Club amendment, as I understand it, is that right?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Topinka.

SENATOR TOPINKA:

Some circles it has been referred to as the Sangamo Club amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

Senator Topinka, I remember when we passed this towing

legislation...in fact, I remember sponsoring it, we put it under the Commerce Commission and...the Commerce Commission rules and regulation which apply to all towers in the State of Illinois which have to be licensed stipulate that there has to be posted a sign of a certain size, at a certain location as to no parking, who's towing and where the car goes to. Isn't that the present law and maybe it's not?

PRESIDING OFFICER: (SENATOR SAVICKAS)

...Senator Topinka.

SENATOR TOPINKA:

Yes, it is currently in the Vehicle Code but applicable only to Cook County and you are not in this amendment. This makes basically what is going on in Cook County applicable to the rest of the State which is maybe where you were going to originally.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

...you mean to say that the...the current law and...and when the Illinois Commerce Commission regulating towers and relocators does...the Commerce Commission does not regulate and license outside of Cook County?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Topinka.

SENATOR TOPINKA:

Not for private property towing.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hall.

SENATOR HALL:

Would the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR SAVICKAS)

She indicates she will.

SENATOR HALL:

Senator Topinka, I didn't get your explanation for Amend-

ment No. 1...if...am I right when I hear you say that you're making exceptions to trash haulers and things, that they could exceed the weight limit?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Topinka.

SENATOR TOPINKA:

Currently, the way the law reads, it is applicable to an empty garbage truck or a tow truck. When you put garbage into a garbage truck, it makes it heavier than the basic truck; likewise, when a towing truck is towing a car, it makes it heavier. IDOT supports this because otherwise we...it becomes very difficult to tow cars or haul garbage.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hall.

SENATOR HALL:

Hell, I mean, we've got weight restrictions and now we're going to come along and let somebody...break that law, legally break that law? If I...if I have to applied by one part of it, then I don't understand why that wouldn't apply to everybody. The law either covers for all or none, that's what I'm trying to get straight. Why would we have such a law to allow a certain person, if they go in and they weighed and they saw you're overweight, so therefore you must be given a ticket. But here comes another group to say, no, we won't give you a ticket because we make exceptions.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

Let me ask you a question. Are we going to grandfather in all of those tow truck owners that had licenses that the Commerce Commission indicated that some years ago that they didn't have to apply for a license any longer but that if, in fact, they were ever going to be required to be licensed again that they would automatically be grandfathered in, are

we doing anything with them?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Topinka.

SENATOR TOPINKA:

At this point, this still does not require anybody to be licensed. It just spells out the requirements for licensure should they wish to go that route.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

There's currently a opinion that is being requested of the Attorney General. My synopsis says that this amendment is going to settle this dispute between the towing association and the professional tow truck operators by allowing those tow...towers or wreckers the option to apply for a license issued by the Commerce Commission. What if he had a license previous? Are you...are you saying that those individuals...now, we're not...we're currently not enforcing this current law, is that correct, prior to this legislation passing?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Topinka.

SENATOR TOPINKA:

That is correct, but if you are already licensed, you remain licensed. This does not affect current licensure.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

Well, I...I would like to ask the sponsor to take this out of the record for a moment because I...I think that there's an awful lot of people in this Senate that are going to be affected by this particular piece of legislation, I hope for the betterment, but I am still confused about those individuals who...who...who want to be grandfathered in that



are out there running around the highways under some agreement that says that they won't be ticketed because there's currently a...a cease order to prevent those individuals from being arrested...I'd like to know more about this before we proceed. I think we may be compounding the problem, I'm...  
PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Luft.

SENATOR LUFT:

Question of the sponsor, please.

PRESIDING OFFICER: (SENATOR SAVICKAS)

She indicates she'll yield.

SENATOR LUFT:

Senator Topinka, is this amendment an agreement between the two towing groups that were on opposite sides of the issue that Senator Demuzio is talking about? Is this not the agreement that they have come to and everybody is now happy?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Topinka.

SENATOR TOPINKA:

They are in...both in agreement as is the Illinois Commerce Commission with them.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Demuzio.

SENATOR DEMUZIO:

Well, frankly, I don't care about the two associations nor I...do I care about the Commerce Commission. I want to know...I've got people in my district who had license previous who can't get them now but they have a letter from the Commerce Commission indicating that if they were ever required...to be licensed again that they would automatically get them back, they wouldn't have to go through a hearing process. Does that what this does? And if it doesn't, I...I would like for you to take it out of the record so we can fully discuss it.

SB 1700  
Concurrence

PRESIDING OFFICER: (SENATOR SAVICKAS)

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

SENATOR TOPINKA:

Yes, considering that all the parties to this have...have been in agreement as well as the Illinois Commerce Commission, those...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

Well, all the parties, meaning whom? What happens if you don't belong to either one of those associations? Who represents those parties, the Commerce Commission?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Topinka.

SENATOR TOPINKA:

Senator Demuzio, it is my understanding that if these people are licensed now, they retain their license. This does not impact on current licensure.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

I'm asking you for a common courtesy to take it out of the record for a few minutes and see if it resolves my problem, if it doesn't,...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Topinka has agreed to take it out of the record for a few minutes. Take it out of the record. Senate Bill 1700, Senator Rock. Senator Rock.

SECRETARY:

Senate Bill 1700 with House Amendment No. 1.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I would just call your attention to the fact

that...Senate Bill 1700 is the tax increment financing law. I know a number of amendments were talked about, both in House committee and on the House Floor. One amendment was actually adopted, it was offered by Representative Vinson and it changed only the provision with respect to the distribution of the surplus. And it says, "We had the distribution going first back to the State on the annual surplus. This changes it to the extent that it will be distributed proportionately to the State and the participating municipality." Apparently,...Representative Vinson and some of the House members felt that that was fairer to the municipalities. I have no...no reason to disagree with that and so I'd move to concur with House Amendment No. 1 to Senate Bill 1700.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 1700. 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 55, the Nays are none, none voting Present. Senate Bill 1700 having received...the Senate does concur in House Amendment No. 1 to Senate Bill 1700 and the bill having received the required constitutional majority is declared passed. Senate Bill 1706, Senator Luft. Mr. Secretary.

SECRETARY:

Senate Bill 1706 with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. I would move that we do concur with House Amendment No. 1 even though parts of this amendment I think will be vetoed by the Governor simply because parts of this amendment have already through other legislation gone to the Governor's Desk, I believe on Senator

Lemke's enterprise zone bill. That part being that we increase from forty-eight to sixty the number of enterprise zones that DCCA may certify between now...or 1983 and '88 and we increased to number thirteen the number that could be expanded in...between 1986 and subsequent years. The major part of this amendment though is to allow grantees under the Illinois Grant Funds Recovery Act and civic centers receiving State monies between January '84 and January of '87 to keep the interest earned on that State money.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 1706. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are 1, none voting Present. The Senate does concur in House Amendment No. 1 to Senate Bill 1706 and the bill having received the required constitutional majority is declared passed. Senate Bill 1709, Senator Netsch. Senate Bill 1711, Senator Collins. Mr. Secretary.

SECRETARY:

Senate Bill 1711 with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

Yes, thank you, Mr. President and members of the Senate. Amendment No...I move to...to...No. 1...what the amendment does, it takes out the provisions of the bill as it passed the...passed the Senate that addresses the issue of allowing the...the judge to remand the person to a drug and...and alcohol abuse counseling program as an alternative to being convicted or going to jail. And most of the people involved with the issue thought that it had already been taken care of in...in the current law, and because of the major revisions

in the Domestic Violence Act that it would be probably more feasible at this time that we delete that whole division so that...provision so that it wouldn't cause any conflict and confusion with the new Act, and I would concur with that amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Fawell.

SENATOR FAWELL:

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

PRESIDING OFFICER: (SENATOR SAVICKAS)

She indicates she will.

SENATOR FAWELL:

I...Senator, are you sure that this...does remain in the law, because I know my judges use this portion of the law quite frequently when they have some young man who has committed a crime and is high; in fact, I just got a phone call on one the other day that...that exact thing happened. It...are you sure it's still in the law someplace?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

...yes, you know, from...staff indicated that it is. I had the same major concerns but the people dealing with domestic violence, everybody tend to think that it is...if it's not there...the judge have the discretion to do that anyway if it's not there and if it does not work, we can come back next year and...and...and try to do something about amending it. But, at this time, I'd like to go on and concur with the amendment to...if, for whatever reason, to just...you know, get down confusion.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, the question is, shall the Senate concur in House Amendments No. 1 to Senate

SB 1799  
CONCURRED

Bill 1711. 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. The Senate does concur in House Amendment No. 1 to Senate Bill 1711 and the bill having received the required constitutional majority is declared passed. Senate Bill 1728, Senator Etheredge. Read the bill, Mr. Secretary. Senate Bill 1783, Senator Joyce. (Machine cutoff)...the bill, Mr. Secretary.

SECRETARY:

...Senate Bill 1783 with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEROME JOYCE:

Thank you, Mr. President. This is the Beef Marketing Act that we passed. The amendment that I move to concur with is at the request of the Dairy Association. House Amendment No. 1 allows any dairy co-op within...with at least fifty Illinois members...to be...to have representation on the Milk Promotion Board. Currently, only six organizations are allowed to have members on that board and this would increase that, and I would move to concur.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 1783. 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 1 and the Senate does concur in House Amendment No. 1 to Senate Bill 1783 and the bill having received the required constitutional majority is declared passed. Senate Bill 1799, Senator Smith. Mr. Secretary.

SECRETARY:

Senate Bill 1799 with House Amendments 1 and 2.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Smith.

SENATOR SMITH:

Thank you, Mr. President and members of the Senate. I move to concur with Amendments 1 and 2 for Senate Bill 1799. The...Amendment No. 1 allows the Chicago Board of Education to levy their building tax at the maximum rate for 1986 only. And Amendment No. 2 allows the school districts to contact with non-for-profit organizations to conduct summer staff development programs institutes, and allows the...pupils who live within one and a half miles from the school but experience safety habits due to vehicular...traffic to qualify for grants under the Parental Transportation Grant Program. I move for the adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall the Senate concur in House Amendments No. 1 and 2 to Senate Bill 1799. 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 39, the Nays are 16, none voting Present. The Senate does concur in House Amendments No. 1 and 2 to Senate Bill 1799 and the bill having received the constitutional majority is declared passed. Senate Bill 1809, Senator Demuzio. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1809 with House Amendments 1, 2, 4 and 5.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

I move to nonconcur with Amendments 1, 2, 4 and 5.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio moves to nonconcur in House Amendments No. 1, 2, 4 and 5 to Senate Bill 1809. All those in favor

indicate by saying Aye. Those opposed. The Ayes have it. The motion carries and the Secretary shall so inform the House. Senate Bill 1814, Senator Poshard. Senate Bill 1815, Senator Etheredge. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1815 with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I move that the Senate concur in House Amendment No. 1. There...there are two parts to...this is the designer drugs bill, by the way. The first part of the amendment is technical in nature, it adds the words "or analogue" in...in each of the controlled substance violation amounts. And the second part provides an exemption from the controlled substance violation provisions for the manufacture, possession or distribution of a substance under an approved new drug application or an exception for investigation under the Federal Food and Drug Act. I would move to concur with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 1815. 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 57, the Nays are none, none voting Present. The Senate does concur in House Amendment No. 1 to Senate Bill 1815 and the bill having received the required constitutional majority is declared passed. Senate Bill 1837, Senator Weaver. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill...1837 with House Amendment No. 1.



PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. I would move that the Senate concur in House Amendment No. 1. House Amendment No. 1 just adds some land in Vermilion County Conservation District to the bill. If there's any questions, I'll be happy to try to answer them.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? If not...Senator Rock.

SENATOR ROCK:

My understanding was that this was going to be held for a day or two...we were visited yesterday, were we not, by that contingent from Vermilion County and their bags full of petitions from forty thousand residents of that county saying, this is not such a hot idea?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Weaver.

SENATOR WEAVER:

Well, Senator Rock, the Vermilion County Conservation District asked for this and in the original bill, any property owner along the river may become a part of the scenic river where their land is...and it's an option open to any landowner. Now I think those petitions you referred to were probably a couple of years or ten years old.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

I'll tell you, they dumped them all on my table right in my office, they didn't look ten years old. I guess the concern that the residents have, and perhaps Senator Woodyard or someone from over there is probably more familiar than I, the concern is about the proposed reservoir is it not?...and that...that this designation, if we do this, the...the appar-

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Concurrence

ent attempt at least at the reservoir construction is fore-  
closed, at least that was the concern that was expressed to  
me. Now, we have been...it seems to me this question of  
reservoir or nonreservoir has been before this Assembly for  
the last ten or twelve years and we seem to fight back and  
forth. I'm...I'm confessing my ignorance, sir. What I'm  
suggesting is that, given the anxiety that those folks have,  
my understanding was...and I directed them immediately to  
your office and I hope they got there with forty thousand  
petitions.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Weaver.

SENATOR WEAVER:

Maybe...fortunately, they didn't get there, Senator Rock,  
but this cannot...this reservoir cannot be built in the  
future. The...there's Federally designated preserves there,  
it's just...the cost benefit ratio is not there. There are  
thirty-seven other suggestions as to water supply for the  
City of Danville and any one of those is much more economical  
than damming up this river. Now, I don't care about the  
amendment, they can come on next year, the year after, but  
they...they voted to become a part of it...in the conser-  
vation district and so I'm just trying to accommodate them.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall the Senate concur in House Amend-  
ment No. 1 to Senate Bill 1837. 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 41, the Nays are 1 and 9 voting Present. The Senate does  
concur in House Amendment No. 1 to Senate Bill 1837 and the  
bill having received the required constitutional majority is  
declared passed. Senate Bill 1838, Senator Barkhausen. Read  
the bill, Mr. Secretary.

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END OF REEL

REEL #4

SECRETARY:

Senate...Senate Bill 1838 with House Amendments 1, 2, 3 and 4.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members. I move that the Senate concur in House Amendments 1, 2, 3 and 4, all of which relate to that portion of the bill dealing with the Revised Uniform Limited Partnership Act. These are all fairly technical amendments. There is no opposition. I'd be happy to explain them, otherwise, would move for concurrence.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall the Senate concur in House Amendments No. 1, 2, 3 and 4 to Senate Bill 1838. 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 none, none voting Present. The Senate does concur in House Amendments No. 1, 2, 3 and 4 to Senate Bill 1838 and the bill having received the required constitutional majority is declared passed. Senate Bill 1845, Senator Marovitz. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1845 with House Amendments 1 and 6.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President. I would move that the Senate do concur with House Amendments 1 and 6.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Welch.

SENATOR WELCH:

I have a question of the sponsor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR WELCH:

Amendment 1 says in order to change custody from joint custody, the proof...that amendment is out? My synopsis says it's...in. It's out by Amendment 6. All right. That's all I had.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Marovitz. If not, the question is, shall the Senate concur in House Amendments No. 1 and 6 to Senate Bill 1845. 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. The Senate does concur in House Amendments 1 and 6 to Senate Bill 1845 and the bill having received the required constitutional majority is declared passed. House Bill 1855, Senator Lechowicz. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 1855...or Senate Bill 1855 with House Amendments 1, 2 and 3.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Move that we...that we concur with House Amendments 1, 2, and 3 on Senate Bill 1855. Amendment No. 1 would require the Secretary of State to provide by rule the standards to be followed by a lien holder in order to obtain a certificate of title for...for a repossessed vehicle. That was a JCAR recommendation. Amendment No. 2 also is a JCAR

recommendation, entitles a spouse and surviving spouse to receive the senior citizen's reduction in their registration...eligibility of claimants of reduced motor vehicle registration fees. And the third amendment would provide Israel Bonds in which credit union may invest may not be guaranteed by U. S....by the U. S. Government the same as it is provided for other bonds for other nations. I move for the adoption and the passage of...Senate Bill 1855 as amended with concurrence in 1, 2 and 3.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall the Senate concur in House Amendments No. 1, 2 and 3 to Senate Bill 1855. 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...57, the Nays are none, none voting Present. The Senate does concur in House Amendments No. 1, 2 and 3 to Senate Bill 1855 and the bill having received the constitutional majority is declared passed. Senate Bill 1856, Senator Lechowicz. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1856 with House Amendments 1, 2, 3, 4, 5, 7 and 9.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. These are also...Amendments 1, 2, 3, 4, 5, 7 and 9 are additional JCAR bills that have originally passed out of this Chamber and amended to make it a more concise version. Basically, Amendment No. 1 is requested...JCAR requested that amendment. It does retain the original provision of the bill regarding the Pharmacy Practice Act. Amendment No. 2 requires the department to provide information in writing to persons seeking public

assistance about all benefits provided under the Public Aid Code, is also a JCAR amendment. Amendment No. 3...with respect to the regional investigation of complaints of rights, violations of eligible persons, the commission may direct another regional authority to conduct the investigation if a conflict of interest arises. Amendment No. 4 deletes the requirement of multidivision of pharmacy...of a pharmacist in charge of each division...this was according to JCAR. The amendment is agreed...between R and E and the Hospital Association. Amendment No. 5, according to JCAR the amendment was agreed to by the Department of R and E and the Illinois Pharmaceutical Association. Amendment No. 7 requires pharmacies to include facts and comparisons of the Modern Drug Encyclopedia...any current condominium approved by the Department of R and E. Amendment No. 9 amends the Act regarding the R and E services and alcohol abuse and substance and various administrative functions of the agency involved by requiring the standards to be established. This again is a JCAR amendment. And that explains Amendments 1, 2, 3, 4, 7 and 9. I move that we do concur with those amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall the Senate concur in House Amendments 1, 2, 3, 4, 5, 7 and 9 to Senate Bill 1856. 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 57, the Nays are none, none voting Present. The Senate does concur in House Amendments 1, 2, 3, 4, 5, 7 and 9 to Senate Bill 1856 and the bill having received the required constitutional majority is declared passed. Senate Bill 1858, Senator Lechowicz. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1858 with House Amendments 1 and 2.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. I move that we do concur with House Amendments 1 and 2 on Senate Bill 1858. Amendment No. 1 provides that a violation of a recognized standards of arbitration by a hearing officer shall be grounds for removal from the master list of a hearing officer as maintained by the State Board of Education. Amendment No. 2 is a technical amendment deleting from Amendment No. 1 a reference to the State Board of Educationrules. The State Board of Education is in agreement with this amendment and I move that we do concur in...Amendments 1 and 2 on 1858.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall the Senate concur in House Amendments No. 1 and 2 to Senate Bill 1858. 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 56, the Nays are none, none voting Present. The Senate does concur in House Amendments 1 and 2 to Senate Bill 1858 and the bill having received the required constitutional majority is declared passed. Senate Bill 1917, Senator Rock. Read the bill, Mr...Senate Bill 1931, Senator Sangmeister. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1931 with House Amendments 1, 2 and 3.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Sangmeister.

SENATOR SANGMEISTER:

Yes, thank you, Mr. President and members of the Senate. The House took Senate Bill 1931 and added three amendments onto it. The motion is to concur in the amendments. The



first amendment reduced the original request of a minimum of...of sixteen judges...associate judges for a single county and cut it down to fourteen. I'm not extremely happy about that, but if that's the House's judgment, I would accept it. The House also added on...in Amendment No. 2 an increase for the court reporters for the State of Illinois...increasing their pay starting July 1st, 1986 from thirty-three thousand two-fifty to thirty-five thousand two-fifty, and then on...July 1st of '87 to increase that thirty-seven thousand two-fifty. To the best of my knowledge, this is...as you know, this is the substantive legislation, I have not put in any kind of an appropriation for it. I don't know whether anybody over in the House is not, but I think that that pay is justified for court reporters in the State of Illinois and would concur in that amendment. Also, there was an amendment put on for the Seventeenth Circuit which is Winnebago and Boone Counties. This is Amendment No. 3 which would give them two additional associate judges and setting their minimum for a two-county area and it affects only those two counties to be a minimum associate judges of ten. Those are the House amendments, I would move we concur in them.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Barkhausen.

SENATOR BARKHAUSEN:

Will the sponsor yield?

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will.

SENATOR BARKHAUSEN:

Senator Sangmeister, you...you answered one of the questions I had with regard to...Amendment No. 3 as to which counties that particular amendment would affect; you say, apparently, that it's Winnebago and Boone. And then, I guess as a result of House Amendment 1, there has been a reduction in the minimum number of associate judges, was that sixteen

before, and now it's down to fourteen and does that represent a change over the existing law?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Sangmeister.

SENATOR SANGMEISTER:

That is correct. We asked for sixteen and they have reduced it down to fourteen.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Is there currently a...a minimum number of associate judges required for single county circuits and...and if so, what is the current minimum?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Sangmeister.

SENATOR SANGMEISTER:

There is none...currently. This would establish it at fourteen rather than sixteen.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator...

SENATOR SANGMEISTER:

The only county that affects, Senator, is...is mine, Will County, it's the only other single county circuit. The other two are...are...DuPage and Cook and, obviously, they got far in excess of that in associate judges.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Barkhausen.

SENATOR BARKHAUSEN:

How many do you have in Will right now?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Sangmeister.

SENATOR SANGMEISTER:

We have twelve associate judges. This would raise it two more to fourteen, which we need.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Barkhausen. Senator Nedza.

SENATOR NEDZA:

...question to the sponsor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR NEDZA:

Senator Sangmeister, I...you're probably the expert on this, but reading this Amendment No. 2 where you have increased the salaries to thirty-five...thirty-seven...but then it increased the pay of the part-time court reporter from thirty-six to seventy-five dollars per half-day. That's...eight hour day, that's more than twenty dollars an hour. Is that the norm which would be...happens in the courthouse, as I, you know...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Sangmeister.

SENATOR SANGMEISTER:

This is not my amendment; as you know, it was put on in the House. Whether that's reasonable or not, I suppose you have...what do you want to compare it to, you have carpenters that make more than twenty dollars an hour. A court reporter has certain skills. As a lawyer, of course, I would say that those skills are well worth that...there would be people who would differ.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman.

SENATOR SCHUNEMAN:

Question of the sponsor, Mr. President.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR SCHUNEMAN:

My question is similar to that of Senator Nedza, I think. It seems to me we raised the salaries for court reporters

last year, if I remember correctly, and that was considerable controversy. Now we're going from thirty-five thousand to thirty-seven thousand. I really don't know...Senator...what...what kind of...what kind of workload...how many hours a week would a court reporter work in a typical work week?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Sangmeister.

SENATOR SANGMEISTER:

Well,...you know, the courts do not run on uniform hours...so it could vary. I...there is weeks when trials go on for a long period of time...where it could be maybe forty...forty-five, fifty hours a week, there maybe some where it's twenty hours a week, depends upon...how much that particular court wants to labor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman.

SENATOR SCHUNEMAN:

Well, I'm...I'm...they do...they work when the court is in session and then, of course, they have the transcribing that they have to do when this court isn't in session, I'm just trying to get some idea. I...I know that their skills have to be something greater than usual secretarial skills, but by the same token, this does seem to be a pretty...pretty high salary for someone in that...in that range. Are these minimums that we're enacting here or are...are we setting the pay scale and...then I'll ask one other question. Is the total impact of this bill in its present form 1.69 million?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Sangmeister.

SENATOR SANGMEISTER:

To answer the first question, these are maximums, the minimum by Statute is six thousand dollars and the salary is set by the court administrator with the Supreme Court is my

understanding. However, as you know, if they're not at maximum when the maximum is there, they're very close to it so we're not kidding anybody; but the bottom in the Statute is six thousand dollars, these would establish the maximums and it's up to the administrator of the courts to work out a program with the Supreme Court as to actually what they're to be paid. Your second question as to total cost is, is my...analysis shows that the part-time reporters would be three hundred and seventy-nine thousand and...1.3 million for the regular reporters, a total then for both of one million six hundred and seventy-nine thousand dollars.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. In the event that the concurrence motions fail, the bill would go on to conference, correct? Oh, no, first you would ask the House to recede from their amendments?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Yes.

SENATOR DeANGELIS:

I have a recommendation for the sponsor. I think...some of us are in favor of all of the stuff, some of us are in favor of just some of the stuff, it might be advisable to split the question on the amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis has asked for a division...Senator Sangmeister...

SENATOR SANGMEISTER:

I have no objection to that. If you'd like to take each one of these amendments and divide the question, that's perfectly acceptable to me and I would ask that the Chair do that.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The Chair will so...do so. Senator Keats.

SENATOR KEATS:

Having talked to many individuals who deal with some of the downstate courts, I...I don't want to get too heavily into the court reporter thing, but as a couple of downstate attorneys said to me, he said, hey, court reporters make more than the lawyers sitting down here. I'm not going to argue that point. I want to come back to the next one where we're coming back to the number of judges, et cetera. Has anyone ever done a productivity study in some of these courts where we're adding some new judges? I mean, there's an hour requirement and you get time and again, you'll get judges who say to you quietly, you know...you know in some circuits you got some guys who put in eighteen hours a day. I mean, there's no question there's some hard working judges out there. And to quote one of them in Cook County who said, and this is a Democrat in Cook County, it's not a partisan issue, he said, hey, I wouldn't have to work eighteen hours a day if I could get some of these guys to work four. Somewhere before we start adding judges, could we somewhere add some standards that says some amount of work expected, some amount of time expected? We just continually add judges and we ask no questions about the time they're working. Would it be unreasonable, say, let's hold this thing up long enough and maybe add a little productivity standards? Say, if we're going to add judges, we have to prove that they're doing something. 'Cause, you know, judges will say to you, and I got to believe they're saying the same thing to you, that there's a certain part of that Judiciary who's, I think the term is being carried. Usually they say it to me with more graphic terms, but we'll just call it being carried. Is there any way we could hold this up long enough to get some form of productivity standard in? Then I do have one other question.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sangmeister.

SENATOR SANGMEISTER:

Well, if you're going to get into the productivity of the judge...for...you got to remember also, they are a separate branch of government, Senator, I think you're well aware of that. I don't think there's any way that we can start talking about the productivity of judges, at the same time be careful we don't get a Supreme Court decision that wants to look at our productivity. So I cannot concur in that.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Keats.

SENATOR KEATS:

If you remember, we're part time and it's particularly obvious to some members that we're part time...unlike the judges who are full time. A productivity measure is based upon full-time employment; although I do have to say, I've often wondered what we would do with a productivity study for three or four of our members. Coming back to the next question, in terms of the cost. You say you haven't put in an appropriation. What happens if no one passes an appropriation?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis, for what purpose do you arise?

SENATOR DeANGELIS:

Well, I think we're wandering here. If we split the question, we ought to take the first amendment first and I think Senator Keats is now addressing the second amendment. So why don't we go down the line and go amendment by amendment?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator Keats, will you acknowledge that admonishment?

SENATOR KEATS:

Could you get him to say that in American this time?

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. On Amendment No. 1, further discussion? If not...Senator D'Arco.

SENATOR D'ARCO:

Is No. 1 the associate judge amendment? No, it...it reduces it. Oh...okay...no...no...from the original request. Okay. I just wanted to...I just wanted to...Senator Keats, turn around a minute. You see this? You see that? Wait...a minute...hold it...hold it...hold it. You see this? Can you see this? That is the number of cases that one judge is handling in one month on his call. That's...two hundred and eighty cases...two hundred and eighty cases he's handling. You know what the recommended amount is by the bar associations? Seventy-five...seventy-five. You think this judge is overworked?

PRESIDING OFFICER: (SENATOR DEMUZIO)

But Senator D'Arco still has the Floor.

SENATOR D'ARCO:

And there's...and there's forty more criminal judges like him with the same number of cases on their calls. So, you know, maybe we're the ones who are...over...not overworked, maybe it's not the judges.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator D'Arco, have you concluded?

SENATOR D'ARCO:

Yeah, I'm done...I'm done.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Keats.

SENATOR KEATS:

How many of those are continuances and they're just riding the Calendar and they really aren't taking anything? How many are old cases that he really does nothing with? When you look at the number of cases, as you and I well know,



in certain of those courtrooms the overwhelming majority are just continued until the calendar builds up, looks...the bar association says seventy-five; well, that's a nice recommendation but...what are the...caseloads in other courtrooms? You're saying here's one, let's talk about the whole State, let's talk about which one of these circuits, let's talk about how many of these cases are presently operating, how many are continued just 'cause the lawyers couldn't get around to doing their homework to be ready for the case? How many are continued due to the convenience of the lawyers involved? How many are...continued because of the convenience of the judge and how many hours did that judge put in on...on each case and how many are plea bargained so that he really has virtually no time commitment whatsoever. I could give you some very impressive statistics if you don't ask tough questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? All right. Senator Sangmeister may close.

SENATOR SANGMEISTER:

Gee...you never...you never know what's going to bring out the best in everybody. This is, you know,...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Or the worst.

SENATOR SANGMEISTER:

I think this is going to be a whole discussion of the Judiciary for the State of Illinois. What this simply does is...is...is...is reduces from sixteen...the first amendment reduces from sixteen to fourteen the amount of minimum...the minimal amount of judges for a single circuit county, that's all it does. I would ask a favorable...role call on Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. The question is, shall the Senate concur with

House Amendment 1 to Senate Bill 1931. 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 48, the Nays are 6, none voting Present. The Senate does concur with House Amendment 1 to 1931. Senator Sangmeister on Amendment No. 2.

SENATOR SANGMEISTER:

All right. Now Amendment No. 2 is the increase in pay for the full-time and the part-time court reporters. I don't know...again it's an...an increase from thirty-three two-fifty to thirty-five twenty and then in 1987 to thirty-seven two-fifty, increases the part-timers from thirty-six dollars a half-day to seventy-five dollars a half-day. I would move that we...accept House Amendment No. 2 to Senate Bill 1931...that we concur in it.

PRESIDING OFFICER: (SENATOR DEHUZIO)

Discussion? If not, the question is, shall...Senator D'Arco.

SENATOR D'ARCO:

No. I want to point out to the Body that the amount of money that they are actually paid is in the appropriation bill. This is not the actual amount of money that's set by Statute. The amount that's actually paid is in the appropriation bill itself and not the maximum number that's specified in this amendment. It's the truth, I'm telling you the truth.

PRESIDING OFFICER: (SENATOR DEHUZIO)

All right. Further discussion? Senator Sangmeister may close.

SENATOR SANGMEISTER:

All right. Well, you know, all vote your conscience on this. I...you know...of course, when the lawyers speak for the court reporters, it's probably...an inborn feeling that

they deserve this. These are very professional people. I personally think the raise is in order, and, again it's not a raise, it's...it's setting a maximum. And what Senator D'Arco said was true. So...vote it up or down.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is,...question is, shall the Senate concur with House Amendment 2, Senate Bill 1931. 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? (Machine cutoff)...all voted who wish? Take the record. On that question, the Ayes are 27, the Nays are 27, 2 voting Present. Amendment No. 2...Senate nonconcur with Amendment No. 2. Senator Sangmeister.

SENATOR SANGMEISTER:

I don't have to move for them to recede, that goes back over there automatically for their...consideration. Is that correct? Okay, let's go to Amendment No. 3.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Nonconcurrency on 2. Amendment No. 3, Senator Sangmeister.

SENATOR SANGMEISTER:

All right. This was put on again, obviously, in the House, and this would apply, as I understand it, to two county circuits and there's one, Winnebago and Boone which would give them...they now have eight associate judges...and two permissive, and would lock it in at...at ten. So...I would move that we concur in that amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Holmberg.

SENATOR HOLMBERG:

I rise in support of this particular amendment. I have met on frequent occasion with the chief judge in the Winnebago County Circuit and the increased workload has made them ask the Supreme Court for permissive judges just to be able

to handle it. And, as you know, this is not always a permanent thing, and they are asking particularly with the new DUI convictions and the type of workload that we have been giving them that this be made a permanent addition for these two northern counties.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Keats.

SENATOR KEATS:

Is there any way to justify this amendment we could see some kind of caseload comparison? I mean, just to give us a feel. Senator D'Arco brought out a sheet that...I appreciate it because I...it makes people realize how far behind some of the Cook County cases have become. Could we get...have you got anything that would give us any comparable comparison for the area? I mean, if we need them, we need them, but somehow we ought to justify them. If a judge says I'm overworked, that's nice; well, I think I'm overworked too. What we're saying is, could we get something that would justify them to show the caseload or workload increases, et cetera?

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Sangmeister.

SENATOR SANGMEISTER:

Well, I...I don't have all the answers for that circuit up there either but I'll tell you this, according to my analysis they have eight present judges and two permissive so they've got ten already. All you're doing is locking in the two permissive judges they already have. Now you don't get permissive judges from the Supreme Court unless you need them. So, apparently, the workload has to be there.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Question is, shall Senate concur with Amendment No. 3 to Senate Bill 1931. 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?

SB 1934  
Concurrence

Have all voted who wish? Take the record. On that question, the Ayes are 44, the Nays are 13, none voting Present. The Senate does concur in Amendment 3 to Senate Bill 1931. Senate Bill 1934, Senator Jeremiah Joyce. Senator Joyce. I mean...I'm sorry. Mr. Secretary, 1934.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1934 with House Amendments Noed. 1 and 2.

PRESIDING OFFICER: (SENATOR DEHUZIO)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Thank you, Mr. President. I move that the Senate do concur in House Amendment 1 and 2 to Senate Bill 1934. Senate Bill...House Amendment No. 1...deletes the provision which allows recruiters to have access to the names and addresses of prospective high school graduates. The House would not go along with that, and...I, somewhat reluctantly concur with it...House Amendment No. 2...provides that residency within school districts shall not be considered in determining employment or compensation, retention, promotion, assignment or transfer. It does not apply to cities having a population exceeding five hundred thousand.

PRESIDING OFFICER: (SENATOR DEHUZIO)

Senator Joyce has moved to concur with House Amendments 1 and 2. Discussion? Senator Topinka.

SENATOR TOPINKA:

Yes, Mr. President and Ladies and Gentlemen of the Senate. I would thank Senator Joyce for at least reluctantly concurring with...Amendment No. 1, because I would ask for a nonconcurrence. This amendment I had asked Senator Joyce to put on here in the Senate and it involves getting the military to be able to...to go to school districts, get their graduation list so as to make available their scholarship information and limited therein to scholarship information. We just got through quite a big discussion awhile back on

scholarships and veterans and how important all this is, and now we are literally cutting off the ability of numerous youngsters to be able to avail themselves of scholarships provided by the Federal Military as well as the State Military in the form of the National Guard. There are some school districts now which do not even allow our military to be able to come in on career days just to be able to share this information for the ability of...of further academic pursuits. The same people that are making available these scholarships are exactly the same people we were honoring just a couple of weeks ago in a very exalted Vietnam Veterans' Parade. We sit here and talk about veterans'...legislation every day and are very supportive, and now at the very source of all this where we can make available these kind of scholarships to kids who in some cases may not have any other opportunities to go to college, we shut them off. And I would ask this Body to look very closely at this and not concur with Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Topinka, the...the question is on Amendments 1 and 2. Further discussion? If not, Senator Joyce may close. Whoops...Senator...

SENATOR JEREMIAH JOYCE:

Well, once again I...I...

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Topinka, for what purpose do you arise?

SENATOR TOPINKA:

I would ask for a division of the question, please.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

All right, that...that certainly is in order. Division of the...of the question has been requested. Senator Joyce, on Amendment 1?

SENATOR JEREMIAH JOYCE:

Well, I...I have no problem with the division. I

SB 1942  
Concurrence

would...I would simply say with respect to Amendment No. 1 that...my colleagues in the House tell me that there is no support over there for the material...for the matter that was contained in the...that was deleted by Amendment No. 1. So I would ask that we concur.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall the Senate concur in House Amendment 1 to Senate Bill 1934. 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 36, the Nays are 17, none voting Present. The Senate does concur with Amendment 1...House Amendment 1 to...Senate Bill 1934. Senator Joyce on Amendment 2.

SENATOR JEREMIAH JOYCE:

I ask for a concurrence.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Question is, shall...shall the...Senate concur with House Amendment 2 to Senate Bill 1934. 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...take the record. On that question, the Ayes are 36, the Nays are 19, none voting Present. The Senate does concur with Amendment No. 2...and now concurring with House Amendments 1 and 2, the bill having received the required constitutional majority is declared passed. Senate Bill 1942, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1942 with House Amendment 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President and members of the Senate. This bill creates the offense of intentional homicide of an unborn

child. The amendment, House Amendment No. 1, is a technical amendment and it merely changes the language, "Section 81-22 of this chapter" to "Section 2 of the Illinois Abortion Law of 1975 as amended." This is final action, that's all it does. Senator Hudson, Senator Lemke and I would very much appreciate your support.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Discussion? If not...if not, the question is, shall the Senate concur with House Amendment 1 to Senate Bill 1942. 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 47, the Nays are none, 1 voting Present. The Senate does concur with House Amendment 1 to Senate Bill 1942 and the bill having received the required constitutional majority is declared passed. Senate Bill 1946, Senator DeAngelis. Mr. Secretary, 1946.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1946 with House Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. I move that the Senate concur with House Amendment No. 1...I'm sorry, it's Amendment No. 2...to Senate Bill 1946. When Senate Bill 1946 left the Senate, although it passed, there were some discussion regarding some difficulties some members had regarding the involuntary transfer. I pledged to do whatever possible to work that out in the House. Apparently an agreement has been worked out, all parties to my knowledge have signed off, and that's what Amendment No. 2 to House Bill 1946...Senate Bill 1946 does, and I urge that we concur with it so we can have final passage.

PRESIDING OFFICER: (SENATOR DEMUZZIO)



Discussion? Senator Berman.

SENATOR BERMAN:

Question of the sponsor. Could you...

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Indicates he will yield. Senator Berman.

SENATOR BERMAN:

I was...contacted over the weekend by some people involved with the Illinois Citizens for Better Care. Have they signed off?

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

Mr. Berman...Senator Berman, I don't know that they have or they haven't, but I would have a feeling if they saw it they would. I don't know if they were involved in the negotiations. This came up, you know, fairly late. We have moved about as far as we can with it to ensure that nobody is getting booted out.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Further discussion? Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I rise to second Senator DeAngelis' motion to concur. The rather lengthy discussion we had on the Senate Floor before the bill left here concerned itself, as I'm sure everybody is aware, with the question of a person in a nursing home who for one reason or another would be involuntarily discharged with...apparently without recourse. I congratulate the Senator, I think this amendment is...makes this bill much improved and I intend to support it.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Further discussion? The question is, shall the Senate concur with...House Amendment 2 to Senate Bill 1946. Those in favor will vote Aye. Opposed will vote Nay. The voting

AB 1957  
concur

is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. The Senate does concur in House Amendment 2 to Senate Bill 1946 and the bill having received the required constitutional majority is declared passed. Senator Vadalabene has a special guest that he would like to introduce at this time.

SENATOR VADALABENE:

Yes, thank you, Mr. President, members of the Senate. Today, again, we are privileged to have with us here on the Senate Floor an outstanding American and a citizen of Illinois who received two Silver Awards and three Bronze Stars, an outstanding individual, truly a great guy, Tom Stack, who was the chairman of the Vietnam Parade in Chicago this year. Comrade Stack.

TOM STACK:

(Remarks given by Tom Stack)

PRESIDING OFFICER: (SENATOR DEMUZIO)

Bottom of page 19 is Senate Bill 1957, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1957 with House Amendments Noed. 1, 2, 4 and 5.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Friedland.

SENATOR FRIEDLAND:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I'd like to...move to concur in House Amendments 1, 2 and 5 and nonconcur in Amendment 4. Amendment...House Amendment...I...rewrote the bill a little bit, maintained the original intent but tightened the language to exclude any possible innocent parties. Amendments 2 and 5 add a provision to the Criminal Code to create an Act to disqualify Nazi war criminals from receiving various benefits authorized by the State. And I'd urge your support in these three amend-

ments and to nonconcur in Amendment 4, please.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Friedland has moved to concur with House Amendments 1, 2 and 5. Discussion? Senator Rock.

SENATOR ROCK:

Thank you, Mr. President. I would...I am inquiring about Amendment No. 2 specifically, and I'd just ask that the gentleman explain it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Friedland on Amendment No. 2.

SENATOR FRIEDLAND:

House Amendment 2, as I mentioned, created an Act to disqualify Nazi war criminals from receiving any benefits authorized by State law. I guess...a...Nazi war criminal is an individual against whom United States Attorney General has filed a final order of deportation on charges that the individual lied on his immigration papers about past associations with the Nazi Government in order to seek entry to this country...the small category that this might affect would be denied benefits such as homestead exemptions...reduction in fees of various licensures and so forth.

PRESIDING OFFICER: (SENATOR DEHUZIO)

Senator Rock.

SENATOR ROCK:

This, I take it, would deny all the State benefits while the appeal is pending, is that the idea?

SENATOR FRIEDLAND:

That's correct.

PRESIDING OFFICER: (SENATOR DEHUZIO)

Senator...Friedland says that's correct. Further discussion? Senator Darrow.

SENATOR DARROW:

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

PRESIDING OFFICER: (SENATOR DEHUZIO)

Indicates he will yield. Senator Darrow.

SENATOR DARROW:

Our analysis states that the person who are...persons who are subject to deportation orders. Is it that they're subject to the deportation order or has there been a hearing and a determination made of the substance?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Friedland. The Chair will acknowledge the presence of the Governor of...Governor Thompson and Secretary of State Edgar on the...on the Floor. Your Excellency. Senator Friedland.

SENATOR FRIEDLAND:

There would have...I'm informed there would have had to been a hearing because it would be a final order.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Darrow.

SENATOR DARROW:

With regard to House Amendment No. 1...are we eliminating a residence from criminal trespass to real property? In other words, if you enter a residence under those circumstances, is it still trespass to real property?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Friedland.

SENATOR FRIEDLAND:

No, we're not, Senator, there's another section in the existing law that deals with that.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. The question is, shall the Senate concur...with House Amendments 1, 2 and 5. 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 48, the Nays are 4, 2 voting Present. The Senate does concur with House Amendments 1, 2 and 5 to Senate Bill 1957. Sena-

tor Friedland now moves to nonconcur in Amendment 4 to Senate Bill 1957. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. Page 20. Page 20 is Senate...Senator Fawell, for what purpose do you arise?

SENATOR FAWELL:

Point of personal privilege.

PRESIDING OFFICER: (SENATOR DEMUZIO)

State your...

SENATOR FAWELL:

Sam, I noticed you returned to your seat immediately after the last introduction, and yesterday after you introduced the two Miss Illinois's you disappeared all day. What happened?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene.

SENATOR VADALABENE:

Fay, this is Sam. When Miss Teenager Illinois embraced me up on the Podium yesterday, I looked over at you and my heart dropped. I really didn't know what to do. But I really tell you, Fay, I've hugged you and she hugged me and there sure is a difference...and I still love you, Fay.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sometimes, Senator Fawell, it's better not to know. All right. We are on page 20, Senate Bill 1988, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1988 with House Amendments No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. I move that the Senate concur with House Amendment No. 1 to Senate Bill 1988. House Amendment No. 1 deleted everything after the enacting clause and came up with an agreed amendment that was worked out between

the Department of Registration and Education, Pharmacist Association, Department of Mental Health and the Illinois Hospital Association. The amendment clarifies the pharmacy divisions more clearly in regard to the intent of the legislation. The amendment also creates a fifth division to act as sort of a catchall for various pharmacies that are enacted and...and involved in Division 2 and 3. I move for its adoption and appreciate your support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall the Senate concur with House Amendment 1 to Senate Bill 1988. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. The Senate does concur with House Amendment 1 to Senate Bill 1988 and the bill having received the required constitutional majority is declared passed. Page 20 is Senate Bill 1991, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1991 with House Amendments 1, 2, 4 and 8.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Degnan.

SENATOR DEGNAN:

Thank you, Mr. President. I move to concur with House Amendments 1, 2, 4 and 8 to Senate Bill 1991. House Amendment No. 1 provides for leaves of absences to local association presidents of...State teacher organizations who serve as the bargaining agents to attend meetings concerning educational reform as directed by the State superintendent, a regional superintendent or a local superintendent. House Amendment No. 2 eliminates any disincentive for teachers to serve in military reserve units by ensuring that there is not a pay reduction if their unit is called into action during

JB 1991  
Concurrence

the school year. House Amendment No. 4 does two things, requires school districts to transfer any unofficial records and transcripts from one school district to another. This ensures an orderly transition of students, and also House Amendment No. 4 requires that course work time in summer school be the same as during the regular school year as recommended by the North Central Accreditation Association. House Amendment No. 8 deals with the Chicago Board of Education submitting its financial plan and budget to the finance authority at least sixty days prior to...commencement of the relative fiscal period. I move adoption of...I move concurrence on those four House amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President. I would like to ask that we'd have a division of the...of the question on...on this particular motion.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland has requested that we have a division of the question, certainly in order. No...no objection? Senator Maitland. Senator Degnan.

SENATOR DEGNAN:

I move concurrence to House Amendment No. 1 to Senate Bill 1991.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator Maitland, is it your desire to...each amendment to be on...it's your desire for each amendment. All right. Senator Degnan has moved to concur with amendment...House Amendment 1. Discussion? Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President. I rise to oppose House Amendment No. 2 to Senate Bill 1991. I think if the Body would...would carefully look at this amendment...I...

PRESIDING OFFICER: (SENATOR DEHUZIO)

No...no...no...no, wait a minute, we're on...we're on House Amendment 1, Senate Bill 1991.

SENATOR MAITLAND:

That's what I said.

PRESIDING OFFICER: (SENATOR DEHUZIO)

I thought you said Amendment 2, I beg your pardon.

SENATOR MAITLAND:

I beg your pardon, I...I'm speaking on House Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEHUZIO)

I...well, I am correct. Senator Maitland.

SENATOR MAITLAND:

Mr. President, you usually are correct. Thank you, very much, Mr. President. I rise in opposition to Amendment No. 1 to House Bill...Senate Bill 1991. I think the Body will...if the Body will notice what the amendment says, it speaks to the issue of a...local association president...be given a leave...a paid leave of absence as the individual attends a meeting. It also becomes apparent to me that it's very necessary that the individual teaching in that particular area in that school is the one who really needs to go to the meeting, that's what the meeting is all about. So this, in effect, doubles the cost to that local school district for those attending that meeting. And I would, therefore, rise in opposition to Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEHUZIO)

Further discussion? All right. If not, Senator Degnan may close.

SENATOR DEGNAN:

Well, I don't think the amendment says that two people have to go, to correct Senator Maitland.

PRESIDING OFFICER: (SENATOR DEHUZIO)

Well, now Senator...Senator Maitland.



SENATOR HAITLAND:

Well, I didn't say that; but the fact of the matter is, they both may go, and if each one...if...if the school district wants the person who teaches in that area to go, they also have to allow the association president to go, that's what the amendment says. That's mandated.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator...Collins. Senator Collins.

SENATOR COLLINS:

Are we on Amendment...are you...did you do Amendment No. 8 yet? I'm sorry.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Collins, there are only...no, we did not, we...we have separated the question, we are on Amendment No. 1. Further discussion? Senator Degnan may close.

SENATOR DEGNAN:

I move...I move to concur in House Amendment No. 1 to Senate Bill 1991.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall the Senate concur with House Amendment 1 to Senate Bill 1991. 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 37, the Nays are 17, none voting Present. The Senate does concur with House Amendment 1. Senator Degnan, on House Amendment 2.

SENATOR DEGNAN:

House Amendment 2, as I explained earlier, does two things, it eliminates any disincentive for teachers to serve in the military reserve units by ensuring that there is not a reduction in pay if their unit is called into action during the school year...I'm sorry, it does one thing and that's what it does.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Discussion? Senator...all right. The question is, shall the Senate concur with House Amendment 2 to...to Senate Bill 1991. Those in favor will vote Aye. 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 1, none voting Present. The Senate does concur with Amendment...House Amendment 2 to...Senate Bill 1991. Senator Degnan on Amendment No. 4.

SENATOR DEGNAN:

House Amendment No. 4 to Senate Bill 1991 does two things. Hello. Requires school districts to transfer any official records and transcripts from one school district to another and requires that course work time in summer school be the same as during the regular school year as recommended by the North Central Accreditation Association. I move the adoption of House Amendment No. 4 to Senate Bill 1991.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

All right. Senator Degnan has moved to concur with House Amendment 4. Discussion? Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President. I object to Amendment No. 4, and let me speak only to the issue of summer school. In most instances where summer school is taught, there is a reduction in the total number of hours that are required for that particular course; and the reason for that, obviously, in...in summer school there is less time, but you have been able to get by with less total hours in a course because of the concentrated and the condensed factor of...of the time period in which that course is offered. I am concerned that if we put this kind of a provision on, we may well, in fact, eliminate the ability to offer some of those summer school courses. And I think we really ought to take a look at this.

This really creates some very serious problems and...and I...I think we ought to...reject this amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Etheredge.

SENATOR ETHEREDGE:

Will the sponsor yield?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Etheredge.

SENATOR ETHEREDGE:

Senator, I wanted to clarify one of your statements because it seems to be...at...at variance to what my analysis says. According to your statement, the summer school classes would conform to the recommendations of the North Central Association. My analysis indicates that the summer school classes would have to meet the same number of hours when offered during the summertime as they meet when they are conducted during the regular academic year, and there's quite a difference between those two statements.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Degnan.

SENATOR DEGNAN:

My information is, and let me read it, "Requires that course work time in summer school be the same as during the regular school year as recommended by the North Central Accreditation Association." Are you saying that's an incorrect statement?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge.

SENATOR ETHEREDGE:

...excuse me...just a moment here. My understanding of the...of the North Central Association...I...I think that their question that...the difference that we're having, Senator, probably relates to the fact that the North Central Association has...has different standards. I think there is

a minimum...a minimum standard to which most of the accredited high schools...I presume all of the accredited high schools now...now meet. But the...the words that...that you use...I think the...the important thing that you said...we can forget the North Central Association, the important thing that you said was that the classes offered during the summertime would have to meet the same number of hours when there...as when they're offered during the regular academic year. I just want to point out that if we enact this legislation, it effectively kills summer school programs. It will effectively...kill summer school programs in our schools. So I...I think we want to think about this before...before we support it. Right now, in...in the schools back in...in my area, the students who are taking a class go to...attend these classes for a half a day for...for six to eight weeks. If we're going to have them meet minute for minute summer school and during the regular academic year, we're going to have them going eight hours a day and we're going to have them going all summer long. I submit to you that the...the way the schools now offer these courses are in conformity with the minimum requirements of the North Central Association. I really don't think that we ought to be about the business of...of enacting this. I think this is a bad move and it ought to be rejected.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Fawell.

SENATOR FAWELL:

Just a point on personal privilege. Before he leaves, I think we should congratulate our former colleague Pete Miller whose birthday is today and he's...old. Happy birthday, Pete.

PRESIDING OFFICER: (SENATOR SAVICKAS)

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

SENATOR DEGNAN:

Well, this concept...as House Bill 2279 passed the House a 101 to 13 earlier this Session, I think it's a good idea. I move to concur in House Amendment No. 4 to Senate Bill 1991.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall the Senate concur in House Amendment No. 4 to Senate Bill 1991. 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 33, the Nays are 20, none voting Present. The Senate does concur in House Amendment No. 4 to Senate Bill 1991. Senator...Senator Degnan on...House Amendment No. 8.

SENATOR DEGNAN:

I move to concur with House Amendment No. 8 to Senate Bill 1991.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

Senator, according to our staff analysis here, it says the Chicago Board says the sixty-day increase is in error. What...according...according to the staff analysis, they're saying that the sixty-day increase is in error, that the original House bill...in...in their legislative package shortened the time period from forty-five to thirty days, and...and I just wanted to ask the question, have you talked with them about this at all?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Degnan.

SENATOR DEGNAN:

I think you are correct, Senator. I think there is language being drafted to properly address this amendment on another bill, but rather than bounce this thing between

Houses, I would move to concur with this amendment and I know another amendment to straighten this forty-five to sixty...or sixty rather to the forty-five is going to appear on another bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, the question is, shall the Senate concur in House Amendment No. 8 to Senate Bill 1991. 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 39, the Nays are 16, none voting Present. The Senate does concur in House Amendment...No. 8 to Senate Bill 1991 and the bill having received the required constitutional majority is declared passed. Senate Bill 1993, Senator Macdonald. Read the bill, Mr. Secretary.

END OF REEL

REEL #5

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1993 with House Amendment 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Macdonald.

SENATOR MACDONALD:

Thank you, Mr. President. I move that we do concur in Amendment No. 1 which is technical in nature and was requested by the department. The amendment makes technical changes. It says that the director...that the department rather than the director is responsible for listing the approved drugs and it also provides that the approved drugs shall be listed and distributed to all department facilities. I move the concurrence of this amendment. It's Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 1993. 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 none, none voting Present. The Senate does concur in House Amendment No. 1 to Senate Bill 1993 and the bill having received the required constitutional majority is declared passed. Senate Bill 2003, Senator Marovitz. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 2003...a bill for an Act to...I'm sorry, with House Amendments 1, 2, 3 and 4.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. I would move that the Senate do not concur in House Amendments 3 and 4 to Senate Bill 2003 and that a conference...the bill be sent back to the House.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz moves to nonconcur in House Amendments No. 1, 2, 3...and...go ahead, Senator Marovitz...Senator Marovitz.

SENATOR MAROVITZ:

3 and 4.

PRESIDING OFFICER: (SENATOR SAVICKAS)

You want to concur in 1 and 2...is there any discussion? The question is, shall the Senate concur in House Amendments No. 1 and 2 to Senate Bill 2003. Those in favor indicate by voting Aye. Those opposed. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are 1, none voting Present. The Senate does concur in House Amendments No. 1 and 2 to Senate Bill 2003. Now, on Senate...on House Amendments 3 and 4, Senator Marovitz moves to nonconcur in House Amendments 3 and 4 to Senate Bill 2003. All those in favor indicate by saying Aye. Those opposed. The Ayes have it. The motion carries and the Secretary shall so inform the House. Senate Bill 2017, Senator Barkhausen. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate...Senate Bill 2017 with House Amendment 1 and 2.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, this is the bill that makes available for certain therapeutic purposes...certain products that have been prohibited under the Cannabis Control Act when the Federal Government has rescheduled them and permitted their use under limited circumstances under the Controlled



Substances Act. The House put on a couple of technical amendments and I move that we concur in House Amendments 1 and 2. There's no opposition to them. I'd be happy to explain them.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Harovitz.

SENATOR HAROVITZ:

Just a...clarifying question. There is an amendment that was added in the House relative to cannabis and the growing of cannabis. I thought it was on Senator Geo-Karis' bill and I want to make sure that it is not on this bill. Is it, in fact, not on your bill...having to do with the growing of cannabis?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Barkhausen.

SENATOR BARKHAUSEN:

No, there's certainly nothing of that kind in this bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, the question is, shall the Senate concur in House Amendments 1 and 2 to Senate Bill 2017. 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 56, the Nays are none, none voting Present. The Senate does concur in House Amendments 1 and 2 to Senate Bill 2017 and the bill having received the required constitutional majority is declared passed. Senate Bill 2018, Senator Leitch. Senate Bill 2020, Senator Geo-Karis. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 2020 with House Amendments 5, 6 and 7.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, the...2020...House bill...Senate Bill 2020 has three amendments. One, it allows the...Amendment No. 5 allows the Illinois Department of Public Aid to contract with private attorneys in personal injury proceedings. Amendment 6 allows a beneficiary to compel the department to dismiss its action or control over the case to an attorney of the beneficiary's choosing and this action shall not affect the department's lien under the section...Amendment 7 amends the Nursing Home Care Reform Act to increase the membership of the Long-Term Care Facility Advisory Board by three people. I move the concurrence of these...these amendments to Senate Bill...2020.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Discussion? Senator Keats.

SENATOR KEATS:

I...I would appreciate a...a...more of an explanation on...on hiring private attorneys in personal injury actions. I'm not saying it's a bad idea, I'd just sort of like it explained so I know what it means.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis...while Senator Geo-Karis is looking for that, let's...you...you have it Senator...Senator Geo-Karis.

SENATOR GEO-KARIS:

Senator Keats, this amendment is in my bill and the amendment...my bill originally provided for...I think Senator Berman remembers, for...certain subrogation rights where there are judgments obtained by certain people on public aid. Yes, and I think I'm going to ask my friend, Senator Berman, to explain it, Senator Keats.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, friend, Senator Berman.

SENATOR BERMAN:

Thank you, friend, President; friend, Senator Geo-Karis; friend, Senator Keats. The department by this amendment is saying that in addition to staff attorneys in-house, that they ought to have the authority to utilize private attorneys to collect the benefits that have been paid out by the Department of Public Aid where there's been an accident involved. It expands their resources in order to collect the monies that the department wants to get back where there is a lien and subrogation rights under an accident case involving a...a recipient...a recipient of public aid. It is similar to what the department has...been authorized to do in the collection through private attorneys of unpaid child support under AFDC cases.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I have some concern about Amendment No. 5 for the reason that this is a relatively new initiative of the department to provide attorneys for those welfare recipients who can pursue a cause of action for personal injury, and I don't have any particular problem with the retention of a private attorney, obviously, but I wonder why...as opposed to the child support enforcement procedures, why in this procedure the Attorney General's Office is not involved at all?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

This has nothing to do with the child support proceedings. This is simply on personal injuries and I think I've satisfied your query and I'm sure I've satisfied Senator Keats.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

...Senator Keats is more easily satisfied than I. You certainly haven't satisfied me. What...what I...my only reference to child support enforcement was the procedure. When the department hires attorneys to pursue child support enforcement, they are deputized as Deputy Attorneys General for that purpose, to pursue the State's interest and the Attorney General has some right of approval or disapproval over those individuals who are, in fact, working at the behest of the department. This amendment doesn't involve that procedure and I wonder why.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Rather than delay the proceedings, since the delay was started by my colleague on this side, I want to take it out of the record and I'll take care of him later.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well,...take it out of the record. Okay, Roger. Well, we want to thank Senator Keats for pointing out all those things in that bill. All right, page 20, Senate Bill 2035, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 2035 with House Amendment 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. I move that the Senate do concur with House Amendment No. 1 to Senate Bill 2035. The amendment simply puts in better form and better language what the original bill did, and I would urge that we concur with that amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Kelly.

SENATOR KELLY:

No, I withdraw my...I just was going to ask a question, but apparently it isn't...not a major change, so...thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

Thank you. Just as a matter of clarification. Some of us don't have...photographic memories or total retention. When you talk about this is a minor change in the original thing, could you just briefly identify what the original bill did?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

Be more than happy to, Senator Netsch. The bill as introduced required that the nineteen regional libraries have on file in a computer tape all the services available to handicapped persons. The bill was actually written in lay language. I helped draft it. When it went to the House, they...they wanted to add their legal imprint to make it more effective and that's essentially what they did.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, the question is, shall the House...or shall the Senate concur in House Amendment 1 to Senate Bill 2035. Those in favor will...will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. The Senate does concur in House Amendment 1 to Senate Bill 2035 and the bill having received the required constitutional majority is declared passed. Senate Bill 2042, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 2042 with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

I would move that the Senate do not concur with House Amendment No. 1 to Senate Bill 2042. It was incorrectly drafted by LRB and the Department of Revenue and, unfortunately, has to be sent back and sent to a conference so that a correction can be made.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz moves that the...to nonconcur with House Amendment 1 to Senate Bill 2042. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Motion carries and the Secretary shall so inform the House. Senate Bill 2076. Senator Keats, you helping out on this one too? Bottom of page 20 is Senate Bill 2076, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 2076<sup>✓</sup> with House Amendments Noed. 1 and 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, Senate Bill 2076 has two amendments from the House. Amendment 1 changes the method of...manifesting evidence of intent to forego the father's parental rights, stipulates intent shall include the father's commencement of legal proceedings to establish fair intention within thirty days of the child's birth or a good faith effort to pay a reasonable amount of financial support for either the birth or as maintenance of the child. This bill is supported by the Department of Children and Family Services and...Department of Public Aid. I move the concurrence of both...the second amendment is a technical amendment, it changes two inverted words. So, I move the concurrence of both amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Marovitz.

SENATOR MAROVITZ:

Well, I think we'd better take a look at this bill here. This is a pretty substantial change, Senator Geo-Karis, and in effect, rewrites the entire bill, House Amendment No. 1, regarding paternity. First of all, as I understand it, there's no provision in the legislation for notifying that father. Is that correct?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

No, that's not true and not to my knowledge. We had a provision for notification in the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

My understanding is that House Amendment No. 1 which, in fact, becomes the bill does not make any provision at all for notification of the father. Okay? Now, let me ask...it says that an unmarried father would...would forego his parental rights if, one, he fails to commence paternity proceedings within thirty days of being informed that he may...may...is or may be the father or, two, if he fails to make a good faith effort to pay a reasonable amount of expenses related to birth and to provide financial support of the child. Let...let me ask you a question. What is...what is the problem with the current law that necessitates us to make this wholesale change without going through the committee process and without giving anybody a chance to take a look at this?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

If I may answer, the next bill will bring that in that you're...talking about. The reason for these changes is

because it has been difficult to have adoptions. You have some father who never cares about the child and then just comes around when he feels like it, nothing is done for the child, it can prevent an adoption that should take place. We're trying to protect the children. That's the purpose of these bills.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Further discussion? Senator...Senator Fawell. Senator Fawell.

SENATOR FAWELL:

I...I think if you will look in the analysis of...of 2077 you will find that that particular requirement is put back into the law...into the Statutes. Apparently, somebody caught it over there in the House.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Further discussion? Senator Jones.

SENATOR JONES:

Yes, thank you. Senator Geo-Karis, when...in the amendment it says the father must be...must make a good faith effort to show that he is the father and you say he's to be informed. How is the father to be informed of...of such?

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

I think we have to look at the...the reasonableness; of course, if he doesn't get any proper notice of...if there's mail sent to him and he receives it and doesn't respond, that's information. I mean, the...the courts are going to take that into consideration, Senator. They're not going to just say any kind of notice by telephone or anything like that.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Jones.

SENATOR JONES:



Well, the reason why I raised that question...and I know what you're trying to get at; however, you may be creating more of a problem in doing this than you're trying to protect the child, but if that father hasn't received proper notice such as...through certified mail or a sheriff notice, what could conceivably happen if this legislation becomes law is that child could be placed up and given up for adoption and that father could come back in years later and say he was not notified as such, there would be no proof whatsoever that that father had proper notification and, as a result, the child then is placed in jeopardy of going back to that father. So, you're trying to protect the child but I believe in this instance you're doing the child more harm by opening up a Pandora's box.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

If I may respond, it says to...on to commence legal proceedings to establish...his paternity under the Illinois Parentage Act of 1984 or the law of the jurisdiction of the child's birth within thirty days of being informed that he is the father like...or the likely father of the child or...after being so informed where the child's not get...within thirty days of the child's birth or, two, to make a good faith effort to pay a reasonable amount of the expenses related to the birth of the child and to provide for a reasonable amount for the financial support of the child, the court to consider in its determination all relevant circumstances including the financial condition of both parents and provided that the ground for termination provided in the subparagraph and to...shall only be available with the petitions brought by the father...by the mother or the husband of the mother...the husband or the mother. What I'm saying to you is, the court is not going to let this consent

just go bye-bye. There has to be adequate proof to the court that the...that every reasonable effort has been made to notify the father.

PRESIDING OFFICER: (SENATOR DEHUZIO)

Further discussion? Senator Karpel. Senator Marovitz.

SENATOR MAROVITZ:

Well, a couple of things. First of all, Senator Fawell brought something to my attention in the next bill. The next bill deals with...with adoption. This bill deals with foregoing parental rights and while a...the notice provision was put into the adoption legislation which is the next bill, 2077, it was not put into...2076 in the bill which would abrogate parental rights. What I'm concerned about, Senator Geo-Karis, and maybe I'm wrong, but I haven't had really time to look at, it's the first time we're...we're seeing this entire revision here; and in...in Amendment No. 2, not under number one but under small two, it says, "To make a good faith effort to pay a reasonable amount of the expenses related to the birth of the child and to provide a reasonable amount for the financial support of the child." Now, there is no time limit there. If we're trying to speed this up so we can allow for adoptions, which I think, is a very good idea, in the second portion of that bill which would abrogate parental rights, there is no time limit in which that father has to make a good faith effort to pay reasonable amounts for the birth of the child or support of the child. So, that seems to be a tremendous loophole. At what point do we say, well, he hasn't made this effort, so, therefore, we're going to...he's going to abrogate all of his parental rights?

PRESIDING OFFICER: (SENATOR DEHUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Two things, one is at the beginning of the paragraph it says if he's been informed...within thirty days of being

informed and the other part is...in the next bill it has up to six months...the child has to be up to six months of age of the child. So, the two bills are companionate. This what I'm trying to tell you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Let me...let me...the two bills are similar but they are not companions, let me just say that, and we're...we're dealing with 2076. If we pass this bill, this goes to the Governor's Desk. The next bill deals with adoption. This bill...bill does not deal with adoption, it deals with abrogation of parental rights, that's a separate and distinct subject matter. What I want to know is, there is no time frame on the small two here. I'm not...I'm not disagreeing with what you're trying to do and I think Director Johnson has done a terrific job and...and...and has the best of intentions here. What I'm trying to say, is this properly drafted, is it tight or are we opening up some loopholes here that may cause us some serious problems in the future? That seems to be the case.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

I don't think we're creating loopholes. What we're doing, in effect,...what this is showing an element of unfitness on the part of that parent who doesn't give a darn about the child. I mean,...well, that's what it says. If you read the whole amendment, it's in there. It's very...I think it's very succinctly stated, and I'm not kidding you...I'm not sponsoring this just to make noise, I think we need it. Those of us who've done adoptions know how important this is.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

I...I know you're...I know you're serious and I know the House sponsor is serious and I know that Director Johnson is...is very serious...first of all, this is a...this a bill that abrogates parental rights that didn't go through the committee process. Okay? This...this amendment was added, it becomes the bill, it is...it is basically the bill and...and...and was added in the House. Now there are no standards in the second part of this amendment. You're going to abrogate the entire parental rights of somebody, you have standards in number one, you have thirty days, very good, but in number two, there are no standards whatsoever. It is very vague. There's no time frame. There are no standards. Shouldn't we tighten this up before we take away a father or mother's...well, a father, probably,...take away their entire parental rights? Shouldn't that be tight?

PRESIDING OFFICER: (SENATOR DEHUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

This amendment does not become the bill. This only takes a change in lines 14 through 19 on page 3, and...hold on a minute...and the...it deletes...just a second...it replaces parts of it but I do think that the bill the way it stands is going to be a help to adoptions because it's going to be a help to show whether or not this father is unfit, it's a form of unfitness.

PRESIDING OFFICER: (SENATOR DEHUZIO)

Further discussion? Senator Berman.

SENATOR BERMAN:

Well, thank you, Mr. President. I regret having to continue in this line of questioning but I...I'm reading the amendment and I am disturbed because what we are saying here is that if the father cannot prove...and the burden is upon him, if the father cannot prove that he has made a good faith

effort to pay a reasonable amount of the expenses related to the birth of the child and to provide a reasonable amount for the financial support of the child, his parental rights can be terminated. I think that that's a pretty severe penalty imposed upon somebody who, A, may not know even where the courthouse is; B, you're imposing upon that person the burden of proof regarding his ability to...to pay for expenses which in most of these cases weren't even incurred by the...by the mother. They may have...they were probably incurred by some public aid agency and we're going to terminate his parental rights because he can't prove that he was able to pay public aid back. I think that's very dramatic and far too damaging to a father's rights as to his child just because of a question of a few dollars, and I have not worked on this bill, it's the first time I'm looking at it, but to me it seems that you're...you're imposing a very dramatic penalty on an unsophisticated clientele regarding only the payment of money, and because of the payment of money, you're terminating his rights to his child. I can't support that kind of an approach.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

All right, we have at least four additional speakers. Senator Lemke.

SENATOR LEMKE:

I think this bill should be in conference, Adeline. I...I just see some problems with this. The other problem as Art brought up...you know there's a lot of people out there, even though we passed a new Paternity Act and...decriminalized things, I still think it's a crime to have...they might have had a child while they were married or they might have a child...out of wedlock and...and these guys are still afraid that they're going to be prosecuted and we still have a Criminal Code that makes it a crime for fornication and adultery and...and this is a big thing,

and...and I think the burden should be on the...not on the guy to prove but the...the person that...that...the burden should be on the person that says he is an unfit. I mean,...in no way in...in...justice system does a guy have to prove he's unfit, he's fit. We assume that every father is a fit father and just because he fails to pay some money, I mean, there's a lot of circumstances that are involved and I think what we should do is the guy should be brought in court...we...we gave them a Collection Act, he should be brought in court and he should be forced to pay. I think that would help us the easy way, but to...ruin somebody's rights in regards to their...their...their son or their daughter, I think is wrong. I mean,...we should be very careful in interfering with natural parents. We should be very, very careful and I...I think this bill we should put into conference and try to work out some of the difficulties.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

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

SENATOR GEO-KARIS:

I rise for this purpose; first of all, the guy who doesn't care about his kid, I...I have no sympathy for, but I...rather than go on and belabor it, I would like to divide the question and I will nonconcur with the first amendment and ask for concurrence on the second amendment which is a technical amendment, it changes two inverted words.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Well, Senator Geo-Karis, why don't...why don't you just nonconcur on both and...

SENATOR GEO-KARIS:

Well,...

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

All right, let me just...retract what I said. Let me nonconcur in both in order to track this right, and may I just say, I should...we should not be concerned about having the woman...for heaven sakes, if he's not going to take care of his kid, we're going to just give him a free ride constantly? No. I move to nonconcur, but right now, you're boiling me.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis moves to nonconcur in House Amendments 1 and 2 to Senate Bill 2076...nonconcur in House Bill 2076. Those in favor indicate by saying Aye. Opposed Nay. Ayes have it. Secretary shall so inform the House. Motion carries. Twenty-one...page 21, Senator Geo-Karis, same motion? Wait a minute...

SENATOR GEO-KARIS:

This is the next bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...all right. Top of page 21, Senate Bill 2077, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 2077 with House Amendment 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

This is Amendment 1 to Senate Bill 2077. This is an amendment that further...defines the circumstantial requirements relating to adoption of a child born out of wedlock as the requirements pertain to the father's knowledge of the birth and maintenance of a...of...of a relationship with the child. If you look...it's one...Amendment 1, and it certainly provides for a notice in Amendment 1 and...I...it provides that...to show that...there has to be a showing of the father of the child born out of wedlock when the following circumstances apply; one...A, that he has been informed that

he is the father of the child; B, that the child has been placed for adoption when under six months of age and, C, the father has failed to do at least one of the following; one, openly live with the child for a continuous period of at least one-half of the length of the child's life prior to...prior to placement for adoption unless prevented from doing so by the mother or any other party and, two,...Roman Numeral II, openly holds themselves out to be the father of the...the child under such a period or, three, pay a fair and reasonable sum in accordance with his means for the medical, hospital and...nursing expenses incurred in connection of the mother's pregnancy with birth of the child or, four, to be the father of a child born out of wedlock where the following circumstances applied, where he has been informed that he is the father of the child and where the child who's adopted...been a legal custody petitions for adoption for at least six months since birth and where the father has failed to make payments toward the support of the child of a fair and reasonable sum according to his means, and...or...and either the father has failed to visit the child at least monthly when physically and financially able to do so and not prevented from doing so by the person or agency having lawful custody of the child and, two, that the father has failed to maintain regular communication with the child, et cetera. I think that this is a good amendment and I move for the concurrence of this amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Mr. Secretary, you want to put it on the board. Senator Geo-Karis has moved to concur with Amendment 1. Discussion? Senator Marovitz.

SENATOR MAROVITZ:

...I...I concur with the intent of this. I have one serious question and I don't know the answer and you need to point it out to me and I discussed it, I think,



with...briefly with Senator Fawell. What about the requirement that the father be informed of the birth of the child and the residence of the child? Can you show me where that is that the father would have to be informed of the birth of the child and the residence of their...of...of the child and that there be returned receipt acknowledging the fact that he has, in fact, been informed of the matters in the...in the legislation?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

The inform part was the part I put in at your suggestion, if you'll recall...it was in there, the father...where the father has been informed that he is the father of the child. All right? Now, the court is going to take care...take cognizance of everything. The receipt...this has...it's going to have to be sufficient receipt before the court. No court is going to go just on the word of someone, you know it and I know it. I know my courts don't. There has to be some absolute proof of notice.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Well, we're writing the law here, so let's...let's...let's take a look at the bill and say, since we're writing the law, what requirement of notice are we going to demand before we tell a father that child has been adopted and you lose all your rights? I'm not disagreeing with what you're saying, I'm just trying to make sure that there is notification. I...I...Adeline, if a father is not interested in a child, I want to take away his rights, I agree with you, but at least I want to know that he's been informed and has made an informed decision not to be interested, not pay, not to acknowledge, whatever.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

If you read the bill in its an...entirety with the amendment, I think you...it should...it should satisfy it...satisfy you because what we're trying to do is help...children be adopted when the father of the child doesn't care, and all we're asking here is...and I'm saying it again, there is...he has to be notified of the residence of the child.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

All right, I'll...I'll...I'll simply ask you the question. What page and line number do the notification provisions in the bill sit on? I mean, exactly where is it? We're not talking about the substance of the bill or your intent, I'm talking about a page and line number where there has to be a standard of notification.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...Senator Geo-Karis.

SENATOR GEO-KARIS:

If you want me to state for the record, the intent is that he has to have adequate notification either by certified mail, return receipt requested or by publication whichever...is applicable.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

I...I think I can bring this thing to an end. Adeline, I think everybody in this Chamber probably agrees with the intent and the substance of the legislation. My suggestion to you, as a lawyer...speaking as a lawyer and to a lawyer, is that you nonconcur, put the bill in conference, put the

notice requirement in the law, it'll be tight, it'll be safe, the bill will pass, it'll go to the Governor and he'll sign it and everybody will be protected.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Will Senator Marovitz tell me what he considers adequate notice?

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Sure, I...I...I will tell you. First of all, there should be a signed returned receipt that...that...that the father has, in fact, received notice that there's been a birth and where the location of his child is. A return receipt requested will be a very simple thing to put in the legislation. That would satisfy me and I think make this a very tighter law.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

And when we can't find the father, what do I do?

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Marovitz.

SENATOR MAROVITZ:

If...if you cannot find the father after due diligent attempt and a...and a passage of a certain period of time, that's...that's a different story. We can put that in the legislation after...after there has been...diligent attempts to locate that father at his last known address, last place of work; we have this in other...other parts of the law, we ought to put that in a bill where we are taking away all the rights of the father. That's all we're saying, we're not arguing with what you're trying to do.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Under the present law, as you and I both know, when their can't...the father can't be found or he's no...not located, there's publication...publication notice has to be made through the papers, you and I both know that. So, I'm saying to you, and I've said it for the record, there has to be adequate notice, either by certified mail, return receipt requested to the father at his last known address or...I'll say it right now, but I'm giving you the legislative intent right now, and I'd like to move for concurrence on this because I think we're going too far afield.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Sangmeister.

SENATOR SANGMEISTER:

Well, for what it's worth, I think there's an awful lot of concern here for the unmarried father. I remember when I first came down here if...I think I'm correct on that, the law was that he had absolutely no rights at all. If the child was born, it could be put up for adoption and you didn't have to get the consent of the...of the unmarried father. All of a sudden, we're awfully concerned about these individuals, ninety percent who after the happy night is over really don't want to be found anywhere when they find out that the young lady is now pregnant and they may have to support her when that child is born; in fact, most of these people are hiding so that they can't be found. All of a sudden, we're absolutely concerned about this young man who is now a father and...if he's that proud of his child, I suggest that he follow the requirements that are involved here, run in and establish a paternity suit for yourself so that you are the father. Back in my county, ninety-nine percent...or ninety-nine and three-quarter percent of the cases,

you're trying to find the guy to pin paternity on him. Let him run into the hospital and pay the medical bills. Let him go to the...to the young lady's...parents and say, hey, that's my child, I want to pick up all these medical expenses. What's all this concern for the unmarried father? It's time that we made and put into society a means by which these children can be adopted and put into a home where some father and mother really wants them, and I think we ought to concur in this amendment.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Further discussion? Senator Jones.

SENATOR JONES:

Yeah, thank you, Mr. President. I don't purport to compete with the distinguished lawyers on...on this Senate Floor, but, as Senator Marovitz pointed out, the law is what the bill reads, and if...if...if she's really...if Senator Geo-Karis is really concerned about the child, then she will put this bill in Conference Committee...because what could conceivably happen is a father did not receive proper notice as such, that child goes up for...I mean, adoption, that father comes into court and that father can get that child because he was not properly notified as such. Now we all agree that the father of a child...if he doesn't want to take care of the child, this is good legislation. We agree with the intent and for the Senator to refuse to put the bill into a Conference Committee to clear up that problem, the judge is going to rule as to what the law says, and what the law says is that...that he does not have to receive a certified mail...mail...proper notice should not be given. Why don't we spell it out in the bill so that you can protect the child? If you want to protect the child going for adoption, you will put that in the bill.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Further discussion? If not, Senator Geo-Karis may close.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, I heartily concur with Senator Sangmeister's remarks. I have already set it forth for the record that there should be adequate notice either by...by a...by certified mail, return receipt requested or publication when they can't find them, and I might tell you right now that no court is going to deprive a father of any rights, even though he hasn't looked after the kid, unless there is adequate notice, and I move for concurrence of this bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. The question is, shall the Senate concur with House Amendment 1 to Senate Bill 2077. Those in favor will vote Aye. Those opposed Nay. The voting is open.

PRESIDENT:

All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 39 Ayes, 1 Nay, 11 voting Present. Senate Bill...the Senate does concur with House Amendment No. 1 to Senate Bill 2077 and the bill having received the required constitutional majority is declared passed. 2091, Senator Berman. On the Order of Secretary's Desk Concurrence is Senate Bill 2091. Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 2091 with House Amendment 1.

PRESIDENT:

Senator Berman.

SENATOR BERHAN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. The amendment that I move to concur in merely provides that the student's...eligibility for participation in gifted education programs shall not be conditioned upon race, religion, sex, handicap or any other factor other than the student's identification as gifted or talented. I move

*SB 2100  
concurrance*

the...concurrance in House Amendment No. 1.

PRESIDENT:

Senator Berman has moved concurrance with House Amendment No. 1. Any discussion? If not, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 2091. Those in favor will vote Aye. Opposed vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Ayes, no Nays, none voting Present. The Senate does concur with House Amendment No. 1 to Senate Bill 2091 and the bill having received the required constitutional majority is declared passed. Senator Luft on 2100. On the Order of Secretary's Desk Concurrance is Senate Bill 2100. Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 2100 with House Amendment No. 2.

PRESIDENT:

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. I would move to nonconcur in House Amendment No. 2 and ask the House to recede from Amendment No. 2.

PRESIDENT:

All right. Senator Luft has moved to nonconcur in House Amendment No. 1 to Senate Bill 2100. All in favor signify by saying Aye. All opposed. The Ayes have it. The motion carries and the Secretary shall so inform the House. 2129, Senator Degnan. On the Order of Secretary's Desk Concurrance is Senate Bill 2129. Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 2129 with House Amendment 2.

PRESIDENT:

Senator Degnan.

SENATOR DEGNAN:

Thank you, Mr. President. House Amendment 2 contains many of suggested legislative changes suggested by State's Attorney Richard Daley of Cook County. Those include amending the juvenile court's speedy trial provisions which was passed out of the Senate earlier this Session by Senator Marovitz on a vote of 57 to nothing. Also the State's right to a jury trial similar to something passed out 48 to 3 by Senator Jeremiah Joyce earlier this Session, and the Narcotic's Forfeiture Act sponsored and passed by Senator Lemke 54 to nothing earlier in this Session. What Amendment No. 2 also includes and is not part of State's Attorney of Cook Counties legislative package is a reference to Section 9 which repeals Section 4 of the Juror's Law and eliminates categorical jury exemptions. For that reason, I move to nonconcur, ask the House to recede from Amendment No. 2 to Senate Bill 2129.

PRESIDENT:

All right. Senator Degnan has moved to nonconcur in House Amendment No. 2 to Senate Bill 2129. All in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and the Secretary shall so inform the House. Senator Joyce, 2165. 2173, Senator Luft. On the Order of Secretary's Desk Concurrence is Senate Bill 2173, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 2173 with House Amendment No. 1.

PRESIDENT:

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. I would ask that the Senate not concur in House Amendment No. 1 and ask the House to recede from that amendment.

PRESIDENT:

All right, Senator Luft moves to nonconcur in House



Amendment No. 1 to Senate Bill 2173. All in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. 2177, Senator Lemke. On the Order of Secretary's Desk Concurrence is Senate Bill 2177, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 2177 with House Amendment No. 1.

PRESIDENT:

Senator Lemke.

SENATOR LEMKE:

What this...bill does is increases the number of enterprise zones that the Governor can make this year to...from...to thirteen...from eight to thirteen. It also extends the...creates sixty enterprise zones to make up with the ones that we have increased the amount of enterprise zones. It also has in there grants for labor management committees or projects that will promote labor...management and relations matters. Matching grants may provide as much as seventy-five percent of the program operating costs for the first year. This is a...I understand, the recommendation by...Department of Community and Commerce Affairs. I ask for...its adoption.

PRESIDENT:

All right, Senator Lemke has moved concurrence in House Amendment No. 1 to Senate Bill 2177. Discussion? If not, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 2177. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 53 Ayes, no Nays, none voting Present. The Senate does concur with House Amendment No. 1 to Senate Bill 2177 and the bill having received the required constitutional majority is declared passed. Senator Lemke, for what purpose do you arise?

AB 2165  
concurrency

SENATOR LEMKE:

Apparently, my...I didn't...I didn't press my switch. If I had, I would have voted Yes on 2177.

PRESIDENT:

Record will so indicate. Let's back up and go to 2165, Mr. Secretary, please. Senator Joyce is back with us. On the Order of Secretary's Desk Concurrence, Senate Bill 2165, 2-1-6-5, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 2165 with House Amendments 1, 3, 4, 5, 6, 7 and 8.

PRESIDENT:

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Thank you, Mr. President and members of the Senate. I ask that the Senate do concur with House Amendments No. 1, 3, 5, 6, 7 and 8 to Senate Bill 2165 and that the Senate do not concur with House Amendment No. 4 to Senate Bill 2165.

PRESIDENT:

All right, Senator Joyce has moved concurrence in House Amendments 1, 3, 5, 6, 7 and 8. Discussion? Senator Barkhausen.

SENATOR BARKHAUSEN:

Well, Senator Joyce, since we had had some discussion about this bill at the time it passed the Senate, could you...state what Amendment No. 4, which I believe is the one for which you're asking nonconcurrency...what that amendment does?

PRESIDENT:

Senator Joyce.

SENATOR JEREMIAH JOYCE:

I...I am asking nonconcurrency with Amendment No. 4 in order that this matter be placed in a Conference Committee...for other purposes, I would be concurring with it, that

is the provision which prohibits any person from advertising in any Illinois media that another state has a lower minimum drinking age than Illinois, that takes that out and that was taken out at the insistence of a substantial number of House members and taken...and I will be concurring with that or would be agreeable to that at a later date for the purpose of having the bill passed in the House, but at this point, I'm asking nonconcurrence so that this matter go to a Conference Committee.

PRESIDENT:

Senator Barkhausen.

SENATOR BARKHAUSEN:

Does House Amendment No. 8, in your opinion,...I discussed this with you or your staff, is that resolved...do you think the question we were talking about earlier regarded eligibility for a restricted driving permit after a certain period of time for those under the age of twenty-one?

PRESIDENT:

Senator Joyce.

SENATOR JEREMIAH JOYCE:

House Amendment No. 8 to Senate Bill 2165 was initiated by your discussions, and I think you have been privy to most of the conversations and communications with the Secretary of State's people on that matter and, yes...the answer to that is yes.

PRESIDENT:

All right, Senator Joyce has moved concurrence in House Amendments 1, 3, 5, 6, 7 and 8. Any discussion? If not, the question is, shall the Senate concur in House Amendments 1, 3, 5, 6, 7 and 8 to Senate Bill 2165. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. The Senate does concur with

AB2185  
Concurrence

House Amendments 1, 3, 5, 6, 7 and 8 to Senate Bill 2165. Senator Joyce now moves to nonconcur in House Amendment No. 4 to Senate Bill 2165. All in favor of the motion to nonconcur indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. 2185, Senator Lemke. On the Order of Secretary's Desk Concurrence is Senate Bill 2185, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 2185 with House Amendment 1.

PRESIDENT:

Senator Lemke.

SENATOR LEMKE:

This is the 1986 Legislative Reference Bureau Revisory Act, and the amendment that was put on in the House was a technical amendment, contains no additional...nonsubstantive changes and was...that were discovered by the LRB after the bill was...was introduced. I ask for favorable consideration.

PRESIDENT:

All right,...Senator Lemke has moved concurrence with House Amendment No. 1 to Senate Bill 2185. Discussion? If not, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 2185. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. The Senate does concur with House Amendment No. 1 to Senate Bill 2185 and the bill having received the required constitutional majority is declared passed. 2191, Senator Welch. On the Order of Secretary's Desk Concurrence is Senate Bill 2191, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 2191 with House Amendments Noed. 1, 2 and 3.

PRESIDENT:

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. I would move to concur in House Amendments No. 1, 2 and 3. These amendments are to the public aid reform package that we have passed out of the Senate earlier in the year and there's several bills coming up on the same package. The bill that I handled, 2191, initially dealt with amending the code to authorize restriction of access to medical care recipients who use...whose use of such aid is excessive or abusive. Amendments added by the House...Amendment No. 1 authorizes the Department of Public Aid to select a primary care provider if after a reasonable period of time the recipient fails to do so, allows the recipient to change providers if primary care provider wants to withdraw from the obligation, requires the Department of Public Aid to establish procedures for such instances of...of withdrawal, requires the Department of Public Aid to inform the recipient prior to the restriction of the reason for the restriction and details on how he or she should appeal that decision. It allows the recipient accessed information on which the decision was made and requires an evaluation after one year to determine if the restriction will end. This amendment was the result of negotiations between the Legal Assistance Foundation, the Illinois State Medical Society and the Department of Public Aid. Amendment No. 2 merely deletes an extraneous word in the bill, the word being "an," A-N. The third House amendment requires the...Department of Public Aid to ensure that once a primary care provider decides to withdraw from their obligation, that the recipient is provided medical care until the Department of Public Aid or the recipient designates another primary care provider; the recipient, from the date of the withdrawal, shall have continuous and unrestricted access to medical care, and I would move adoption...concurrence with these amendments.

PRESIDENT:

All right, Senator Welch has moved concurrence with House Amendments 1, 2 and 3 to Senate Bill 2191. Discussion? If not, the question is, shall the Senate concur in House Amendments 1, 2 and 3 to Senate Bill 2191. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the are 55 Ayes, no Nays, none voting Present. The Senate does concur with House Amendments 1, 2 and 3 to Senate Bill 2191 and the bill having received the required constitutional majority is declared passed. Senator Watson on 2192. On the Order of Secretary's Desk Concurrence, the top of page 22, is Senate Bill 2192, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 2192 with House Amendment 1.

PRESIDENT:

Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. I move that we concur with House Amendment No. 1 to Senate Bill 2192. This is the corporate...veil legislation in regard to the public aid fraud efforts that were put forth by the late Senator Bloom. The...the effects of the Amendment No. 1, which was a technical amendment, allowed for cross-reference to other sections of the Public Aid Code which also dealt with vendor fraud, a clarified provision of the reinstatement of benefits or payments to those...entities prohibited from receiving such benefits or payment due to the termination or suspension because of fraud. This gives the department the opportunity to come back in and reinstate someone who has been suspended.

PRESIDENT:

All right, Senator Watson has moved concurrence with House Amendment No. 1 to Senate Bill 2192. Discussion? If

not, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 2192. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. The Senate does concur in House Amendment No. 1 to Senate Bill 2192 and the bill having received the required constitutional majority is declared passed. Senator Sommer, for what purpose do you arise, sir?  
SENATOR SOMMER:

Mr. President, a matter of personal privilege.

PRESIDENT:

State your point.

SENATOR SOMMER:

I'd like to take the opportunity to introduce to the Body...or reintroduce, Senator Cliff Latherow, who left us some years ago and still looks like he did then.

PRESIDENT:

Cliff, welcome back. Senator Watson on 2193. On the Order of Secretary's Desk Concurrence is Senate Bill 2193, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 2193 with House Amendment 1.

PRESIDENT:

Senator Watson.

SENATOR WATSON:

Thank you. This is another one of the public aid fraud measures that passed the...the Senate unanimously and was amended in the...in the House and I would like to move that we concur with House Amendment No. 1 to Senate Bill 2193. The original legislation provided that a defendant could escape liability if he or she could show that no part of the communication was made, transmitted or received within Illinois. It was his burden to prove. The amendment removes

that burden of such a showing that the defendant and instead says simply that the State must allege and prove that the communication was made, transmitted or received within Illinois. I move for its adoption.

PRESIDENT:

Senator Watson has moved concurrence with House Amendment No. 1. Discussion? If not, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 2193. Those in favor will vote Aye. Opposed vote Nay. The voting is open...have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. The Senate does concur with House Amendment No. 1 to Senate Bill 2193 and the bill having received the required constitutional majority is declared passed. Senator Watson, are you going to handle 2194? On the Order of Secretary's Desk Concurrence is Senate Bill 2194, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 2194 with House Amendment 1.

PRESIDENT:

Senator Watson.

SENATOR WATSON:

This particular piece of legislation dealt with mail fraud where the...the previous one dealt with wire communications. This does the very same thing that I explained on the last legislation only it deals with mail fraud instead of the wire communications.

PRESIDENT:

All right, Senator Watson has moved concurrence with House Amendment No. 1. Is there any discussion? If not, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 2194. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish?



Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. The Senate does concur with House Amendment No. 1 to Senate Bill 2194 and the bill having received the required constitutional majority is declared passed. Senator Geo-Karis on 2196. On the Order of Secretary's Desk Concurrence is Senate Bill 2196, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 2196 with House Amendments No. 1 and 2.

PRESIDENT:

Senator Geo-Karis.

SENATOR GEO-KARIS:

Senate Bill 2196 has two amendments on it. Amendment 1 provides that...adds a provision to the bill relating to...regional youth planning commissions and juvenile detention homes, and Amendment No. 2 requires that regional youth planning service areas, local boards and local service areas be reviewed every four years. I move these passages of these amendments and the concurrence of the bill.

PRESIDENT:

All right, Senator Geo-Karis has moved concurrence with House Amendments 1 and 2 to Senate Bill 2196. Discussion? Senator Keats. Your light...he reconsidered, you know. If not, the question is, shall the Senate concur in House Amendments No. 1 and 2 to Senate Bill 2196. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. The Senate does concur with House Amendments 1 and 2 to Senate Bill 2196 and the bill having received the required constitutional majority is declared passed. Senator Davidson. On the Order of Secretary's Desk Concurrence is Senate Bill 2197, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 2197 with House Amendment No. 2.

PRESIDENT:

Senator Davidson.

SENATOR DAVIDSON:

Mr. President and members of the Senate, I move we concur in House Amendment No. 2. Amendment No. 2 adds the word "lead" in front of "BB" so that the correct...they interpret what the BB would be and then adds "steel shot trace number two" or something like that but it...it has to be changed so that the steel shot which is now required by the Federal lawsuit about not using lead shot in certain areas of the water fowl hunting that this shot...this steel shot would be legal to use. I move the...that we concur.

PRESIDENT:

All right, Senator Davidson has moved concurrence with House Amendment No. 2. Discussion? Senator Netsch.

SENATOR NETSCH:

A...a question of the sponsor.

PRESIDENT:

Sponsor indicates he'll yield, Senator Netsch.

SENATOR NETSCH:

I'm not clear whether we are...to sort of put it bluntly, making it easier to shoot deer with big things or more difficult.

PRESIDENT:

Bambi is watching. Senator Davidson.

SENATOR DAVIDSON:

Has nothing to do with shooting deer. This has to do with the use of steel shot which is mandated by the Federal Court for water fowl shooting, and this was a bill that gave the only vehicle to correct that item which was found when the Federal Court laid it down, and this is the request of the Department of Conservation so that steel shot of this

AB 2212  
concurrency

diameter can legally be used by goose and duck hunters in those counties which is mandated by Federal Court to use steel shot.

PRESIDENT:

Further discussion? If not, the question is, shall the Senate concur with House Amendment No. 2 to Senate Bill 2197. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Ayes, 1 Nay, 1 voting Present. The Senate does concur with House Amendment No. 2 to Senate Bill 2197 and the bill having received the required constitutional majority is declared passed. Senator Watson on 2212. On the Order of Secretary's Desk Concurrence is Senate Bill 2212, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 2212 with House Amendments Noed. 1 and 2.

PRESIDENT:

Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. Senate Amendment No. 1 provides that a preliminary hearing to revoke parole need not be held when the revocation is based on the new criminal charge and the court finds probable cause on the new criminal charges. The provisions of these amendments...or this amendment, No. 1, was suggested by the...was suggested by the Department of Corrections, and it also provides that an inmate of a State penal institution may only change his name by filing a petition. We have problems within the correctional system of inmates changing their name literally weekly and this way they'll have to do it by court order instead of by common law. Third provision of Amendment No. 1 says that...provides for former employees of the Department of Corrections who are called as defendants or witnesses in

civil...proceedings shall receive reimbursement for travel expenses, per diem and attendance fees, and this reimbursement shall apply in the event of the Attorney General certifies that the former employee is reasonably required to attend such proceedings. Oftentimes a former correctional officer employee gets called after he's left the Department of Corrections...as a place of employment and gets called for a lawsuit or whatever. This allows them to reimburse that particular individual. Amendment No. 2 provides that an order of discharge from...parole becomes effective upon entry rather than receipt of the order, and this amendment was suggested by the Prisoner Review Board, and I would suggest that adopt and concur with House Amendments 1 and 2 to Senate Bill 2212.

PRESIDENT:

All right, Senator Watson has moved concurrence with House Amendments 1 and 2 to Senate Bill 2212. Is there any discussion? If not, the question is, shall the Senate concur in House Amendments 1 and 2 to Senate Bill 2212. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 53 Ayes, no Nays, none voting Present. The Senate does concur with House Amendments 1 and 2 to Senate Bill 2212 and the bill having received the required constitutional majority is declared passed. On the order of Secretary's Desk Concurrence, Senate Bill 2255, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 2255 with House Amendments No. 1, 2, 3 and 8.

PRESIDENT:

Senator Poshard.

SENATOR POSHARD:

Yes, thank you, Mr. President and Ladies and Gentlemen of the Senate. I would move to concur with House Amendments 1,

2, 3 and 8. Amendment No. 1 incorporates provisions designed to aid the Farm Development Authority in establishing a secondary market for its guaranteed loan program. Amendment No. 2 was prepared by the Department of Energy and Natural Resources. It's designed to bring the rural energy conservation part of this bill into compliance with the allowable uses of the Exxon funds. Amendment No. 3 deletes the provision that we had in the original bill which would have left the sales tax portion of the motor fuel taxes at the county level for use on county and the municipal and township roads. It deletes that portion of the bill. And Amendment No. 8 provides for a gubernational appointment of a thirteen-member advisory council of ag. related interests to advise the State Board of Education with appointment subject to advice and consent of the Senate. This brings this bill into compliance with Senator Haitland's bill for the Ag. Education Program Development. I would move for concurrence in these amendments...passage of the bill.

PRESIDENT:

...all right. Senator Poshard has moved concurrence with House Amendments 1, 2, 3 and 8 to Senate Bill 2255. Discussion? Senator Donahue.

SENATOR DONAHUE:

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

PRESIDENT:

Indicates he'll yield, Senator Donahue.

SENATOR DONAHUE:

Senator Poshard, on...House Amendment No. 2 that deals with the Exxon money, can you give me what the level or what the eligibility is for this program within this bill?

PRESIDENT:

Senator Poshard.

SENATOR POSHARD:

Senator Donahue, there's a committee that met just this morning. I think Chief of Staff Riley, with Senator Schaffer and Senator Netsch and I think Representative McPike and others met to discuss the provisions and the distribution of the Exxon funds and that was agreed to. At present, none of the Exxon funds will flow through this particular provision in this bill. They will be divided up according to the wishes of that committee this morning. Additional monies which may come down the pike would be funded through this bill later, but that's another...for another time.

PRESIDENT:

Senator Donahue.

SENATOR DONAHUE:

Well, my only concern...and the reason I raised this is that...with the dictates from the courts that these have to be used for low incomes that if we use some median and all this fangled formula that I have just heard about, we may not be eligible for that and I was just questioning that.

PRESIDENT:

...Senator Poshard.

SENATOR POSHARD:

Yes, thank you, Senator Donahue. The...the whole purpose of this amendment was to bring us into Federal compliance for the use of those funds should they be available through this particular section and that's what this amendment does.

PRESIDENT:

Further discussion? Further discussion? If not, the question is, shall the Senate concur in House Amendments 1, 2, 3 and 8 to Senate Bill 2255. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take...take the record. On that question, there are 57 Ayes, no Nays, none voting Present. The Senate does concur with House Amendments 1, 2, 3 and 8 to Senate Bill 2255 and the

bill having received the required constitutional majority is declared passed. 2271, Senator Savickas. 2283, Senator Geo-Karis. Senator Geo-Karis, going once. On the Order of Secretary's Desk Concurrence is Senate Bill 2283, Mr. Secretary.

END OF REEL

REEL #6

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 2283 with House Amendment 1.

PRESIDENT:

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, House Amendment 1 deletes everything after the enacting clause and amends paragraph 708 in the...Chapter 56 1/2 to provide that a person guilty of illegal...cultivation of cannabis should be punished on the basis of how many such plants were produced or possessed. Paragraph 709 was also amended to facilitate the charging of persons engaged in large scale production under the conspiracy provisions. These provisions allow for a more reasonable penalty schedule rather than a present Class A misdemeanor regardless of the size of the operation. I move the passage of the bill.

PRESIDENT:

All right. Senator Geo-Karis has moved concurrence with House Amendment No. 1 to Senate Bill 2283. Any discussion? If not, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 2283. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. The Senate does concur with House Amendment No. 1 to Senate Bill 2283 and the bill having received the required constitutional majority is declared passed. Senator DeAngelis, 2285. On the Order of Secretary's Desk Concurrence, the bottom of page 22, is Senate Bill 2285. Mr. Secretary.



ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 2285 with House Amendments Nod. 1 and 3.

PRESIDENT:

Senator DeAngelis.

SENATOR DeANGELIS:

...thank you, Mr. President. I move that the Senate concur with House Amendments No. 1 and No. 3 to Senate Bill 2285. 2285 is the corridors of opportunity bill. The House as their price for passage determined we ought to make some regional distributions. I had a time with one-third of the money going to the City of Chicago provided that they have an economic development council in place and they match with either funds or in kind contributions, the remainder to go throughout the State evenly distributed and there is a limitation of two percent...I'm sorry, three percent for administrative costs. I understand that OCCA and the Governor's Office has concurred with the House's action and I would urge the rest of this Body to do so also.

PRESIDENT:

All right. Senator DeAngelis has moved concurrence with House Amendments 1 and 3 to Senate Bill 2285. Discussion? Senator Demuzio.

SENATOR DEMUZIO:

Senator DeAngelis, what do I do in the downstate areas where we have regions rather than cities, then what happens?

PRESIDENT:

Senator DeAngelis.

SENATOR DeANGELIS:

Well, the bill calls for regions rather than cities except in the case of the City of Chicago.

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

Well, I haven't read the bill, but I...looking at the

synopsis here, it says that...requires that DCCA funds be allocated on the basis of one-third to cities over one million in population and the remaining two-thirds to cities under one million in population, requires cities over one million in population to match received funds. I don't see where it says anything at all about regions.

PRESIDENT:

(Machine cutoff)...Demuzio.

SENATOR DEMUZIO:

I...I am...I am told that...that it does, in fact, say regions rather...okay. How...do the regions have to be bound together by some agreement in order to have the population in...in order to qualify under your amendment now or can individual cities do it or both?

PRESIDENT:

Senator DeAngelis.

SENATOR DeANGELIS:

Both, they do have to have a council, however, in order to do so.

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

So the corridors of opportunity include Carlinville and Roodhouse and Whitehall, separate or in aggregate?

PRESIDENT:

Senator DeAngelis.

SENATOR DeANGELIS:

Yes, and Gillespie, which also has a very high Italian population.

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

Yes, thank you for pointing that out. What is the appropriation for these corridors of opportunity?

PRESIDENT:

...Senator DeAngelis.

SENATOR DeANGELIS:

2.5 million, Senator Demuzio.

PRESIDENT:

Senator...Demuzio.

SENATOR DEMUZIO:

How is that to be distributed? Is there some formula by which that is being distributed?

PRESIDENT:

Senator DeAngelis.

SENATOR DeANGELIS:

Well, first of all, a corridor has to make application. The City of Chicago allocation would be one-third of that amount provided they have an economic development council in place or councils. The rest of the groups, it would be spread out evenly in terms of population. So I would imagine that anybody who would qualify would be eligible for those funds if they meet the criteria.

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

So, you have corridors of opportunity all over Illinois and no one is excluded, is that correct?

PRESIDENT:

Senator DeAngelis.

SENATOR DeANGELIS:

If they qualify, that is correct, sir.

PRESIDENT:

Further discussion? Senator Holmberg.

SENATOR HOLMBERG:

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

PRESIDENT:

Indicates he'll yield, Senator Holmberg.

SENATOR HOLMBERG:

Senator DeAngelis, our Digest states that this amendment deletes the provision permitting groups involved in a corridor council to be active in any more than one council. I know in our area we're already actively pursuing both the automobile corridor and the tourism corridor. How would that be done under the provisions of this bill?

PRESIDENT:

Senator DeAngelis.

SENATOR DeANGELIS:

I have to answer that off the top of my head, but what I think they're saying is we don't want two groups in the same area. But you can include anything in your corridor that you want to, you're not limited to just calling it an automotive corridor. You can include whatever you want to in terms of what the economic opportunities for your area might be, but I don't think we want to duplicate two councils in the same area.

PRESIDENT:

Senator Holmberg.

SENATOR HOLMBERG:

So what you're saying is that although we have two different goals, that we could combine both of those into one council and operate out of that council.

PRESIDENT:

Further discussion? Senator Collins.

SENATOR COLLINS:

Question of the sponsor, please.

PRESIDENT:

Indicates he'll yield, Senator Collins.

SENATOR COLLINS:

Senator, you are requiring cities over one million to...in order to qualify for this funds to match. Is that a fifty percent match or what...what percentage?

PRESIDENT:

(Machine cutoff)...DeAngelis.

SENATOR DeANGELIS:

There isn't a...a specific amount; however, I...that was put in there to ensure that there be a council in place, that this not come because of this money. In other words, there'll be something there to begin with.

PRESIDENT:

Senator Collins.

SENATOR COLLINS:

No, you know, like the bill before, we...we're passing a law here. If you going to say that they have to match, it ought to be an amount designated. Then I have another question. You said the...in kind or...I guess,...in money that they can match. If you're not...suppose cities under one million, then there's another question...so...so...so actually what we're saying, Chicago would be the only city that...that would have to come with the matching...you can't even tell us whether it's fifty-fifty, forty-sixty fifty,...no, ninety-ten or what, you know.

PRESIDENT:

Senator DeAngelis.

SENATOR DeANGELIS:

The department may require some of those other...but you've got to remember, in some of those...other areas, some of these councils have not been set up. Senator Collins, I believe this had been worked out with the Economic Development Council in the City of Chicago. The...the amount of match is discretionary, the department may require so much more, so much less.

PRESIDENT:

Senator Collins.

SENATOR COLLINS:

That's some of my problem with this...this whole bill

here is because everything seem to be...you know, discretionary. I...I'm looking here when it says...DCCA may require a corridor council to provide matching or in kind contributions on a case-by-case basis. Now, either...either we are going to require matching and everybody should match and it ought to be a designated amount, and we're going to allow matching on a...cash basis or an in kind basis based on some specific criteria. I don't see that here. You know, we shouldn't just do this so arbitrarily and...how are we to determine a basic of fairness here and we're not...setting any standards for DCCA to go on to make sure to ensure fairness of the distribution of these funds.

PRESIDENT:

Senator DeAngelis.

SENATOR DeANGELIS:

Well, you know, the issue of fairness is...can provoke a lot of arguments, but the department has to report back annually. We went through that at the beginning, there was a concern about how loosely written this was at the beginning. The department does have to report back a lot of this information. If it's deemed that the department is being somewhat unfair or heavy-handed or whatever, that will come out. In the instance of the City of Chicago, there is, in fact, some mechanism there already that's performing this and their contribution will be counted as part as that in kind; but you have to remember, in some other parts of the State, they don't have this kind of an elaborate setup for economic development. I don't think you could set a number, as you couldn't for Chicago, on what that number should be. I have a good amount of faith in the department and I think it will be handled well, and if it isn't handled well, next spring we'll sure let them have it.

PRESIDENT:

Senator Collins.

SENATOR COLLINS:

Senator, but you're missing my point. You...you must set some standards for match. If it's fifty-fifty or what, you...you must set...whether or not that fifty percent then is...is...is broken down in forty...you know, ten percent in kind and...and forty percent cash, that's another story. But you must set some match...some way to determine what the match would be.

PRESIDENT:

Further discussion? Senator Poshard.

SENATOR POSHARD:

Yes, thank you, Mr. President, Ladies and Gentlemen of the Senate. I rise in strong support for a concurrence with the House amendment on this bill. In many areas of the State planning services for economic development are splintered among many groups, local planning agencies, regional planning commissions, local industrial councils, chambers of commerce and so on. This bill...this amendment would allow those different groups to coordinate their services, to coordinate their activities to establish common goals and objectives where a region based around maybe several different so-called corridors of opportunity, and it would just simply unify as one voice to speak for a region in terms of determining what the priorities for development of that region are. It's a good bill, I would...I would move for concurrence. I think it will mean a lot not just for those in the city but downstate as well.

PRESIDENT:

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

SENATOR DeANGELIS:

Well, this is a new program, I'm sure there are some questions. I think it will work real well and I urge our concurrence with House Amendments, I believe, 1 and 3.

SB 2288  
Concurrence

PRESIDENT:

The question is, shall the Senate concur in House Amendments 1 and 3 to Senate Bill 2285. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. The Senate does concur in House Amendments 1 and 3 to Senate Bill 2285 and the bill having received the required constitutional majority is declared passed. Senator Kustra on 2288. On the...top of page 23, on the Order of Secretary's Desk Concurrence is Senate Bill 2288. Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 2288 with House Amendment 1.

PRESIDENT:

Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President and members of the Senate. House Amendment 1 to Senate Bill 2288 is Senate Bill 2104, sponsored by Senator Luft, which we passed out of here with a 55 to nothing roll call. It was hung up in the House Rules Committee. The bill was requested by Caterpillar Tractor and what it does is provide that job training expense shall be treated as a credit, currently it's treated as a deduction, beginning with tax year 1986. The credit shall be 1.6 percent of the training expenses and shall be passed on through partnerships in Subchapter S corporations. The credit may be carried forward for five years. There is language in the bill which restricts the job training expense deduction to amounts paid on behalf of persons employed by the taxpayer in Illinois or Illinois residents employed outside of Illinois. The fiscal impact is expected to be approximately equal to the existing deduction under current law. I would move that we concur with House Amendment No. 1 to Senate Bill 2288.



*AB 2292  
concurrency*

PRESIDENT:

All right. Senator Kustra has moved concurrence with House Amendment No. 1 to Senate Bill 2288. Discussion? If not, the question is, shall the Senate concur with House Amendment No. 1 to Senate Bill 2288. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. The Senate does concur with House Amendment No. 1 to Senate Bill 2288 and the bill having received the required constitutional majority is declared passed. Senator Karpziel on 2292. On the Order of Secretary's Desk Concurrence is Senate Bill 2292, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 2292 with House Amendments Nos. 1, 2 and 3.

PRESIDENT:

Senator Karpziel.

SENATOR KARPIEL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I move to concur in House Amendments No. 1, 2 and 3 to Senate Bill 2292. Senate Bill 2292 as it went out of the Senate created the Habitual Child Sex Offender Registration Act to require a person convicted two or more times for sexual assault of a victim under eighteen to register with local enforcement...law enforcement agencies upon release from prison or probation. House Amendment No. 1 provides that the court will certify that a person is a habitual child sex offender prior to receipt by the Department of Corrections. Additionally, the amendment provides that a habitual child sex offender will be notified of the duty to register by an official of the place of...confinement or his designee. Amendment No. 2 is essentially the same as Senate Bill 2295 which was the bill which created an Act which provided for

SB 2293  
concurrance

prompt notification of local birth certificate registrars in schools when the Department of State Police has reason to believe that a missing child is enrolled in an Illinois school. And Amendment No. 3 makes several changes in the Habitual Child Sex Offender Act which were agreed to. It...defines the habitual child sex offender to include only those persons who have a second felony conviction after July 1, 1986, for certain felony sex offenses. The first conviction could have been out-of-state...or it could have been a number of years ago, but the second conviction has to be only after July 1, 1986. The duty to register applies only to that second conviction in Illinois after July 1st, and I move to concur and ask your support.

PRESIDENT:

All right. Senator Karpel has moved concurrence with House Amendments 1, 2 and 3 to Senate Bill 2292. Is there any discussion? If not, the question is, shall the Senate concur in House Amendments 1, 2 and 3 to Senate Bill 2292. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Ayes, no Nays, none voting Present. The Senate does concur with House Amendments 1, 2 and 3 to Senate Bill 2292 and the bill having received the required constitutional majority is declared passed. 2293, Senator Geo-Karis. On the Order of Secretary's Desk Concurrence is Senate Bill 2293, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 2293 with House Amendments Noed. 1, 3 and 4.

PRESIDENT:

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, Amendment 1 adds the clarification that school districts are

not included within a requirement for government agencies with access to criminal history records to...to submit fingerprints to the FBI. Amendment 3 adds in a clarifying amendment to clearly describe the type of acts covered by the...term "child pornography." And Amendment 4 is a...technical amendment to House Amendment No. 3 and I move the concurrence of these amendments.

PRESIDENT:

All right. Senator Geo-Karis has moved concurrence with House Amendments 1, 3 and 4 to Senate Bill 2293. Discussion? Senator Marovitz.

SENATOR MAROVITZ:

Question on...Amendment No. 1, Senator...two questions. The bill originally said that the superintendent of the school district would be the one that could ask for the criminal history. Now you've changed that to the president of the school board. What's the rationale for that, superintendent of the school district is the one involved in the daily ongoings with the...with the...with the schools and the educational process, not the president of the school board.

PRESIDENT:

Senator Geo-Karis.

SENATOR GEO-KARIS:

My understanding is that the LRB made the change...in order to come into conformance with the other bills, is that right?...with other legislation that's passed relative to the same things.

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

Okay, well, more importantly,...in Amendment 1, on page 3, your amendment...reads this way. "State agencies and units of local government not including school districts authorized to have access to criminal history record informa-

tion by this section shall submit fingerprints to the FBI." That's all it says, what fingerprints? Whose fingerprints? For what...the amendment is...totally silent.

PRESIDENT:

Senator Geo-Karis.

SENATOR GEO-KARIS:

The Department of State Police, it is supporting the concurrence of these amendments, all three of them, and the Inspector General, Jeremiah Margolis, is also supporting the concurrence of these three amendments, feel that they can work with this and that would...to me, it would seem...be the...the person who might be the one that may be involved and I might tell you that this Amendment 1 is supported by the IEA.

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

Senator Geo-Karis, this bill went through my committee, I am a hyphenated sponsor number two. I am in favor of the legislation. What I am telling you here is this was not on the bill as it came out of the Senate and you are saying here that the agencies shall submit, not discretionary, shall submit fingerprints; and in your amendment it doesn't say whose fingerprints, what fingerprints, the fingerprints of the president of the school board, the fingerprints of the Republican candidate for Comptroller, whose fingerprints? It doesn't say anything.

PRESIDENT:

Senator Geo-Karis.

SENATOR GEO-KARIS:

My understanding that the school districts are not included within the requirement for government agencies with access to criminal history records or to submit fingerprints to the FBI. I'll repeat it again.

PRESIDENT:

Please.

SENATOR GEO-KARIS:

It's a good bill, we...which is supported. Let's concur with the amendments and let the changes be made by the Governor to make any corrections, for heaven sakes.

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

I certainly hope, or maybe I don't hope, that when you're campaigning in the fall that you explain yourself a little better than what's happening here. We agree on the substance, I'm with you; but the fact is, what they've added in the House, in its infinite wisdom as our...our great President would say, is that the school...the agencies must submit fingerprints, period. They don't say anything about whose fingerprints, what fingerprints, why there's no discretion. I mean, the fact that it's a good bill and...that's great. We passed it in the Senate, no objections. Okay? They made a mistake in the House, they made a terrible mistake in the House. Okay? Let's correct it, that's all.

PRESIDENT:

Senator Geo-Karis.

SENATOR GEO-KARIS:

All this is is for reporting to the FBI. I move for the concurrence and let's hope it's not your fingerprints or mine. I move for the concurrence of these three amendments.

PRESIDENT:

Senator Geo-Karis has moved concurrence with House Amendments 1, 3 and 4. Any discussion? If not, the question is, shall the Senate concur in House Amendments 1, 3 and 4 to Senate Bill 2293. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the

record. On that question, there are 40 Ayes, 5 Nays, 8 voting Present...the Senate does concur with House Amendments 1, 3 and 4 to Senate Bill 2293 and the bill having received the required constitutional majority is declared passed. Resolutions, Mr. Secretary.

SECRETARY:

Senate Joint Resolution 173 offered by Senators Sangmeister and Vadalabene.

PRESIDENT:

Senator Sangmeister.

SENATOR SANGMEISTER:

Yes, thank you, Mr. President, members of the Senate. This resolution...as you know, we passed two Constitutional Amendments for which we have to prepare arguments to be placed in the...every...with the county clerk then...and who puts them out to all of the voters so you know what you're voting on this fall. One of them was the veterans' property tax exemption amendment and the other was the bail reform amendment. I believe the first one that we're talking about is the property tax exemption. Well,...the way we had that worded is we were supposed to report today and we don't have time. So what this resolution simply does is extend the date for reporting to June 30th, 1986, which is next Monday, and I think the proper motion at this time is to suspend the rules for the immediate consideration and adoption. We're not discharging any committee, as I understand it. Okay, so that's the motion...are we taking these one at a time, I take it?

PRESIDENT:

Yes.

SENATOR SANGMEISTER:

All right.

PRESIDENT:

All right. Senator Sangmeister has moved to suspend the rules for the immediate consideration and adoption of Senate

Joint Resolution 173. Discussion? Senator Davidson.

SENATOR DAVIDSON:

Just a second.

PRESIDENT:

All right. All in favor of the motion to suspend indicate by saying Aye. All opposed. The Ayes have it. The rules are suspended. Senator Sangmeister now moves the adoption of Senate Joint Resolution 173. It merely defers the reporting date for the Constitutional Amendment arguments until June 30. All in favor of the adoption of the resolution indicate by saying Aye. All opposed. The Ayes have it. The resolution is adopted. Further resolutions, Mr. Secretary?

SECRETARY:

Senate Joint Resolution 174 offered by Senators Sangmeister and Davidson.

PRESIDENT:

Senator Sangmeister.

SENATOR SANGMEISTER:

Yes, thank you. Now this joint resolution...joint resolution refers to the bail reform amendment, and we're just asking that the same time be extended for it till...now, wait a minute, I'm looking at this and, all of a sudden, I see June 28th on here. What...why are we...I...no one...why are we going only to the 28th on this one and the 30th on the other? I should be asking myself that question.

PRESIDENT:

Senator Sangmeister.

SENATOR SANGMEISTER:

Well, I've been advised we're closer to our report than I thought we were, so the 28th, apparently, Senator Davidson, that's going to be enough time the way it looks? All right, so we're going to extend that one until June 28th, 1986, and I move the adoption of the joint resolution.

PRESIDENT:

All right. Senator Sangmeister has moved to suspend the rules for the immediate consideration and adoption of Senate Joint Resolution 174. All in favor of the motion to suspend indicate by saying Aye. All opposed. The Ayes have it. The rules are suspended. Senator Sangmeister now moves the adoption of Senate Joint Resolution 174 deferring the reporting date on the bail amendment arguments until the 28th day of June. All in favor of the...all in favor of the resolution indicate by saying Aye. All opposed. The Ayes have it. The resolution is adopted. Further resolutions, Mr. Secretary?

SECRETARY:

(Machine cutoff)...Resolution 1109 offered by Senators Demuzio, Rock and all Senators, it's congratulatory.

1110, by Senator Lemke is congratulatory.

1111, by Senators Zito, Rupp and Davidson and it's congratulatory.

1112, by Senator Degnan, congratulatory.

1113, by Senator Savickas, it's congratulatory.

1114, by Senator Barkhausen and it's congratulatory.

✓ 1115, by Senator Woodyard and it's congratulatory.

1116, by Senator Carroll and it's congratulatory.

1117 and 1118, by Senator Degnan and they're congratulatory.

1119, by Senator Davidson and all Senators.

PRESIDENT:

Senator Davidson.

SENATOR DAVIDSON:

Mr. President, I'd like to ask the suspension of the rules immediate and consideration of Senate Resolution 1119. It's in relation to Montgomery County which has started a brand new county fair and that event takes Friday and I'd like to have it be presented. They would like to...read it in their Better Government Day activity on Friday.



PRESIDENT:

All right. Senator Davidson has moved to suspend the rules for the immediate consideration and adoption of Senate Resolution 1119, a congratulatory resolution. All in favor of the motion to suspend indicate by saying Aye. All opposed. The Ayes have it. The rules are suspended. Senator Davidson now moves the adoption of Senate Resolution 1119. All in favor indicate by saying Aye. All opposed. The Ayes have it. The resolution is adopted. Further resolutions, Mr. Secretary?

SECRETARY:

Senate...Senate Resolution 1120 offered by Senators Rock, Collins, Welch, O'Daniel, Poshard, Lemke and all Senators.

PRESIDENT:

Senator Luft. With leave of the Body, he'll handle that for me. Put it...

SENATOR LUFT:

Thank...

PRESIDENT:

...on the board.

SENATOR LUFT:

...thank you, Mr. President. I ask leave to suspend the rules for the immediate consideration of Senate Resolution 1120.

PRESIDENT:

All right. Senator Luft has moved to suspend the rules for the immediate consideration and adoption of Senate Resolution 1120, it is a congratulatory resolution. The person to be congratulated...the party starts tonight...hopefully, we'll get it up there. All in favor of the motion to suspend indicate by saying Aye. All opposed. The Ayes have it. The rules are suspended. Senator Luft now moves the adoption of Senate Resolution 1120. All in favor indicate by saying Aye. All opposed. The Ayes have it. The resolution is adopted.

All right, Resolutions 1109 through 1118 will be placed on the Consent Calendar. Mr. Secretary.

SECRETARY:

Senate Resolution 1121 offered by Senator Jeremiah Joyce.

PRESIDENT:

Executive. Message from the House.

SECRETARY:

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

Mr. President - I'm directed to inform the Senate the House of Representatives concurred with the Senate in the adoption of their amendments to a bill with the following title.

House Bill 3036.

I am further directed to inform the Senate the House refuses to concur with the Senate, in the adoption of Amendments No. 7 and 11.

And a like Message on House Bill 523. They refuse to concur with Senate Amendment No. 2.

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

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

House Joint Resolution 225, 226, 227 and 228, all congratulatory.

PRESIDENT:

Consent Calendar, Mr. Secretary. Senator Maitland, for what purpose do you arise, sir?

SENATOR MAITLAND:

Thank you, very much, Mr. President. To ask leave of the Body to ask...to suspend the appropriate rules and...and ask for the immediate consideration of House Joint Resolution 223.

PRESIDENT:

House Joint 223? All right. Senator Maitland has moved to take from the Consent Calendar House Joint Resolution 223 and asked to suspend the appropriate rule for the immediate consideration and adoption. Senator Maitland moves to suspend the rules for the immediate consideration and adoption of House Joint Resolution 223. All in favor of the motion to suspend indicate by saying Aye. All opposed. The Ayes have it. The rules are suspended. On the Order of Resolutions is House Joint Resolution 223, Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President. Again, this is a congratulatory resolution. It's necessary to get it to Bloomington by tomorrow morning, and I would ask for the Body's support.

PRESIDENT:

All right. Senator Maitland has moved the adoption of House Joint Resolution 223. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The resolution is adopted. All right, if I can have the attention of the Body, earlier today it was indicated when we were on the Order of House Bills 3rd Reading that we would get back to...if Senator Leitch requested, get back to House Bill 2986 on the middle of page 5. Senator Leitch, you wish that bill called? All right. On the Order of House Bills 3rd Reading is House Bill 2986. Senator Leitch 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 2986. Mr. Secretary.

SECRETARY:

Amendment No. 2 offered by Senators Philip and Lechowicz.

PRESIDENT:

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. It appropriates 74.8 million dollars for the first year of the Exxon refund. Move the adoption of Amendment No. 2.

PRESIDENT:

All right. Senator Philip has moved the adoption of Amendment No. 2 to House Bill 2986. Discussion? Senator Netsch.

SENATOR NETSCH:

Thank you. I would suggest, Mr. President, that the amendment is not in proper order because it includes substantive language in an appropriation bill.

PRESIDENT:

Senator Philip.

SENATOR PHILIP:

...thank you, Mr. President, Ladies and Gentlemen of the Senate. The Reference Bureau has indicated to us that it's in order.

PRESIDENT:

Well, the Reference Bureau doesn't rule, however. Further discussion? If not, the Chair is prepared to rule, Senator Philip, that the amendment as presented does attempt to place substantive language in an appropriation bill in violation of Article VII, Section 8D of the Constitution. The language of the amendment on the first page does more than limit the purposes for which the appropriated money may be spent. It seeks to limit the scope of a wholly substantive Act, the Energy Assistance Act; and because the amendment would place a substantive provision in this appropriation bill, the Chair is ruling that it is out of order...the spontaneity is real good, huh? Okay. Further amendments?

SECRETARY:

Amendment No. 2 offered by Senator Sommer.

PRESIDENT:

Senator Sommer.

SENATOR SOMMER:

Mr. President...Mr. President and members, this amendment, I believe and have been led to believe, is the amendment that outlines the agreement reached among all of the parties as to Exxon. It is silent as to Section 7 unlike the previous amendment.

PRESIDENT:

I beg your pardon, this is Amendment No. 3. I understand under our rules, even though 2 was out of order, it was, in fact, properly presented and it will remain as Amendment No. 2. So this is Amendment No. 3. Any discussion on Amendment No. 3? Senator Netsch.

SENATOR NETSCH:

I think Senator Sommer is correct that it has excluded the language that was substantive that was in the prior amendment. I would just like to indicate for the record that although I was a participant...more than a participant in the negotiations, this does not reflect my judgment of what ought to be done with the Exxon money. I thought the proposal that it be divided forty million to help subsidize the twelve percent program and seventy-five million minus the necessary administrative costs to take care of weatherization for all low income people was the appropriate and proper division of the money. This goes much beyond that and at least does not reflect my judgment of how it ought to have been done.

PRESIDENT:

All right. Senator Sommer has moved the adoption of Amendment No. 3 to House Bill 2986. The opinion of the Chair is that it is in order as opposed to Amendment No. 2. All in favor of the adoption of the amendment indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. Senator Leitch, we'll get right back to that after some intervening business, if that's your pleasure. Resolutions, Mr. Secretary. With leave of the Body, we'll move to the Order of Resolutions for intervening business.

SECRETARY:

Senate Resolution 1122 offered by Senator Rigney and it's congratulatory.

PRESIDENT:

Consent Calendar, Mr. Secretary. All right, with leave of the Body, we'll revert to the Order of House Bills 3rd Reading. The Chair had previously promised Senator Leitch we'd get back to that bill before the close of business. This will be the last order of business for today, and I might say that Senator Philip and I have decided that we will reconvene at one o'clock tomorrow afternoon. As I'm sure everyone is aware, the funeral of Attorney General William Scott is at eleven in Chicago and I understand a number of us will be attending. So we'll convene at one o'clock tomorrow and we will begin on the Order of Concurrence and handle, I hope, whatever is left, particularly the appropriations. On the Order of House Bills 3rd Reading is House Bill 2986. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 2986.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Leitch.

SENATOR LEITCH:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This bill is the forty-nine million dollar appropri-

ation for the Illinois Farm Development Authority and as was just done a moment ago also has the Exxon...the Governor's position on the Exxon distribution, and I'd appreciate a favorable roll call.

PRESIDENT:

Any discussion? Any discussion? If not, the question is, shall House Bill 2986 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 53 Ayes, no Nays, 1 voting Present. House Bill 2986 having received the required constitutional majority is declared passed. Further business to come before the Senate? Any announcements? If not, Senator Hall moves that the Senate stand adjourned until Thursday, June 26th, tomorrow at 1:00 p.m., one o'clock tomorrow, ladies and gentlemen. The Senate stands adjourned.

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84TH GENERAL ASSEMBLY  
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