

84TH GENERAL ASSEMBLY

REGULAR SESSION

JUNE 27, 1985

PRESIDENT:

(Machine cutoff)...will please come to order. Will the members be at their desks. Will our guests in the gallery please rise. Prayer this morning by the Reverend Peter Mascari, Holy Family Church, Athens, Illinois. Father.

REVEREND MASCARI:

(Prayer given by Reverend Mascari)

PRESIDENT:

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

SENATOR SMITH:

Thank you, Mr. President and members...Ladies and Gentlemen of the Senate. I move that the reading and the approval of the Journal of Tuesday, June 18th; Wednesday, June 19th; Thursday, June 20th; Friday, June 21st; Monday, June 24th; Tuesday, June 25th and Wednesday, June 26th, in the year 1985, 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.

SECRETARY:

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

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

Senate Bills 95 with House Amendment 1.

148, House Amendment 1.

200, House Amendment 1 and 2.

296, House Amendment 1.

297, House Amendment 2.

343, House Amendment 1.
371, House Amendment 1.
425, House Amendment 4.
...560, House Amendment 1.
570, House Amendments 1 and 2.
571, House Amendment 1.
629, House Amendment 1.
665, House Amendments 1 and 3.
670, House Amendment 3.
728, House Amendment 2.
734, House Amendments 1 and 5.
835, House Amendment 1.
882, House Amendment 1.
884, House Amendment 1.
957, House Amendment 1.
1010, House Amendments 11 and...10 and 11.
1021, House Amendments 12 and 13.
1077, House Amendments 1 and 2.
1156, House Amendments 1, 2 and 3.
1292, House Amendments 1 and 2.
1294, House Amendments 1.
1295, House Amendment 1.
1311, House Amendment 1.
1352, House Amendment 1.
1405, House Amendment 1.
17, House Amendment 1.
24, House Amendment 1.
89, House Amendment 1.
97, House Amendment 1.
110, House Amendments 1 and 2.
190, House Amendments 1 and 2.
206, House Amendment 1.
207, House Amendment 1.
209, House Amendment 1.

214, House Amendment 2.
290, House Amendment 1.
...341, House Amendment 1.
406, House Amendment 4.
499, House Amendment 1.
521, House Amendments 1, 2 and 3.
537, House Amendment 1.
551, House Amendments 1 and 2.
589, House Amendment 1.
623, House Amendments 1 and 2.
658, House Amendment 1.
660, House Amendment 2.
668, House Amendment 1.
690, House Amendment 1.
745, House Amendment 1.
798, House Amendment 1.
800, House Amendments 1 and 6.
825, House Amendment 1.
834, House Amendment 1.
844, House Amendments 1 and 2.
865, House Amendments 1, 3 and 4.
893, House Amendments 1 and 2.
896, House Amendments 1 and 3.
970, House Amendment 1.
993, House Amendment 1.
1037, House Amendment 1.
1052, House Amendment 1.
1055, House Amendment 1.
1056, House Amendment 2.
1202, House Amendment 1.
1212, House Amendments 1 and 2.
1218, House Amendments 1, 2 and 9.
1289, House Amendment 1.
1321, House Amendment 6.

And 1345, House Amendment 1.

PRESIDENT:

Resolutions.

SECRETARY:

Senate Resolution 410 offered by Senator Lemke. It's commendatory. Oh, I'm sorry, I read that too quick.

Senate Resolution 407 offered by Senator Jeremiah Joyce and Degnan. It's commendatory.

Senate Resolution 408, by Senator Carroll. It's congratulatory.

Senate Resolution 409, by Senator Kelly. It's congratulatory.

And then Senate Resolution 410, by Senator Lemke. It's commendatory.

Senate...

PRESIDENT:

Consent Calendar.

SECRETARY:

Senate Resolution 411, by Senator Kustra.

And 412, by Senators Lemke, Carroll and Darrow.

PRESIDENT:

Executive.

SECRETARY:

Senate Joint Resolution No. 80, congratulatory, by Senator Karpel.

PRESIDENT:

Consent Calendar. (Machine cutoff)...Berman, for what purpose do you arise?

SENATOR BERMAN:

While we're awaiting action, Mr. President, I would like...on a point of personal privilege. In the President's...in the President's balcony, we have with us from the City of Evanston four young people who have been nominated by the Evanston Rotary as the Evanston Rotary Youth

of the Year. And I'd like to introduce them to the Illinois Senate, Lisa English, Henry Kamerling, Heather Sampson, David Teska, and they are accompanied by Tom Swiggert. Glad to have them with us.

PRESIDENT:

Will our guests in the gallery please rise and be recognized. Welcome to Springfield.

SENATOR BERNAN:

Thank you.

PRESIDENT:

All right. With leave of the Body, we'll turn to page 4 on the Calendar. On the Order of Secretary's Desk Resolutions. Senator Kelly, Senate Resolution 40. Senate Resolution 54, Senator Joyce. On the Order of Secretary's Desk Resolutions, top of page 4, is Senate Resolution 54, Mr. Secretary.

SECRETARY:

Senate Resolution 54 and there are no amendments.

PRESIDENT:

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Well, this resolution addresses itself to the situation which...Reye's Syndrome in aspirin and requiring...asking the Congress to consider the legislation they have in front of them which would require warnings on aspirin bottles. There are numerous studies which indicate that there is indeed a connection. We have had considerable debate on this in committee. I have tried to...I have been involved in this thing for a couple of years. I'd be happy to answer any questions.

PRESIDENT:

All right. Senator Joyce has moved the adoption of Senate Resolution 54. Is there any discussion? If not, all in favor of the adoption of the resolution indicate by saying

Aye. All opposed. The Ayes have it. The resolution is adopted. 103, Senator Collins. 121, Senator Newhouse. On the Order of Secretary's Desk Resolutions, Senate Resolution 121, Mr. Secretary.

SECRETARY:

Senate Resolution 121 with no amendments.

PRESIDENT:

Senator Newhouse.

SENATOR NEWHOUSE:

Thank you, Mr. President and Senators. This is the resolution that came out of our subcommittee of the Illinois Higher Education Committee and it does exactly what it says and I would move its adoption.

PRESIDENT:

Senator Newhouse has moved the adoption of Senate Resolution 121. Is there any discussion? If not, all in favor of the adoption of the resolution indicate by saying Aye. All opposed. The Ayes have it. The resolution is adopted. Senate Resolution 122, Senator Newhouse. Mr. Secretary, 122.

SECRETARY:

Senate Resolution 122 with no amendments.

PRESIDENT:

Senator Newhouse.

SENATOR NEWHOUSE:

Thank you, Mr. President and Senators. 122 came out of that same committee and I would urge its adoption.

PRESIDENT:

All right. Senator Newhouse has moved the adoption of Senate Resolution 122. Is there any discussion? If not, all in favor of the adoption of Senate Resolution 122 indicate by saying Aye. Senator Newhouse moves the adoption of Senate Resolution 122. All in favor indicate by saying Aye. All opposed. The Ayes have it, the resolution is adopted. 244, Senator Demuzio. On the Order of Secretary's Desk Resolu-

tions, the middle of page 4, is Senate Resolution 244, Mr. Secretary.

SECRETARY:

Senate Resolution 244 with no amendments.

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

This...this urges Congress to enact House Resolution 2383 and Senate Bill 1083 which is the Farm Policy Reform Act of 1985 and I would move adoption.

PRESIDENT:

Senator Demuzio has moved the adoption of Senate Resolution 244. Discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Well, thank you, Mr. President. Ladies and Gentlemen of the Senate, this resolution passed out of the Executive Committee on a partisan roll call. There is a great division in the farm community as to whether or not this resolution should be supported and whether or not...Congress should, in fact, adopt the measures before the House of Representatives that this resolution urges. I think it's fair to say that in Illinois the Illinois Farm Bureau does not support this resolution and that perhaps some of the other farm groups do. We may want to just vote this out of here on a partisan roll call, I'm not sure. But at least let's be aware of what's happening on this particular matter.

PRESIDENT:

Further discussion? Senator Rigney.

SENATOR RIGNEY:

I was wondering if maybe the sponsor might tell us what some of the key provisions are of this resolution.

PRESIDENT:

Sponsor indicates he'll yield, Senator Rigney. Senator Demuzio.

SENATOR DEMUZIO:

Thank you, very much. I guess Senator Rigney's staff synopsis has not been updated, I guess. This...the main provisions that are in this Congressional action,...the Federal Ag. and Food Act of '81 is set to expire, as you know, in '85. The provisions that are currently in the Policy Reform Act of '85 would reduce the Federal budget deficit by eliminating the commodity subsidy payments, stabilize the market prices by escalating price floors and balancing production with need, promote conservation practice, increase export markets and support domestic food production.

PRESIDENT:

Senator Rigney.

SENATOR RIGNEY:

Well, I might comment, those are all laudable causes. I was just kind of wondering if you had a little more detail about how we are going to achieve all of these things 'cause that really gets down to the nub of the issue.

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

Well, I'm sure as we go through the remainder of the debate, I see several lights on, perhaps the edification for Senator Rigney will...will be forthcoming.

PRESIDENT:

Further discussion? Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President and Ladies and Gentlemen of the Senate. I, too, rise in opposition to Senate Resolution 244. I'm one of those farmers who is experiencing financial difficulty and...and, indeed, it's been a rough four or five years without question. The resolution, as I read it, calls attention specifically to House Resolution 2383 and Senate Resolution 1093. And contained in

those bills, as I understand it, are items such as export subsidies, high-priced supports, both of those particular areas are ones that have gotten us into the difficulty that we are now in. You simply cannot...you simply can't compete against foreign countries who have in place the very things that we're trying now through this resolution and through support of this concept to put in place. The fact of the matter is, if we're ever going to export American grain...American products, we have to compete fairly with those other countries. And if you look now at what's happening in the European common market, the only people in those ten countries supporting their policy are the grain farmers. The dairy farmers, all the people in the urban areas are angry about what's going on in the common market, they want also to compete fairly. Economically, the European common market is having a very difficult time financially right now. If think we are on the threshold...on the threshold of competing fairly and equitable with those countries. By sending this signal from the State that exports the largest number of bushels of grain, corn and soybeans is a wrong signal. I don't think the taxpayers are ready for this. I, as a farmer, who again is experiencing financial difficulty right now, as are others, think this is a poor signal to send. And, Senator Demuzio, I urge support of Senate Resolution 244.

PRESIDENT:

All right. With leave of the Body, Channel 2 from Chicago wishes permission to film. Is leave granted? Leave is granted. Further discussion? Senator Joyce.

SENATOR JEROME JOYCE:

Thank you, Mr. President. Though I may not agree with everything that is in this resolution, I think that it behooves us to pass this. I think that we ought to urge Congress to do something, even if it's wrong. Right now, Sena-

tor Maitland mentions the facts that...the fact that we have to compete. There is no way in the world that we can compete with countries where their people are planting corn with a stick when our...when the dollar is so high that no one is buying our produce and our products. So what we need to do in that interim period until the dollar either comes down or the rest of the world comes up to meet that standard is to subsidize our farmers, and to subsidize them, I don't necessary mean pay them something but put that land out of production. We cannot continue to grow more and more and more corn and soybeans when we have no market for it. It depresses the price further and further and farmers are going out of business and...and we...we're all witnessing what is happening and right now it's...you aren't reading so much about it but next year is going to be worse than this year. Land prices are going down, commodity prices are going down every day and there is no market for this. So what we need to do is not produce quite so much. And it isn't going to hurt our land in Illinois to sit idle and plant some legumes or something on it that's going to save it for our ancestors. You know that doesn't hurt a thing. So, I urge support of this resolution and I think that our Congressmen ought to realize that here in this State we want some action from them. We don't want them to roll over and play dead every time John Block and the...the administration...the Reagan Administration say, oh well, we can't do this we have...to compete on a free market. There's no free market. Whatever the market prices is, whatever is...it's whatever we set it at, and...those other countries are going to come in just a little bit lower than us, and that's always...been the way it has been and that's always the way it will be. So we set the price in the world market and we're going to...if we just keep letting this go as it is, the prices are going down, down and down. So we ought to do this, we ought to pass this resolution,

tell our Congressmen that, you know, come on get off of it, folks, let it go back to the 1943 Farm Program, that's what brought us out of this...out of the...the depression at that time. Right now...we're...we're...we've got no one in leadership in Washington that knows what in the world they're doing as far as agriculture is concerned. I'd urge passage of this resolution.

PRESIDENT:

Further discussion? Further discussion? Senator Maitland.

SENATOR MAITLAND:

I apologize, Mr. President, for rising the second time. I understand that in...in the emotion of my speech after...after really telling you how bad Senate Resolution 244 was, I then urged support. That was not a true statement and I would urge opposition to Senate Resolution 244.

PRESIDENT:

That is correct, you did say that and you convinced me. Further discussion? Further discussion? Senator Demuzio, you wish to close?

SENATOR DEMUZIO:

Well, I guess Senator Maitland's true...true feelings came out there toward the end. He was keeping up the big fight. I might add that Senator Watson is a cosponsor of this resolution, so, in fact, this had bipartisan support. It is supported by the Illinois Farm Alliance, the Farmers Union, the National Farmers Organization, the American Ag. Movement, the United Auto Workers, the Chicago Urban League, the National Conference on Rural Electric...on Rural Life Conference, the Illinois...and several other groups and I would ask for support, Mr. President.

PRESIDENT:

Senator Demuzio has moved the adoption of Senate Resolution 244. Those in favor of the adoption indicate by saying

Aye. All opposed. The Ayes have it. The resolution is adopted. 257, Senator DeAngelis. Mr. Secretary.

SECRETARY:

Senate Resolution 257 with no amendments.

PRESIDENT:

Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. Senate Resolution 257 simply directs the Department of Transportation to conduct a feasibility study on the airport needs of the Chicago metropolitan area. What it requires them to do is to tell us what the needs are, if there are any additional need indicate potential sites, indicate the impact of those sites on vehicular traffic and air and sound pollution, and also to present to us a plan for financing if another site is required. I believe this has got an appropriation in the House, Senator Rock, and we'll probably have to take a roll call on this, right?

PRESIDENT:

You are correct. Discussion? Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President and members of the Senate. I just rise to support Senator DeAngelis' resolution. We certainly need this study very badly. There's a lot of concern and a lot of interest in our south suburban area for such a review. And I'd urge my colleagues particularly on this side of the aisle to support Senator DeAngelis.

PRESIDENT:

Further discussion? Senator Lemke. All right. Senator DeAngelis, you wish to close? If not, the question is, the adoption of Senate Resolution 257. Those in favor of the resolution will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that

question, there are 52 Ayes, 1 Nay, none voting Present. Senate Resolution 257...having received the required constitutional majority is adopted. 263, Senator Collins. On the Order of Senate...Secretary's Desk Resolutions, Senate Resolution 263, Mr. Secretary.

SECRETARY:

Senate Resolution 263 and Executive Committee offers one amendment.

PRESIDENT:

Senator Collins on Amendment No. 1 to 263.

SENATOR COLLINS:

Yes, thank you, Mr. President. Amendment No. 1 simply changed the...the...the study being from...being the...the task force from being appointed by the...the Senate and put the...gave the responsibility to IHDA. And I would move for the adoption of Amendment No. 1.

PRESIDENT:

Senator Collins has moved the adoption of Amendment No. 1 to Senate Resolution 263. All in favor of the amendment indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. On Senate Resolution 263 as amended, Senator Collins.

SENATOR COLLINS:

Yes, thank you, Mr. President and members of the Senate. Senate Resolution 263 simply instructs the Illinois Housing Development Authority to study the feasibility of creating a Illinois Housing Trust Fund to provide for monies for low and...and moderate income housing, rehabilitation and construction in the State. This is...a idea that...that was put forth in the...on the National level in the Ways and Means Committee, a report that talked about new and innovative ways of finding resources...financial resources for affordable housing for those persons who can't afford housing today. There...other states across this country are in the process

right now of conducting these studies or they are in the process right now of deliberating on legislation before the various bodies to pass such a trust fund. And so what we're doing in Illinois is to keep in pace with all the other states and...and we most certainly have a tremendous...need housing shortage here and a lack of funds to secure adequate housing. And this is one possible way that we can come up with some money to respond to the housing shortage needs in Illinois. And I would move for the adoption.

PRESIDENT:

Senator Collins has moved the adoption of Senate Resolution 263. All in favor of the resolution indicate by saying Aye. All opposed. The Ayes have it. The resolution is adopted. 268, Senator Kelly. On the Order of Secretary's Desk Resolutions is Senate Resolution 269, Mr. Secretary.

SECRETARY:

Senate Resolution 268 with no amendments.

PRESIDENT:

Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President and members of the Senate. This resolution deals with the subject of illegal drugs. It calls on Congress to...and the President of the United States to do more to prevent the illegal importation of illegal drugs. There is something like estimates of eighty billion dollars worth of illegal drugs coming into the United States each year, about sixty billion coming in through the Caribbean and into Florida. And I have called on the President and Congress to enlist the military services to...to declare war on illegal drugs. And that's what this resolution does. It asks for a lasting solution because these illegal drugs cause problems in our schools, create crimes in our streets and certainly raise our insurance rates and...and do harm that we aren't even aware of. And the only thing different between

society now and it was fifty years ago is the exceptionally large amount of drugs. So, I'd appreciate your support for...Senate Resolution 268.

PRESIDENT:

Senator Kelly has moved the adoption of Senate Resolution 268. Any further discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The...the resolution is adopted. 295, Senator Demuzio. Mr. Secretary, Senate Resolution 295.

SECRETARY:

Senate Resolution 295 with no amendments.

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

Thank you, Mr. President. This is a more of a noncontroversial measure. This simply urges the State universities here in Illinois to offer a full range of bachelor degree programs in all the liberal arts areas. I don't know of any opposition.

PRESIDENT:

All right. Senator Demuzio has moved the adoption of Senate Resolution 295. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The resolution is adopted. House Joint Resolution 13, Senator Vadalabene. Bottom of page 4, on the Order of Secretary's Desk Resolutions is House Joint Resolution 13, Mr. Secretary.

SECRETARY:

House Joint Resolution 13, Executive Committee offers one amendment.

PRESIDENT:

Senator Vadalabene on Amendment No. 1.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. Amendment No. 1 to House Joint Resolution 13 is a technical

amendment which properly cites that Michael Witte as the Director of DOC and not the former Director, David Kenney. And I move for the adoption of the amendment.

PRESIDENT:

All right. Senator Vadalabene has moved the adoption of Amendment No. 1 to House Joint Resolution 13. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. Amendment No. 1 is adopted. On...House Joint Resolution 13 as amended, Senator Vadalabene.

SENATOR VADALABENE:

House Joint...Resolution 13 as amended urges the department to institute the Department of Conservation to institute as its primary policy the rehabilitation and restoration of the water quality and natural habitat for fish and wildlife. And I move for its adoption.

PRESIDENT:

Senator Vadalabene has moved the adoption of House Joint Resolution 13. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The resolution is adopted. House Joint Resolution 20, Senator Demuzio. Mr. Secretary, on the bottom of page 4, Secretary's Desk Resolutions is House Joint Resolution 20.

SECRETARY:

House Joint Resolution 20 with no amendments.

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This resolution urges the President and the Congress, the Office of Management and Budget and the Veterans' Administration in Washington to continue comprehensive veterans' medical coverage. We have passed similar resolutions relevant to the same subject matter and the same areas with

House Joint Resolution 23 and 47. This particular resolution would urge the Federal Government to maintain its current comprehensive medical coverage to all veterans. I know of no opposition, came out of committee unanimous.

PRESIDENT:

Senator Demuzio has moved the adoption of House Joint Resolution 20. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The resolution is adopted. Top of page 5 is House Joint Resolution 23, Senator Vadalabene, Mr. Secretary.

SECRETARY:

House Joint Resolution 23 with no amendments.

PRESIDENT:

Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President, members of the Senate. House Joint Resolution 23 provides that the Treasury's Department tax reform for fairness, simplicity and economic growth is proposing a tax on service-connected disability compensation to go into effect January 1, 1987. To tax service-connected disability compensation is a government breach of its long-standing pledge to the American disabled veterans who are, in effect, being told that the disability incurred in fighting for this country is no longer considered a significant sacrifice by the government. And I move for this adoption.

PRESIDENT:

Senator Vadalabene has moved the adoption of House Joint Resolution 23. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. House Joint Resolution 23 is adopted. Senate Joint Resolution 35. Senate Joint Resolution 47, Senator DeAngelis. On the Order of Secretary's Desk Resolutions is Senate Joint Resolution 47, Mr. Secretary.

SECRETARY:

Senate Joint Resolution 47, the Executive Committee offers one amendment.

PRESIDENT:

Senator DeAngelis on Amendment No. 1.

SENATOR DeANGELIS:

Thank you, Mr. President. Amendment No. 1 in line 18 changes 1945 to 1954. I urge its adoption.

PRESIDENT:

Senator DeAngelis has moved the adoption of Amendment No. 1 to Senate Joint Resolution 47. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. On Senate Joint Resolution 47 as amended, Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. What this resolution does is it urges Congress to help resolve the problem that we have in the sale of goods with our residents to other states and other states to our residents. And what we're asking them to do is to look at a Supreme Court decision and enact some legislation. Congress is in the process of looking at this right now. And we hope that this will give them the necessary boost to do what we think is right. And I'm joined in it by Senator Donahue, Schuneman, Rigney, Kelly and some other people.

PRESIDENT:

All right. Senator DeAngelis has moved the adoption of Senate Joint Resolution 47. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The resolution is adopted. Senate Joint Resolution 48, Senator Maitland. Senate Joint Resolution 61, Senator Maitland. Senate Joint Resolution 69, Senator Lemke. On the Order of Secretary's Desk Resolution is Senate Joint Resolution 69, Mr. Secretary.

SECRETARY:

Senate Joint Resolution 69 with no amendments.

PRESIDENT:

Senator Lemke.

SENATOR LEMKE:

This is a...a religion...a resolution which urges the Supreme Court of Illinois to promulgate rules for the appeal procedure for determination concerning whether a minor is mature enough to decide to undergo an abortion without parental notification. This is a response to a recent Federal Court decision that says they're...they're holding the...implementation of the law that we passed until the...until the Supreme Court adopt these rule. This urges them to do that, I ask for favorable consideration.

PRESIDENT:

All right. Senator Lemke has moved the adoption of Senate Joint Resolution 69. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The resolution is adopted. Senator Kelly, for what purpose do you arise?

SENATOR KELLY:

Thank you, Mr. President. I'd...I'd like to...get leave of the Senate to have Senate Resolution 382 discharged from the Senate Executive Committee for immediate consideration. This is the annual Respect Life Week Resolution. There is a...a form that has to be made up which is why I'm requesting this and which I would appreciate Senator Sangmeister and my fellow colleagues to approve.

PRESIDENT:

All right. Senator Kelly has moved to discharge the Committee on Executive from further consideration of Senate Resolution 382. Any discussion on the motion to discharge? If not, all in favor of the motion indicate by saying Aye. All opposed? The Ayes have it. The motion carries. Senator

Kelly on Senate Resolution 382.

SENATOR KELLY:

Thank you, Mr. President and fellow colleagues. Senate Resolution 382 is the annual Respect Life Week Resolution. It's the same as been introduced each time, the only difference is that the dates have changed. The week which has been selected is October 6th through October 13th, 1985 which is designated as Respect Life Week. I would say that it's a resolution that...that everyone in here could...could support, not necessary all would...(machine cutoff)...and I would appreciate your support.

PRESIDENT:

Senator Kelly has moved the adoption of Senate Resolution 382. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The resolution is adopted. Senator Netsch, for what purpose do you arise?

SENATOR NETSCH:

While we're on that order of business, Senate Resolution 368 was introduced too late to be heard by the Executive Committee. I have cleared it with Senator Schuneman and Senator Sangmeister. I would move that we discharge the Committee on Executive from further consideration of Senate Resolution 368 so that it can be heard and acted on today.

PRESIDENT:

All right. Senator Netsch has moved to discharge the Committee on Executive from further consideration of Senate Resolution 368 and asked that it be placed immediately before us. All in favor of the motion indicate by saying Aye. All opposed. The Ayes have it. The motion carries and its so ordered. On the Order of Senate Resolutions is Senate Resolution 368, Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. The resolution is really a carrying out of the action that was taken earlier with

respect to legislation dealing with the homeless. Some of you may recall that we left a number of bills in the Executive Committee and it was understood that the State agencies that have responsibility, which are basically the human service agencies, would have an opportunity to hear from the Governor's Task Force which is due to report on August 1 and then respond to whatever recommendations are made with respect to that task force...or rather by that task force. This resolution would then request those agencies, the Department of Public Aid, Children and Family Services, Mental Health and so forth, to report back to the Legislature by October 15th setting forth what actions they have taken pursuant to the recommendations of the task force. I would move the adoption of Senate Resolution 368.

PRESIDENT:

Senator Netsch has moved the adoption of Senate Resolution 368. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The resolution is adopted. Earlier Senator Maitland was involved in an education summit. We will go back to Senate Joint Resolution 48. Mr. Secretary, on the Order of Secretary's Desk Resolutions, with leave of the Body, Senate Joint Resolution 48.

SECRETARY:

Senate Joint Resolution 48 with no amendments.

PRESIDENT:

Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President, I appreciate that courtesy. Senate Joint Resolution 48 is a resolution that deals with grain standards, and the...the provisions that we're asking for in this resolution are ones that we adopted last summer in a meeting we had here in Illinois with the Council of State Governments. Quite frankly, sum and substance of the resolution would...would allow some recognition

of Illinois quality grain standards that they export and pay their farmers accordingly. And I would urge...urge the adoption of Senate Joint Resolution 48.

PRESIDENT:

Senator Maitland has moved the adoption of Senate Joint Resolution 48. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The resolution is adopted. Senator Maitland, you wish to proceed on 61? On the Order of Senate Resolutions...Secretary's Desk Resolutions is Senate Joint Resolution 61, Mr. Secretary.

SECRETARY:

Senate Joint Resolution 61 with no amendments.

PRESIDENT:

Senator Maitland.

SENATOR MAITLAND:

Thank you, again, Mr. President. Senate Joint Resolution 61 is a resolution that passed the...the Executive Committee some weeks ago and would urge Congress to approve...to approve legislation to extend an exemption from the provisions of the Cargo Preference Act to the U. S. Department of Agriculture's blended credit and export loan guarantee shipments. Again, this is an attempt to increase exports of Illinois grain products. I would...would urge adoption.

PRESIDENT:

...Senator Maitland has moved the adoption of Senate Joint Resolution 61. Is there any discussion? If not, all in favor...I beg your pardon, Senator Demuzio on Senate...Joint Resolution 61.

SENATOR DEMUZIO:

I was sitting here talking with some of my members. I...I was wondering if Senator Maitland could just spend another minute taking me back through that.

PRESIDENT:

All right. Senator Maitland.

SENATOR MAITLAND:

...how far back do you want me to go, Senator Demuzio?

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

All the way.

PRESIDENT:

Senator Maitland.

SENATOR MAITLAND:

Currently, shipments of grain commodities are required...on the blended credit shipments are required to go on fifty percent American tenders. This resolution would urge Congress to not...to not abide by that regulation.

PRESIDENT:

Senator Maitland, I think you've...I think you've answered his question. Senator Maitland has moved the adoption of Senate Joint Resolution 61. Any further discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The resolution is adopted. Senator Kelly, do you wish to proceed on Senate Resolution 40? On the top of page 4, on the Order of Secretary's Desk Resolutions is Senate Resolution 40, Mr. Secretary.

SECRETARY:

Senate Resolution 40. The committee reported it out for adoption. Senator Kelly has Amendment No. 1.

PRESIDENT:

Senator Kelly on Amendment No. 1 to Senate Resolution 40.

SENATOR KELLY:

Thank you, Mr. President and members of the Senate. Amendment No. 1 basically changes the concept somewhat on this resolution as regarding the starving people of America and of...of the world. And it...there was an indication in the first resolution that maybe the President and Congress

was guilty of the neglect and this has...just says that...Americans are...by the lack of concern being shown for the hungry people of America. It doesn't designate who that their lack of concern is for. And it also indicates that dormant fields should be...should be used and we should not allow fields to be...to lie dormant and use every bit of our agricultural skills to...to develop the crop production of this country. And I move for the adoption of Amendment No. 1 to Senate Resolution 40.

PRESIDENT:

Senator Kelly has moved the adoption of Amendment No. 1 to Senate Resolution 40. Any discussion? Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President. I wonder if the gentleman would then explain the resolution as amended.

PRESIDENT:

He will...he will in fact. He's moved the adoption of the Amendment No. 1 to Senate Resolution 40. All in favor of the amendment indicate by saying Aye. All opposed. The Ayes have it. Amendment No. 1 is adopted. Senator Kelly on Senate Resolution 40 as amended.

SENATOR KELLY:

Thank you, Mr. President and members of the Senate. The resolution as it is now amended...it points out that we do have starvation in the United States and in Ethiopia and throughout the world, and that the United States is very rich in agricultural production, and all we do is encouraging Congress to enact legislation to do more to...to develop our fields and our dormant fields so that we have more crops and more food for the people of the United States and the people of the world that need it. We don't want a...a policy which would endorse or support not producing these crops. So what I'm asking for is that every bit of available agricultural land should be used for crop production. And that's what the

intent of this...of this resolution is.

PRESIDENT:

All right. Senator Kelly has moved the adoption of Senate Resolution 40. Discussion? Senator Rigney.

SENATOR RIGNEY:

I was wondering, Senator Kelly, were you here a few minutes ago when we adopted 244?

PRESIDENT:

Senator Kelly.

SENATOR KELLY:

I certainly was and I supported it.

PRESIDENT:

Further discussion? Senator Rigney.

SENATOR RIGNEY:

Well, one of the key provisions of 244 said that we should...were producing way too much, we've got to do these cut-back type of programs, you know, to get our production under control, to get prices up for our farmers. You don't see anything inconsistent with what you're proposing here? I mean, you and Senator Demuzio are tracking the same on these two are you, or...

PRESIDENT:

Senator Kelly.

SENATOR KELLY:

All I know is, instead of our giving military support and financial support to all of these foreign countries and allowing many of these foreign governments who are corrupt to take this money and not feed the poor is wrong. And I say if we're going to have land available that can raise crops, they ought to be raised and we ought to make sure that there's no starving people in the world. That's what this resolution does, and if it's contrary to...I know the farmers have a problem and I'm in favor of helping the farmers, and I don't think the farmers...you know, a lot of farmers want to culti-

vate and they want to use their fields too and they haven't been able to for many years. And I think the farmers are on my side on this issue and not on your side, sir.

PRESIDENT:

Senator Kelly has indicated he'll take it out of the record and see how it tracks with the rest of the programs. 103, Senator Collins. On the Order of Secretary's Desk Resolutions is Senate Resolution 103, Mr. Secretary.

SECRETARY:

(Machine cutoff)...Resolution 103. The Executive Committee offers one amendment.

PRESIDENT:

Senator Collins, on Amendment No. 1.

SENATOR COLLINS:

Yes, thank you, Mr. President and members of the Senate. Amendment No. 1 was to clear up a technical error in the drafting of the resolution, it excluded females and it simply adds females and blacks to the resolution. And I'd move for the adoption of Amendment No. 1.

PRESIDENT:

Senator Collins has moved the adoption of Amendment No. 1 to Senate Resolution 103. Discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Senator Collins, on Senate Resolution 103 as amended.

SENATOR COLLINS:

Yes, thank you, Mr. President. The...the resolution simply asks...calls upon the State Board of Education to conduct a study to determine whether or not the contributions...made by blacks and females are adequately projected in the studies of American history and social studies in our educational system. And I would move for the adoption of the amendment.

PRESIDENT:

Senator Collins has moved the adoption of Senate Resolution 103. Discussion? Senator Keats.

SENATOR KEATS:

Have you been to any of your local history classes recently? They don't even know when the American Revolution was and they haven't heard of half of our Presidents. They think Christopher Columbus is a rock singer. The fact that blacks and women are missed is kind of a minor point, it...there's a whole part of the subject missing.

PRESIDENT:

Senator Collins has moved the adoption of Senate Resolution 103. Any further discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The resolution is adopted. Senate Joint Resolution 35, Senator Newhouse. On the Order of Secretary's Desk Resolutions is Senate Joint Resolution 35, Mr. Secretary.

SECRETARY:

Senate Joint Resolution 35 with no amendments.

PRESIDENT:

Senator Newhouse.

SENATOR NEWHOUSE:

Thank you, Mr...thank you, Mr. President. Mr. President, this...this started out as a joint committee but by agreement in committee this is now a legislative committee. I understand that because it...there...it might be some dollar expenditure that it requires a...a roll call. I would ask for a favorable roll call on this, please.

PRESIDENT:

Senator Newhouse has moved the adoption of Senate Joint Resolution 35. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 48 Ayes...47 Ayes, 3 Nays, 1 voting

Present. Senate Joint Resolution 35 having received the required constitutional majority is declared adopted. Senator Lemke, for what purpose do you arise?

SENATOR LEMKE:

I'd like to have a resolution heard, Senate Resolution 412 that I filed today. Make a motion to take from...

PRESIDENT:

All right. Senator Lemke has moved to discharge the Committee on Executive from further consideration of Senate...Senate Resolution 412 and asks for its immediate consideration. All in favor of the motion to discharge indicate by saying Aye. All opposed. The Ayes have it. The motion carries. Senate Resolution 412, Senator Lemke.

SENATOR LEMKE:

What this resolution does is what we did in a previous resolution, Senate Resolution 127. But this is directed at the University of Illinois in Champaign-Urbana, that we are disheartened that they are showing a defamatory play of Sister Mary Ignatius Explains It All. And I think in summation and support of this legislation, I went through much of my correspondence, and I...and I had some talks with people in my area. And one of those talks was with an individual from...who escaped from Europe in the thirties and came here, Mr. Sliepka, who said that when the Nazi's came in power in Germany they used...first used a way of showing anti-religious plays and getting religious institutions to do this because of their naiveness towards their aims. And I think, Mr. Sliepka's letter is probably greatly in support of this and what most of the taxpayers feel. So I'd like to read this letter. "This letter is in protest of an anti-Catholic play, Sister Mary Ignatius, being presented at a college which is an institution supported by the taxpayers. I resent public institution supportive...supported by my tax money attacking religious faiths under the guise of freedom

of expression. I am a taxpayer and as such am for education, but since when is an anti-Catholic play education? Education is for the betterment of oneself and to help cope with...with their future in whatever field they choose in life and not attacking the taxpayers' belief. Is this education for the betterment of self or society? The college administrators are very callous or stupid not to differentiate between education and an attack on religion. Further, if the administration were familiar with the first amendment which states in short, no public institution shall violate religious neutrality. It is time public figures be held accountable for the actions in the field of education. In the future, I would be pleased to see either these administrators be removed or a cut in their budget for this or any other having the same callous and difference for the taxpayers' beliefs. And I believe that if public facilities cannot be used for the furtherance of religion, they surely should not be used for the...the defaming or degrading of any religion." And therefore, I ask an Aye vote.

PRESIDENT:

Senator Lemke has moved the adoption of Senate Resolution 412. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The resolution is adopted. Senator Vadalabene, for what purpose do you arise?

SENATOR VADALABENE:

Thank you, Mr. President and members of the Senate. On page 3 is Senate Joint Resolution 11, and I would ask leave if I could have that resolution heard approximately four o'clock today.

PRESIDENT:

All right. The gentleman seeks leave to hear the Constitutional Amendment Senate Joint Resolution 11 at approximately four o'clock. Senator DeAngelis wishes to have it at

ten after, is that...all right, without objection, leave is granted. We're going to start on the Order of Secretary's Desk Concurrence. I would ask the members to be in their seats. At this time of the year obviously the paper work has to flow back and forth, so I would ask you to be in your seat. We'll go through the Order of Concurrence once and then perhaps Recess for some lunch. Senate...Senate Bill 7, Senator Fawell. Senator Fawell.

SENATOR FAWELL:

Yes. Thank you, Mr. President. I would like to concur on...Senate Bill 7.

PRESIDENT:

Mr. Secretary, Senate Bill 7.

SECRETARY:

Senate...Senate Bill 7 with House Amendment No. 1.

PRESIDENT:

Senator Fawell on House Amendment No. 1.

SENATOR FAWELL:

What House...what House Amendment No. 1...

PRESIDENT:

Ladies and gentlemen, we are on final action.

SENATOR FAWELL:

...what House No. 1 really is is a...a rewrite of the same language. It involves a special ed...district that concerns basically Greg Zito and my district. The legalese was not agreed upon by LRB and the State Board of...of Education attorney and she rewrote the...the language. That's...it doesn't do anything else.

PRESIDENT:

Senator Fawell, I think you've explained the wrong amendment.

SENATOR FAWELL:

...sorry, you're right. I'm sorry, okay. This...this amendment is...just...House...it is House Bill 1936 which

went out of here and was held up. It is to...it's the State Scholarship Grant and Loan Program language. It's to discourage fraud and abuse in the State of Illinois. All it does is, it talks about access to the records held by the Department of Revenue and Public Aid to facilitate...facilitate investigations and audits of student assistant programs, requires colleges and universities to keep records demonstrating student eligibility for financial assistance, provides that colleges and universities accepting funds on behalf of ineligible applicants shall have subsequent payments reduced by the amount of overpayment, authorizes the board to participate in Federal, State, county, local and university law enforcement agencies to detect and prosecute cases of fraud in student aid programs, requires the Department of Registration-Education to refuse to issue or renew a State license of an individual found to be in default of a student loan and provides that the ISSC be governed by Administrative Review Act and establishes processes in which the ISSC decisions can be appealed. And I would move for its...concurrence.

PRESIDENT:

All right. Senator Fawell has moved that the Senate concur in House Amendment No. 1 to Senate Bill 7. Discussion? Senator Newhouse.

SENATOR NEWHOUSE:

Thank you, Mr. President. I simply want to rise in support of this...this...of this measure. ISSC has been having some difficulty with collection on loans, I think we all know about that. This will give them some teeth, give them some means by which they will forewarn these youngsters of what they're getting into. And I would move its adoption.

PRESIDENT:

All right. Senator Fawell has...is there any further discussion? Senator Smith, are you on this bill? No, all

right, please remove your light for the moment. Question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 7. This is final action. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. The Senate does concur in House Amendment No. 1 to Senate Bill 7 and the bill having received the required constitutional majority is declared passed. Senate Bill 14, Senator D'Arco. Mr. Secretary.

SECRETARY:

Senate Bill 14 with House Amendment No. 1.

PRESIDENT:

Senator D'Arco.

SENATOR D'ARCO:

Mr. President, I would move to nonconcur in House Amendment No. 1 and ask that a Conference Committee be appointed.

PRESIDENT:

Senator D'Arco moves to nonconcur in House Amendment No. 1 to Senate Bill 14. Those in favor indicate by saying Aye. Those opposed. The...motion carries and the Secretary shall so inform the House. Senate Bill 16, Senator D'Arco.

SENATOR D'ARCO:

...Bill 16 has two House amendments to it and Amendment No. 1 makes various procedural changes and it is fine with me, there's no objection to it. And Amendment No. 2 again makes certain procedural changes and it conforms to Senate Bill 16 which we passed out of this Chamber. And I would ask that we concur with the two House amendments to Senate Bill 16.

PRESIDENT:

Senator D'Arco has moved that the Senate concur in House Amendments 1 and 2 to Senate Bill 16. Any discussion? If not, the question is, shall the Senate concur in House Amend-

ments 1 and 2 to Senate Bill 16. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. The Senate does concur in House Amendments 1 and 2 to Senate Bill 16 and the bill having received the required constitutional majority is declared passed. Senate Bill 38, Senator Welch. Senate Bill 39, Senator Hall. Senator Hall. Mr. Secretary, it's on top of page 6, Senate Bill 39.

SECRETARY:

Senate Bill 39 with House Amendment No. 2.

PRESIDENT:

Senator Hall.

SENATOR HALL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I move to concur with the amendment. What's the number on that amendment, No. 2? Amendment No. 2 and move for its adoption.

PRESIDENT:

Senator Hall has moved that the Senate concur in House Amendment No. 2 to Senate Bill 39. Discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

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

PRESIDENT:

Sponsor indicates he'll yield, Senator Schuneman.

SENATOR SCHUNEMAN:

Senator, as I understand it, the amendment adopted in the House simply removes some more of the...powers that were attributed to this new unit of government. Is that right?

PRESIDENT:

Senator Hall.

SENATOR HALL:

I have to apologize. You're absolutely...correct, Senator, there were some and this is technical changes...that needed to be done to bring it in conformity. And that's all this amendment does.

PRESIDENT:

Senator Schuneman.

SENATOR SCHUNEMAN:

Well, I...

SENATOR HALL:

...and we did...on...on Bill...45, the other bill is...similar.

SENATOR SCHUNEMAN:

...as I understand it, this removes some of the eminent domain powers that were in the original bill.

PRESIDENT:

All right. Senator Hall has moved to concur with House Amendment No. 2 to Senate Bill 39. Further discussion? If not, the question is, shall the Senate concur in House Amendment No. 2 to Senate Bill 39. 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 3, none voting Present. The Senate does concur in House Amendment No. 2 to Senate Bill 39 and the bill having received the required constitutional majority is declared passed. Senate Bill 75, Senator Smith. Senator Smith.

SENATOR SMITH:

Thank you, Mr. President and members of the Senate. I was trying to catch you for the longest...but I'm asking to be removed from Senate Bill 75 and Senator...President Philip Rock will become the chief sponsor.

PRESIDENT:

All right. The lady seeks leave to...to remove herself as the chief sponsor of Senate Bill 75 and substitute Senator

Rock. Without objection, leave is granted. Senate Bill 82, Senator Demuzio. Mr. Secretary, on the Order of Secretary's Desk Concurrence is Senate Bill 82.

SECRETARY:

Senate Bill 82 with House Amendment No. 1.

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

Thank you, Mr. President. I don't think there's any controversy to this, we had an identical bill. This is a conveyance of land from the Jacksonville Mental Health Center to the City of Jacksonville. Amendment...House Amendment 1 is identical to the amendment that we adopted here in the Senate to House Bill 1204 which would allow for the Department of Transportation at a...at a later date to come back in on whatever action that they wanted to...to deal with the...with the land. And I know of no controversy and I would move for concurrence of House Amendment 1 to Senate Bill 82.

PRESIDENT:

Senator Demuzio has moved that the Senate concur in House Amendment No. 1 to Senate Bill 82. Discussion? If not, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 82. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 Ayes, no Nays, none voting Present. The Senate does concur in House Amendment No. 1 to Senate Bill 82 and the bill having received the required constitutional majority is declared passed.

PRESIDING OFFICER: (SENATOR DEMUZIO)

(Machine cutoff)...91, Senator Marovitz. Senator Marovitz on the Floor? 92, Senator Etheredge. Senator

Etheredge on the Floor? 98, Senator Fawell. Senator Fawell. 114, Senator Jerome Joyce. Senator Joyce, 114...114? All right. On the Order of Secretary's Desk Concurrence is Senate Bill 114, Mr. Secretary.

SECRETARY:

Senate Bill 114 with House Amendments 1 and 2.

PRESIDING OFFICER: (SENATOR DENUZIO):

Senator Joyce.

SENATOR JEROME JOYCE:

Well, thank you, Mr...Mr...President. Amendment No. 1 is a technical amendment. Amendment No. 2 inserts a five dollar fee for all tanks. Move to concur.

PRESIDING OFFICER: (SENATOR DENUZIO)

All right. Senator Joyce has moved to concur with House Amendment 1 to Senate Bill 114. Is there any discussion? I'm sorry, 1 and 2? All right. Senator Joyce has moved to concur with...with House Amendments 1 and 2 to Senate Bill 114. Is there any discussion? Senator Karpziel.

SENATOR KARPIEL:

Could he explain Amendments 1 and 2 a little bit, please.

PRESIDING OFFICER: (SENATOR DENUZIO)

Senator Joyce.

SENATOR JEROME JOYCE:

Well, Amendment No. 1 is principally technical, it doesn't do much. Amendment No. 2...it revives House Bill 1929 which died in committee and this...wait a minute, that's not right. Okay. It's...all right, Amendment No. 2 expands the original provisions of Senate Bill 114. This amendment requires a five dollar annual registration fee for underground petroleum storage tanks larger than eleven hundred gallons. The proceeds from this nominal annual fee would be deposited in the State Treasury to use by the IEPA to respond to clean up only orphaned underground petroleum tanks, orphan tanks leaks...leaks are leaks from tanks where the rightful

owner, liable party cannot be located. Leaks from these tanks fall through the cracks of existing Federal law.

PRESIDING OFFICER: (SENATOR DENUZIO)

Further discussion? Senator...Senator Weaver. Before we do, Senator Weaver,...WCIA, over in your neck of the woods, has requested permission to film the proceedings. Is leave granted? Leave is granted. Senator Weaver.

SENATOR WEAVER:

On Amendment No. 2...I think...who...who's going to pay this fee, Senator Joyce? It's my understanding now that the fire marshal's office is satisfied with the way it's handled now and that this is just going to switch the payment of this fee to others that...you know, it may not be very workable. I have no concern with Amendment No. 1 but Amendment No. 2 I've been led to believe is really not necessary.

PRESIDING OFFICER: (SENATOR DENUZIO)

Further...Senator Joyce.

SENATOR JEROME JOYCE:

Well,...it...the answer who pays the fees, it's five dollars from whoever has the tank.

PRESIDING OFFICER: (SENATOR DENUZIO)

All right. Senator Weaver.

SENATOR WEAVER:

Well, can we divide these two and vote separately on 1 and 2?

PRESIDING OFFICER: (SENATOR DENUZIO)

All right. The sponsor indicates that we, in fact, will divide the question. I...I'm understanding that the Amendment No. 1 is...perhaps, Senator Joyce, in the division of the question now you can explain Amendment No. 1 and we might be able to proceed with that and then get to the more controversial one here shortly. Senator Joyce.

SENATOR JEROME JOYCE:

Okay. This is a technical amendment clarifying the

references to the dates of the underground storage tanks amendments to the Federal Resource, Conservation and Recovery Act. It deletes language to clarify that the EPA and the Office of the State Fire Marshal shall not be performing...duplicative tasks...duplicative tasks.

PRESIDING OFFICER: (SENATOR DENUZIO)

All right. Is there discussion on Amendment No. 1? Senator...Senator Fawell, on...on Amendment No. 1? Any further discussion on Amendment No. 1? All right. Senator Joyce has moved to concur. The question is on the concurrence of House Amendment 1 to Senate Bill 114. 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 2, none voting Present. The Senate does concur in House Amendment 1 to Senate Bill 114. Senator Joyce.

SENATOR JEROME JOYCE:

All right, then...Amendment No. 2, I'd be happy to answer anymore questions.

PRESIDING OFFICER: (SENATOR DENUZIO)

All right. Discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, Mr. President and Ladies and Gentlemen of the Senate, Amendment No. 2 will force the small petroleum market just to pay for the removal of a major oil company's abandoned tanks by requiring a five dollar per tank registration fee. That was contained in House Bill 1828 which lost in the Senate Agriculture Committee by a vote of 4 to 8 on June 11th. Now the State Fire Marshal also opposes Amendment No. 2. And I think that we have to consider the small business people more than we have to the big major oil companies. So I speak against the concurrence to Amendment No. 2.

PRESIDING OFFICER: (SENATOR DENUZIO)

Further discussion? Senator...Senator Joyce.

SENATOR JEROME JOYCE:

Let me clarify this just so you'll know which tank you're in. The petroleum marketers are against this amendment, the Petroleum Council is for this amendment.

PRESIDING OFFICER: (SENATOR DENUZIO)

Further discussion? Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President. Well, as I understand this,...the debate that we had in committee about this is that some of these things are happening Federally. They're trying to study how many tanks are out there, we don't know and I think the five dollar fee is just not right. We already have...House Bill 2250 on the Governor's Desk that does basically the same thing without the five dollar fee, and I'd say let's support the bill as it is and get rid of this amendment.

PRESIDING OFFICER: (SENATOR DENUZIO)

All right. Further discussion? Senator Darrow.

SENATOR DARROW:

Thank you, Mr. President. So the members don't think this is a partisan issue, let me merely say that what we are doing here is taxing every gas station in Illinois. When you go in to buy gas in your local neighborhood gas station, they say, how come I have to pay five dollars per tank for all these underground tanks? I just bought this station a couple of years ago, I don't know anything about orphan tanks but still you're hitting me with a five dollar fee. You can...you can attribute it to this piece of legislation. It's not fair to tax a guy five bucks per tank when he had nothing to do with orphan tanks. It should be put on somewhere else, we shouldn't again tax the people who run our gas stations, we've done them nothing but a disservice over the last couple of years, and I would solicit a No vote on this

anendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Davidson. '

END OF REEL

REEL #2

SENATOR DAVIDSON:

Mr. President and members of the Senate, I rise in opposition to No. 2. Senator Darrow stated it very, very clearly, but for those of you who don't understand but what Illinois Petroleum Marketers and the Illinois Oil Council are, the Illinois Petroleum Marketers are the independent businessmen and your neighbors and...and your people in Illinois. The major oil companies who have been very guilty of closing a station and walking off and leaving it and not pulling the tanks, that's the major oil companies, that happens to the Illinois Oil Council...their lobbyist happens to eat lunch with me a couple of times a week. He's not asked me to support this amendment. If they're for it, they've certainly been very quiet in their support. I, frankly, think this is a bad idea whose time has arrived to be killed. I urge all of you to vote No.

PRESIDING OFFICER: (SENATOR DENUZIO)

Further discussion? Senator Savickas.

SENATOR SAVICKAS:

Yes, Mr. President and members of the Senate, I think we've been misled by the previous speaker. These are not tanks that big oil companies could walk away. These are orphan tanks that nobody could locate the rightful owners. Those big oil companies will be the ones that will be paying the majority of the monies and the fees on these tanks. They're not walking away, they're identified as the owners. They are not the orphan tanks we're concerned about that are leaking, and I would hope that we would support this...this amendment.

PRESIDING OFFICER: (SENATOR DENUZIO)

All right, further discussion? Senator Joyce may close.

SENATOR JEROME JOYCE:

Well, just once again, I'm...I'm going to say what...who is for this and who is against it. The Petroleum Marketers are against it and the Petroleum Council is for it, and I'd ask for a roll call.

PRESIDING OFFICER: (SENATOR DENUZIO)

All right, Senator Joyce...the question is, shall the Senate concur in House Amendment 2 to Senate Bill 114. Those in favor vote Aye. Those opposed Nay. The voting is open. Senator Savickas. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 20, the Nays are 32, none voting Present. The Senate does not concur in House Amendment 2 to...Senate Bill 114 and the Secretary shall so inform the House. Senator Joyce, for what purpose do you arise?

SENATOR JEROME JOYCE:

Yes, now I'd move to nonconcur in Amendment No. 2.

PRESIDING OFFICER: (SENATOR DENUZIO)

Well, my Parliamentarians tell me it's not necessary. It is automatically...Senator Joyce moves to nonconcur...all right, Senator, I've already read that into the record. In the meantime, it...it is...it is on...House Amendment No. 2 is on nonconcurrency and the Secretary will so inform the House. In the meantime, we'll go to the next bill and decide what we're going to do from here. 147, Senator Berman. (Machine cutoff)...Senator Schaffer. Secretary's Desk...Secretary's Desk on concurrence is Senate Bill 158, Mr. Secretary.

SECRETARY:

Senate Bill 158 with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR DENUZIO)

Senator Schaffer.

SENATOR SCHAFFER:

SB 159
concurrency

House Amendment No. 1 put some provisions in that we don't really take...have any real problems with but we have found a technical glitch involving the tax rate and regrettably we're going to have to put it in a Conference Committee to clean it up, so I would move to nonconcur.

PRESIDING OFFICER: (SENATOR DENUZIO)

All right, Senator Schaffer moves to nonconcur in House Amendment 1 to Senate Bill 158. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. 159, Senator Kustra. Senate Bill 159, Mr. Secretary.

SECRETARY:

Senate Bill 159 with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR DENUZIO)

Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President and members of the Senate. Senate Bill 159 originally refined the definition of bribery in the Statutes. The House Committee on Judiciary felt the necessity to change our language and to insert the words "improperly influence" for the words "unlawfully influence." I don't think it's any substantive change. To me it appears as though it's a technical change. All parties have agreed to it, and I would urge concurrence on Senate Bill 159.

PRESIDING OFFICER: (SENATOR DENUZIO)

All right, Senator Kustra has moved...on the concurrence, any discussion? If not, the question is, shall the Senate concur with House Amendment 1 to Senate Bill 159. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. The Senate does concur in House Amendment 1 to Senate Bill 159 and the bill

having received the required constitutional...majority is declared passed. Senate Bill 165, Senator Lemke. Senate Bill 165, Mr. Secretary.

SECRETARY:

Senate Bill 165 with House Amendments 1 and 2.

PRESIDING OFFICER: (SENATOR DENUZIO)

Senator Lemke.

SENATOR LEMKE:

I...move to nonconcur in House Amendment No. 1 and to concur in House Amendment No. 2. Yes, I want to nonconcur in Amendment No. 1 and to concur in Amendment No. 2. The intellectual pen of Ellis Levin went on this bill and then after he put the amendment on, he found out it was the wrong bill.

PRESIDING OFFICER: (SENATOR DENUZIO)

All right, Senator Lemke has moved to nonconcur with House Amendment No. 1...all right, Senator Lemke has moved to...to concur with House Amendment 2 to Senate Bill 165. Is there any discussion? If not, those in favor signify...if not, the question is, shall the Senate concur in House Amendment 2 to Senate Bill 165. Those in favor vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. The Senate does concur in House Amendment No. 2 to Senate Bill 165. Senator Lemke now moves...Senator Lemke.

SENATOR LEMKE:

What are we on now?

PRESIDING OFFICER: (SENATOR DENUZIO)

All right,...Amendment No. 1.

SENATOR LEMKE:

I move to nonconcur on Amendment No. 1.

PRESIDING OFFICER: (SENATOR DENUZIO)

All right. Senator Lemke moves to nonconcur in House

Amendment 1 to Senate Bill 165. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. Senate Bill 172, Senator Zito. House Bill 172, Mr. Secretary.

SECRETARY:

Senate Bill 172 with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR DENUZIO)

Senator Zito.

SENATOR ZITO:

Thank you, Mr. President and members. I would move to concur in House Amendment No. 1. House Amendment No. 1 was, in fact, offered by the Governor's Office. It provides that the capital improvement program of the legislation shall be submitted to the General Assembly by the Governor as part of the annual State budget. It also deletes requirements and Statewide hearings on the capital improvement program and the capital budget. It also provides for joint development of capital funding by BOB and CDB, and I would move to concur.

PRESIDING OFFICER: (SENATOR DENUZIO)

All right. Senator Zito has...is there any discussion? All right. The question is, shall the Senate concur in House Amendment 1 to Senate Bill 172. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. The Senate does concur in House Amendment 1 to Senate Bill 172 and the bill having received the required constitutional majority is declared passed. Senator Zito.

SENATOR ZITO:

Yes, thank you, Mr. President. I neglected to ask leave to add Senator Welch as a hyphenated cosponsor of that piece of legislation.

PRESIDING OFFICER: (SENATOR DENUZIO)

All right. Is there leave to add Senator Welch as a hyphenated cosponsor to House Bill 172? Leave is granted. So ordered. Page 7, Senate Bill 180, Mr. Secretary.

SECRETARY:

Senate Bill 180 with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR DENUZIO)

Senator Karpiel.

SENATOR KARPIEL:

Yes, thank you, Mr. President. I move to concur with House Amendment No. 1 on Senate Bill 180.

PRESIDING OFFICER: (SENATOR DENUZIO)

All right, Senator Karpiel.

SENATOR KARPIEL:

All right, what the bill did originally is say that in municipalities that lie within more than one county, the municipal clerk and his or her deputies can register anyone to vote who lives within that municipality regardless of which county it is. The House amendment that was put on says that the municipal clerk and his or her deputies do not have to be...do not have to register those people within the confines of the clerk's office.

PRESIDING OFFICER: (SENATOR DENUZIO)

All right, any discussion? Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President and members of the Senate. I rise to oppose the concurrence. It actually increases to thirty-five days rather than twenty-eight days. It makes it more difficult to register and it's actually against the concept or the intent of Senate Bill 1301 sponsored during the 83rd General Assembly by Senator Rock which established the system of registration for deputy registrars. I feel that a Conference Committee could...could restore some of these restrictions and I...I would oppose the concurrence.

PRESIDING OFFICER: (SENATOR DENUZIO)

Further discussion? Senator Karpiel may close.

SENATOR KARPIEL:

Well, I...you know, I have no...I mean, the amendment that was put on in the House, obviously, was not my amendment. It was suggested by Representative Greiman and so I thought perhaps it was a Democrat amendment that they wanted; obviously, it is not. I would...I would prefer to just concur and go ahead with the bill and get it out of here.

PRESIDING OFFICER: (SENATOR DENUZIO)

All right, the question is, shall the Senate concur in House Amendment 1 to Senate Bill 180. 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 45, the Nays are 13, none voting Present. The Senate does concur in House Amendment 1 to Senate Bill 180 and the bill having received the required constitutional majority is declared passed. 202, Senator Marovitz. Top of page 7, Secretary's Deck concurrence is Senate Bill 202, Mr. Secretary.

SECRETARY:

Senate Bill 202 with House Amendments 1 and 2.

PRESIDING OFFICER: (SENATOR DENUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. I would move that the Senate do concur with House Amendments 1 and 2 to Senate Bill 202. House Amendment No. 1 just more expressly authorizes the Department of Alcohol and Substance Abuse to enter into agreements with the State Board of Ed. to establish drug and alcohol education and prevention programs; and Amendment No. 2...and I might add, both DASA and the State board drafted the amendment and agree to it and Amendment No. 2...expressly authorizes the educational

service regions established by the School Code to be eligible...merely eligible for the grants under DASA. No controversy whatsoever with these two amendments. I would ask for concurrence.

PRESIDING OFFICER: (SENATOR DEBUZIO)

All right, any discussion? All right, Senator Marovitz has moves to...moves to concur with House Amendments 1 and 2. The question, shall the Senate concur in House Amendments 1 and 2 to Senate Bill 202. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. The Senate does concur in House Amendments 1 and 2 and the bill having received the required constitutional majority is declared passed. Is there leave to come back to 211 and 212? Leave is granted. Senate Bill...Senate Bill 224, Senator Lenke. Senator Lenke on the Floor?...230, Senator Vadalabene. Senate Bill 230, Mr. Secretary.

SECRETARY:

Senate Bill 230 with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEBUZIO)

Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. House Amendment No. 1 to Senate Bill 230, in summary what it does, it...it amends the Department of Veteran Affairs Act which states that the profits from the commissary at the Illinois Veterans' Home shall be used for the pleasure or comfort of residents. Interest and income on funds deposited for residents shall be expended for their...comfort or shall accrue to the amount...to the account, and it outlines regulations for handling of the unclaimed property of a resident who is separated from the Illinois Veterans' Home by death,

discharge or unauthorized absence from the home, and I move for the...and I concur with the House Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, any discussion? Senator Donahue.

SENATOR DONAHUE:

Well, thank you, Mr. President. The Calendar that...you know, the...the synopsis in the Calendar, is that correct for what the original bill did, Senator Sam?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene.

SENATOR DONAHUE:

Or was that added by amendment?

SENATOR VADALABENE:

Wait till I find the...I don't have a...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene.

SENATOR VADALABENE:

That was added by House Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Donahue.

SENATOR DONAHUE:

So the change in the scholarship date...it was added in the House?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene.

SENATOR VADALABENE:

I don't believe it...it does but, however, my outstanding staff must be on furlough and...they may be up at the veterans' home.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Donahue.

SENATOR DONAHUE:

We'd love to have them, Sam. If...if I may make one request. I think this is a...a very big change, if I read it

right, and I'd like to ask if you'd just hold this for a minute so we can just clarify it.

PRESIDING OFFICER: (SENATOR DENUZIO)

Senator Vadalabene.

SENATOR VADALABENE:

I would be more than happy to hold it and send the staff back.

PRESIDING OFFICER: (SENATOR DENUZIO)

All right, take it out of the record. 235, Senator Welch. Senate Bill 235, Mr. Secretary.

SECRETARY:

Senate Bill 235 with House Amendment No. 3.

PRESIDING OFFICER: (SENATOR DENUZIO)

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. House Amendment No. 3, in which I concur, gutted the bill and started all over again. The bill now is similar to a Federal Trade Commission ruling on the Federal level which prohibits advertising of any...by businesses by means of offering a free prize with...without disclosing all material terms regarding the offer. We took out the requirement that disclosure of the...fair market value be on the face of the advertisement. Earlier opposition by the retail merchants and the one-time opposition by the real estate lobby have been removed. They are both now in support of this bill and I would urge a favorable vote.

PRESIDING OFFICER: (SENATOR DENUZIO)

All right, you...any discussion? All right, the question is, shall the Senate concur in House Amendment 3 to Senate Bill 235. Those in favor vote Aye. Those opposed 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 1, none voting Present. The Senate does concur in House Amendment 3 to Senate Bill 235 and...and the bill

having received the required constitutional majority is declared passed. Secretary's Desk concurrence is Senate Bill...239, Mr. Secretary.

SECRETARY:

Senate Bill 239 with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator O'Daniel.

SENATOR O'DANIEL:

Mr. President and members of the Senate, I move to nonconcur with House Amendment No. 1 to Senate Bill 239. The Illinois Local Governmental Law Enforcement Officers Training Board has problems with this amendment and I would appreciate your consideration.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator O'Daniel moves to nonconcur in House Amendment...No. 1 to Senate Bill 239. All those in favor say Aye. Those opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. Senate Bill 254, Senator Luft. Senate Bill 259, Senator Bloom. Senate Bill...page 8, Senate Bill 295, Senator Marovitz. Senator Marovitz on the Floor? 295. Top of page 8. Senate Bill...Senate Bill 298, Senator Karpel. Secretary's Desk concurrence, page 8, Senate Bill 298, Mr. Secretary.

SECRETARY:

Senate Bill 298 with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Karpel.

SENATOR KARPIEL:

Yes, thank you, Mr. President. I would move to concur with House Amendment No. 1 to Senate Bill 298. House Amendment No. 1 was suggested evidently by Representative Saltsman and he suggested to...making...the bill originally said that...it's the same thing as the bill I passed out of here yesterday. It has to do with allowing municipalities to

issue liquor fines for license violations or...and he added counties also to the bill, and I'd ask for your concurrence.

PRESIDING OFFICER: (SENATOR DENUZIO)

Any discussion? If not, the question is, shall the Senate concur in House Amendment 1 to Senate Bill 298. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are 1, none voting Present. The Senate does concur in House Amendment 1 to Senate Bill 298 and the bill having received the required constitutional majority is declared passed. 299, Senator Berman. Senate Bill 299, Mr. Secretary.

SECRETARY:

Senate Bill 299 with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR DENUZIO)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. The House by...Amendment No. 1 added to this bill the provisions to allow a home health agency to have a lien against an injured person for services rendered to that injured person. I've reviewed the amendment. I see no problem with it. I would move the adoption of Amendment No...or concurrence with House Amendment No. 1 to Senate Bill 299.

PRESIDING OFFICER: (SENATOR DENUZIO)

Any discussion? Senator Fawell.

SENATOR FAWELL:

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

PRESIDING OFFICER: (SENATOR DENUZIO)

Indicates he will yield. Senator Fawell.

SENATOR FAWELL:

Yeah, Senator, according to our analysis, this amendment guts the bill and puts in the other bill...says...it says

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Concurrence

here, "The...this amendment guts the bill and creates the Home Health Agency Lien Act. This bill creates a cause of action for liens to be placed upon...recoveries made by the injured plaintiffs. Home health agencies would be able to place a lien up to one-third of the recovery on judgments and settlements. This language is consistent with the hospital lien law...

PRESIDING OFFICER: (SENATOR DENUZIO)

All right.

SENATOR FAWELL:

...the Council of Home Health Services and IHA support this amendment." Is that right?

PRESIDING OFFICER: (SENATOR DENUZIO)

Senator Berman.

SENATOR BERMAN:

Would we take it out of the record at this time?

PRESIDING OFFICER: (SENATOR DENUZIO)

All right, take it out of the record. Senate Bill 300, Senator Marovitz. Secretary's Desk concurrence, Senate Bill 300, Mr. Secretary.

SECRETARY:

Senate Bill 300 with House Amendment No. 4.

PRESIDING OFFICER: (SENATOR DENUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. I would move that the Senate do concur with House Amendment No. 4 to Senate Bill 300. This is the Spousal Health Insurance Rights Act, passed out of here 50 to 8. In deference to the business community, we very, very substantially compromised this legislation. The legislation that was passed out of here had no time cap for somebody to get into...somebody who's a widow or divorced spouse to join the...the group policy. The insurer...insurance industry and

the employers...we had several meetings with them, they wanted a cap...we wanted a five-year cap and it's down to a two-year cap now. So, there is a two-year cap for people to have an opportunity to join...convert to the group policy. There is no administrative cost, that's been taken off because the empirical studies have shown that there is no increase in rates, and for...those fifty-five and older there is no cap whatsoever except for the first two years they have to pay the...a possible twenty percent administrative cost. We have compromised this legislation and made it much more conservative from where it passed out of here 50 to 8, and I would solicit your Aye vote.

PRESIDING OFFICER: (SENATOR DENUZIO)

All right, any discussion? If not, the question is, shall the Senate concur in House Amendment 4 to Senate Bill 300. 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 7, none voting Present. The Senate does concur in Amendment...House Amendment 4 to Senate Bill 300 and the bill having received the required constitutional majority is declared passed. 309, Senator Sangmeister. 309, Mr. Secretary.

SECRETARY:

House Bill 309...or Senate Bill 309 with House Amendments 1 and 2.

PRESIDING OFFICER: (SENATOR DENUZIO)

Senator Sangmeister.

SENATOR SANGMEISTER:

Thank you. The motion is that the Senate nonconcur in House Amendments No. 1 and 2 and that we send a Message to the House...requesting that they recede from those amendments.

PRESIDING OFFICER: (SENATOR DENUZIO)

All right, Senator Sangmeister moves to...to nonconcur in House Amendments 1 and 2 to Senate Bill 309. All those in favor say Aye. Opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. Senate Bill 315, Senator Mahar...315, Mr. Secretary.

SECRETARY:

Senate Bill 315 with House Amendment No. 4.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Mahar.

SENATOR MAHAR:

Thank you, Mr. President. I would move that the Senate concur with House Amendment No. 4. It is technical in nature. The intent and authority of the bill remain exactly the same.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Question is, shall the Senate concur with House Amendment 4 to Senate Bill 315. Those in favor vote Aye. Those...opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 59, the Nays are none, none voting Present. The Senate does concur in House Amendment 4 to Senate Bill 315 and the bill having received the required constitutional majority is declared passed. 319, Senator Luft. 319, Mr. Secretary.

SECRETARY:

Senate Bill 319 with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. I would move that the Senate concur in House Amendment No. 1. The amendment simply prohibits anyone from receiving a double exemption or a double tax credit if, in fact, a high impact area is designated in an enterprise zone.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Any discussion? If...if not, the question is, shall the Senate concur in House Amendment 1 to Senate Bill 319. Those in favor vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are 1, none voting Present. The Senate does concur in House Amendment 1 to Senate Bill 319 and the bill having received the required constitutional majority is declared passed. 320, Senator Luft. Secretary's Desk concurrence is Senate Bill 320, Mr. Secretary.

SECRETARY:

Senate Bill 320 with House Amendments 1 and 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. I would move that the Senate concur in House Amendment No. 1. House Amendment No. 1 was added at the request of DCCA and put a five million dollar cap on the grants awards under this program.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, any discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Well, is this...is this still the same bill, Senator, that would allow the State to reimburse the costs of up to fifty percent of workers' compensation and unemployment comp. in order to attract new industries? Is...is the bill...the basic part of the bill remain unchanged?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft.

SENATOR LUFT:

Yes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion?...the question is, shall the Senate concur in House Amendment 1 to Senate Bill 320. Those in favor will...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 39, the Nays are 18, none voting Present. The Senate does concur in House Amendment 1. Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. I would move that the Senate does not concur in House Amendment No. 2. House Amendment No. 2 provides that anyone who had a facility in the State of Illinois prior to 1976 is also eligible for this program, and I would move that we nonconcur in House Amendment No. 2.

PRESIDING OFFICER: (SENATOR DENUZIO)

All right, Senator...Senator...Schuneman, on discussion on the nonconcurrency? Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. This...this vote will be final action on this bill. Is...is that right?

PRESIDING OFFICER: (SENATOR DENUZIO)

Well, Senator Schuneman...the gentleman has moved to nonconcur in House Amendment 2. You want to put No. 2 up on the board and, therefore, his motion is to nonconcur in...all right, we all...we all together now? We're apart, but we're together. All right. Senator Luft has moved to nonconcur in House Amendment 2 to Senate Bill 320. All those in favor signify by saying Aye. Opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. (Machine cutoff)...Bill 321, Senator Vadalabene. Mr. Secretary, 321.

SECRETARY:

Senate Bill 321 with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR DENUZIO)

Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. House Bill...House Amendment No. 1 to Senate Bill 321 corrects a technical mistake made by the Legislative Reference Bureau in drafting the bill. It makes reference in several places which...states the word "directors" and should have been "trustees," and I move for...and I concur with House Amendment No. 1 to Senate Bill 321.

PRESIDING OFFICER: (SENATOR DENUZIO)

Any discussion? If not, the question is, shall the Senate concur in House Amendment 1 to Senate Bill 321. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. The Senate does concur in House Amendment 1 to Senate Bill 321 and the bill having received the required constitutional majority is declared passed. Senate Bill 328,...Senator Hall, for what purpose do you arise?

SENATOR HALL:

A point of information.

PRESIDING OFFICER: (SENATOR DENUZIO)

Yes, sir.

SENATOR HALL:

The President...if I heard him correctly, said we were going to break for lunch. What time is that going to be?

PRESIDING OFFICER: (SENATOR DENUZIO)

Oh, tomorrow...tomorrow at noon, I think he was talking about.

SENATOR HALL:

Well, I...I...I want to know because...

PRESIDING OFFICER: (SENATOR DENUZIO)

Senator Hall, I...I didn't hear him, so we'll get some confirmation on that and be right back to you. Senate Bill

328, Senator Vadalabene. Mr. Secretary, 328.

SECRETARY:

Senate Bill 328 with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR DENUZIO)

Senator Vadalabene.

SENATOR VADALABENE:

Yes, Mr. President and members of the Senate, I move to nonconcur with Amendment No. 1 to Senate Bill...328.

PRESIDING OFFICER: (SENATOR DENUZIO)

Senator Vadalabene...Senator Vadalabene moves to...to nonconcur in House Amendment 1 to Senate Bill 328. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. 379, Senator Nedza. Mr. Secretary, 379.

SECRETARY:

Senate Bill 379 with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR DENUZIO)

Senator Nedza.

SENATOR NEDZA:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House No...House Amendment No. 1 to Senate Bill 379 did not change the content of the bill. All it did was put it in its proper grammatical form and I move to concur with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR DENUZIO)

Any discussion? If not, the question is, shall the Senate concur in House Amendment 1 to Senate Bill 379. 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 in House Amendment 1 to Senate Bill 379 and the bill having received the required constitutional majority is declared passed. (Machine cutoff)...Senator

Collins, for what purpose do you arise?

SENATOR COLLINS:

Request leave for Senator Jeremiah Joyce to handle Senate Bill 995. I have to...I will be off the Floor at that time.

PRESIDING OFFICER: (SENATOR DENUZIO)

All right, Senator Collins...Senator Collins has sought leave to have Senator Jeremiah Joyce to handle Senate Bill 995. Is leave granted? All right, leave is granted. We are on page 9, Secretary's Desk concurrence, Senate Bill 384, Senator Poshard. Mr. Secretary, 384.

SECRETARY:

Senate Bill 384 with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR DENUZIO)

Senator Poshard..

SENATOR POSHARD:

Thank you, Mr. President. I move to concur with House Amendment No. 1. This amendment enables persons fifty-five or older who are victims of Alzheimer's disease to participate in the Respite Demonstration Program. Normally persons would have to be at least sixty years of age to be eligible.

PRESIDING OFFICER: (SENATOR DENUZIO)

All right, any discussion? If not, the question is, shall the Senate concur in House Amendment 1 to Senate Bill 384. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. The Senate does concur in House Amendment 1 to Senate Bill 384 and the bill having received the required constitutional majority is declared passed. 385, Senator Welch. 385, Mr. Secretary.

SECRETARY:

Senate Bill 385 with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR DENUZIO)

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. What this amendment does in the House, which I am concurring in, adds eight members to the Alzheimer's Disease Task Force, four family members or guardians of victims of Alzheimer's disease, a representative of the Home Health Agency on Aging and two additional physicians. The reason for this was...commitments were made that were included in the House version of this bill but not in the Senate version to include those participants in the negotiations on the advisory board, and I would move passage of this bill.

PRESIDING OFFICER: (SENATOR DEWUZZIO)

All right, any discussion? If not, the question is, shall the Senate concur in House Amendment 1 to Senate Bill 385. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 59, the Nays are none, none voting Present. The Senate does concur in House Amendment 1 to Senate Bill 385...all right, we're going to have to do that again. The question is on the...the question is, shall the Senate concur in House Amendment 1 to Senate Bill 385. Those in...favor vote Aye. Those opposed vote Nay. The voting is open. The Clerk hit the wrong button. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. The Senate does concur in House Amendment 1 to Senate Bill 385 and the bill having received the required constitutional majority is declared passed. 388, Senator Dawson. 392, Senator Smith. Senate Bill 392, Mr. Secretary.

SECRETARY:

Senate Bill 392 with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR DENUZIO)

All right, Senator Smith.

SENATOR SMITH:

Thank you, Mr. President and members of the Senate. Senate Bill 392, I move that the Senate concur with Amendment 1. The original part of the bill remains the same, it's unchanged, and House Amendment No. 1 merely restores a policy providing cash assistance to poor women who are childless but pregnant and who will be eligible for AFDC cash benefits as soon as the baby is born. In accordance with the Federal guidelines, this cash assistance will be limited to the final trimester of this pregnancy, and I do move that we concur with this amendment.

PRESIDING OFFICER: (SENATOR DENUZIO)

All right, any discussion? Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President. I'm afraid I'm going to have to oppose...concurrence with House Amendment No. 1. This bill...the original bill is part of the Alzheimer's package which we do support. However, the amendment that's been attached adds...gives aid to the...to families with dependent children who are pregnant for the first time, not...the normal policy is if they have children, they can receive cash aid...cash aid. Now, if they are pregnant for the first time, they will be added in and I think this is an increased cost of about 4.6 million dollars in general revenue for...for each year, and if I'm not mistaken, it doubles in...in years to come. So, I would move for its defeat.

PRESIDING OFFICER: (SENATOR DENUZIO)

Further discussion? Senator Newhouse.

SENATOR NEWHOUSE:

Thank you, Mr. President. And I wish that those people who are pro-life would have a listen to this because what this bill does is simply provide some money in the last

trimester of a pregnancy. So, in effect, what we're talking about is trying to make it possible for more healthy babies to be born in the State of Illinois. Now, I hate to be talking backwards all the time, but the facts of life are these, that our infant mortality rate is soring, it's much higher than it ought to be, but the rate of children born with problems is equally as high. Let me tell you what that means. If any of you go out to...to Children's Memorial Hospital, for example, you're talking about hospitalization bills that run three thousand...listen to me, gentlemen, we're talking hospital bills that run three thousand dollars a day. Now I can't give you a...a...a dollar amount or a fiscal amount of savings that there will possibly be, but you can well recognize that when we talk about getting poor, young girls who are pregnant in the final trimester, when that fetus has to have the kind of nourishment that is necessary for a healthy baby to be born, we're really talking about children and we're talking about unborn children in this case. So, the dollar amount that we're talking about saving is really not very large because what happens in this program is that the Feds pick up one-half of the tab. Now according to our statistics...according to what I understand, we're talking about a tab to the State of Illinois that would be...let me see...get my figures here...a figure of about forty dollars per month per case, fifty percent of which is Federal dollars, I don't have the total amount, but we're not talking a great deal of money when we just oppose it against the health of the unborn child. We're really not talking about very much money, when we talk about the dollar costs...the dollar cost to the State of these youngsters who are born with problems. I rise in support of this bill and I would hope that the amendment would stick. I'd ask for favorable support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Lemke.

SENATOR LEMKE:

I rise in support of the amendment. Having...being involved in the litigation that went to the U. S. Supreme Court when we said no public funds could be used for abortion, our argument as a State was that we provide adequate care for those women that are pregnant and those children that are born. This is in conjunction with the policy of the State of Illinois and the policy of the United States, and I say to everyone here, we should all vote for this amendment and this bill.

PRESIDING OFFICER: (SENATOR DEWUZIO)

Further discussion? Senator Holmberg.

SENATOR HOLMBERG:

Thank you, Mr. President. I, too, rise in support of this amendment. We are merely restoring a policy that we use to have and were forced to get rid of during a time of recession in the State of Illinois. I would agree with the previous speakers that this is one of the more cost-effective programs that we can have because we will prevent birth defects and problems for newly born children. We have various groups in support of this legislation such as Catholic Charities of the Archdiocese of Chicago, Lutheran Social Services, the Jewish Federation and many others. It is a very, very important bill.

PRESIDING OFFICER: (SENATOR DEWUZIO)

Further discussion? Senator Smith may close.

SENATOR SMITH:

Thank you, Mr. President and members of the Senate. I want to encourage you to think about this. These are girls who have been tragically separated from their families and they have been made to separate, they get general assistance and they need this in order to have nutritious...nutrition for their bodies in the days before this baby is being born.

They need fruit, they need vegetables, fresh milk and this here will enable them to bring a healthy baby into the world. It's sort of pro-life. You are helping to prevent babies who are being...going to be born ill, deformed, not healthy, then they will become...a ward of the State for the rest of their lives. It's better to give healthy babies and let them bring healthy babies into the world and then afterwards then you will have a responsibility and remember that the State is only paying half of this, the Federal Government will pick up the other half. I think that this is a good bill. This is showing concern to help these girls to want to bring healthy babies into this world and I ask for your favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, the question is, shall the Senate concur in House Amendment 1 to Senate Bill 392. Those in favor vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 31, the Nays are 23, 1 voting Present. The Senate does concur in House Amendment 1 to Senate Bill 392 and the bill having received the required constitutional majority is declared passed. Senator Donahue, for what purpose do you arise?

SENATOR DONAHUE:

A verification of the affirmative.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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

SENATOR MAROVITZ:

Well, Mr. President, what do we with some of our members who were in the Governor's Office and in other meetings on education matters and other matters of great import to...to all of us here? What do we...yesterday we...we...we...we knew

who was where and didn't verify certain people off because they were in agreed meetings. What...I think we ought to...we ought to make some ruling now and try and stick by it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke, for what purpose do you arise?

SENATOR LEMKE:

The President of the Senate said we're going to break for lunch at one o'clock. It's now past one o'clock. Why don't we break for lunch and come back and have the verification?

PRESIDING OFFICER: (SENATOR DEMUZIO)

I know...now the State...Senator Hall, for what purpose do you arise?

SENATOR HALL:

I concur with Senator Lemke.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, let's...let's...let's proceed here. Now,...now in the past, I think generally we have always had an understanding on both sides of the aisle that if there were members that were involved in Conference Committees or involved in some negotiations that we have made provisions for that, and I would expect that the same kind of agreements that we've had in the past will be utilized. Senator Weaver.

SENATOR WEAVER:

Mr. President, I think the only two that are missing on official business is the President and the Minority Leader.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator, I...I'm not aware of that. I don't know if there's anything else going on or not, but the Secretary will read the affirmative roll.

SECRETARY:

The following voted in the affirmative: Berman, Carroll, Chew, Collins, D'Arco, Darrow,...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Just a minute, Mr. Secretary. Senator...Senator Marovitz, for what purpose do you arise?

SENATOR MAROVITZ:

...Weaver, I'd like to add to that, Senator Netsch is meeting with Representative Ewing on the utility matter right now to try and resolve that. If we can have an agreement on that, that's where she's at, meeting with Representative Ewing on utilities.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, let's see what kind of discretion that our...our members can have here. Mr. Secretary, proceed.

SECRETARY:

...Dawson, Degnan, Demuzio, Hall, Holmberg, Jones, Jeremiah Joyce, Jerome Joyce, Kelly, Lechowicz, Lemke, Luft, Marovitz, Medza, Netsch, Newhouse, O'Daniel, Poshard, Sangmeister, Savickas, Smith, Vadalabene, Welch, Zito and Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Donahue, do you question the presence of any member?

SENATOR DONAHUE:

Senator Collins.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Collins on the Floor? Senator Collins on the Floor? Strike her name...strike her name. Senator Smith, for what purpose do you arise? Your...your light is on. All right, Senator Donahue.

SENATOR DONAHUE:

Senator Welch.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch. Senator Welch on the Floor? Senator Welch is on the Floor. All right, Senator Donahue, do you question the presence of anyone else?

SENATOR DONAHUE:

Senator Netsch. Okay, all right, I'll take that back, but just remember that, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator Collins is back in the Chamber so restore her name. Well, if you wish to have Senator Netsch stricken it won't change. All right. That way we won't have to remember. All right, on that question, the Ayes are 31, the Nays are 23, 1 voting Present. On the verified roll call, the Senate does concur in House Amendment 1 to Senate Bill 392 and the bill having received the required constitutional majority is declared passed. Now there's been some discussion relevant to going to lunch. If we can proceed and finish this page, we will go to lunch in a timely manner. Senate Bill 398, Senator...well, wait a minute, Senator Chew, for what purpose do you arise?

SENATOR CHEW:

Point of personal privilege.

PRESIDING OFFICER: (SENATOR DEMUZIO)

State your point.

SENATOR CHEW:

We've been here since January, I think the Senate has done an excellent job so far in trying to tuggle with the many bills that the House and the Senate have introduced and gotten to this Floor and the sister Floor across the Rotunda. We are now dealing with concurrence and nonconcurrence. There are members in this Body that are being called away for important negotiations on legislation that will affect this entire State. I don't encourage anybody voting for anybody else, but we go through a lot of time wasting methods attempting to verify a roll call simply because we cannot stand to be good losers. I think, Mr. President,...and let me finish, you can boo all you want to. I think, Mr. President, when it has been explained that certain members are off this Floor in advance, that they ought to be accepted...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Chew...

SENATOR CHEW:

...as that without being questioned.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...Senator Chew, may I make a suggestion?

SENATOR CHEW:

Yes, sir.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The President of the Senate and the Minority Leader are not here. Perhaps we could enter into this discussion when they are here and maybe we can reconcile this. Right now, we're just being...we're just being dilatory and we need to proceed. If you...with that...Senator Chew.

SENATOR CHEW:

Mr. President, I...I...I really understand what you're saying, but it's not being dilatory because it was called at the...at the absence of the two members in which you mentioned, and maybe by saying this, people will give it a second though before they want to go through this procedure. Whether they're here or whether they're not, I think it's right, and that goes for my side as well as the other side.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right,...Senator...Senator Weaver.

SENATOR WEAVER:

Well, Mr. President, I think it should be pointed out right now that this bill...the substance of this bill was defeated in the House and we find them coming back on Conference Committees and I think we have a...a reasonable right to verify a roll...roll call like this, Senator Chew. If we're going to bring back and dredge back everything that's been killed in one House or the other, we need a little bit of explanation and...and a roll call, and I...I don't think it's wrong to verify a vote on the magnitude of this bill.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

All right, Senator Lechowicz, for what purpose do you arise?

SENATOR LECHOWICZ:

Thank you, Mr. President. I move that the Senate stand in Recess until the hour of two-thirty for lunch.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

All right, you've heard the motion by...placed by Senator Lechowicz that the Senate stand in Recess until the hour of two-thirty. Senate stands in Recess.

RECESS

AFTER RECESS

PRESIDING OFFICER: (SENATOR DEMUZZIO)

All right, the hour of two-thirty having arrived, the Senate will be in order. We are on page 9... (machine cut-off)...House Bill...or Senate Bill 397. Senator Watson is ready to proceed, Mr. Secretary. Senate Bill 397.

SECRETARY:

Senate Bill 397 with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Watson.

SENATOR WATSON:

Delay the roll call as long as you can. It'll take us a while to punch a couple of buttons here. Okay. This is concurrence on House Amendment No. 1 to Senate Bill 397 and the amendment simply clarifies that in order for a municipality...to be entitled for this ten dollar prosecution fee, the case must be tried before a circuit or associate court judge. Really this puts this bill in line with another one that passed out of the House earlier and I...they're both going to end up probably going to the Governor's Desk and I just move for concurrence. Ask a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Is there any discussion? If not, the question is shall

the Senate concur in House Amendment 1 to Senate Bill 397. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are 1, none voting Present. Senate does concur in House Amendment 1 to Senate Bill 397 and the bill having received the required constitutional majority is declared passed. 401, Senator...Senator Vadalabene, for what purpose do you arise?

SENATOR VADALABENE:

Yes, during the lunch hour, instead of going to lunch, Laura...Laura Donahue and I...I took Senate Bill 230 out of the record until we had an understanding. We have had the understanding and I was wondering if you could now go to 230.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, we did, in fact, have leave to go back to that. Is there objection? All right, hearing no objection, on page 7...page 7, Senate Bill 230, Mr. Secretary.

SECRETARY:

Senate Bill 230 with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene.

SENATOR VADALABENE:

Yes, the...the...Amendment No. 1 to Senate Bill 230 has been previously discussed and now I would move for a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there any discussion? If not, the question is, shall the Senate concur in House Amendment 1 to Senate Bill 230. 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 in House Amendment 1

to Senate Bill 230 and the bill having received the required constitutional majority is declared passed. All right, page 9...page 9, 401, Senator D'Arco. Senate Bill 401, Mr. Secretary.

SECRETARY:

Senate Bill 401 with House Amendments 1 and 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. The House added two amendments to the bill. Amendment No. 1 says that some persons residing in condo who subsequently decide to impose an age restriction could be forced to vacate, and I have no objection to that amendment; and Amendment No. 2 is a technical amendment, and I move that we concur in House Amendments No. 1 and 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Watson.

SENATOR WATSON:

Well, thank you. The only problem that I see is that on final action here it had 35 to 15. I...I don't know what the...the original legislation had. Is this...is this the...a realtor...have they signed off on this, the realtors, or...is there any problems with this or who's opposed to it?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator D'Arco.

SENATOR D'ARCO:

Anybody who is under fifty-five. No, I don't think anybody is opposed to it. The realtors aren't opposed to it. Sam Vadalabene is not opposed to it. Phil Rock isn't either. How do you like that? I don't know about Rock though, you never know.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, the question is, shall the Senate concur in House Amendments 1 and 2 to Senate Bill 401.

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. The Senate does concur in House Amendments 1 and 2 to Senate Bill 401 and the bill having...having received the required constitutional majority is declared passed. 405, Senator Schaffer. 405, Mr. Secretary.

SECRETARY:

Senate...Senate Bill 405 with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR DENUZIO)

Senator Schaffer.

SENATOR SCHAFFER:

One of the provisions of 405 which affects the Chain of Lakes Water Management Agency would allow them to fine someone who uses the water system without the appropriate sticker. The House inserted the word "knowingly." In other words, knowingly violate the ordinance. Probably complicates enforcement slightly, but I don't think it's unreasonable.

PRESIDING OFFICER: (SENATOR DENUZIO)

Any discussion? Any discussion? If not, the question is, shall the Senate concur in House Amendment 1 to Senate Bill 405. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. The Senate does concur in House Amendment 1 to Senate Bill 405 and the bill having received the required constitutional majority is declared passed. Senate Bill 413, Senator Sangmeister. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 413 with House Amendment No. 2.

PRESIDING OFFICER: (SENATOR DENUZIO)

Senator Sangmeister.

SENATOR SANGMEISTER:

Senate Bill 413 is the judicial reapportionment bill which was worked out over in the House and debated over there and they put an amendment on which now just to satisfy practically everybody anyway we divided the 12th Judicial District into two circuits, Kankakee and Iroquois in one and Will in the other. I understand across the aisle that that's been accepted over there. So I would move that we concur in amendment...House Amendment No. 2 to Senate Bill 413.

PRESIDING OFFICER: (SENATOR DENUZIO)

All right. Discussion? Senator Watson.

SENATOR WATSON:

Well, here again, I just look at the analysis that we have, and the vote in the House was...on final reading was 61 to 50, barely passing. I...just maybe we ought to have a little more of an explanation or why was there so much opposition? Do you have any idea, Senator?

PRESIDING OFFICER: (SENATOR DENUZIO)

Senator Sangmeister.

SENATOR SANGMEISTER:

Well, there was a fight over the amendment over there as to whether or not that was the right way to go. Now, Senator Watson, we've asked over there whether everything was okay before I called this and I was...understand that there was no objection on that side.

PRESIDING OFFICER: (SENATOR DENUZIO)

...further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DENUZIO)

Indicates he will yield. Senator Geo-Karis.

SENATOR GEO-KARIS:

Originally, when your bill went across to the House...excuse me, it affected all of the county...all of the

judicial circuits, did it not?

PRESIDING OFFICER: (SENATOR DENUZIO)

Senator Sangmeister.

SENATOR SANGMEISTER:

No, it didn't. Well, all the judicial circuits...no ma'am, we were in a very, very limited area, we were dealing with the twelfth and thirteenth at that time.

PRESIDING OFFICER: (SENATOR DENUZIO)

Further discussion? It's been explained. The question is, shall the Senate concur in House amendment...I beg your pardon, Senator Sommer, I had my sheet on the...Senator Sommer.

SENATOR SOMMER:

Just a question. I think the creation of an Iroquois-Kankakee Circuit makes some sense by the map here, but I do note that...is it possible that Iroquois and Kankakee are in two different Supreme Court districts, even though they're in the same circuit? And if so, that's probably the only incidence of this.

PRESIDING OFFICER: (SENATOR DENUZIO)

Senator Sangmeister.

SENATOR SANGMEISTER:

I don't know whether that's the only incidence or not, but they were split out that way, that's correct, with Kankakee going in one and Iroquois in the other. That's correct. I don't know if there's any other circuit that's split that way or not.

PRESIDING OFFICER: (SENATOR DENUZIO)

Senator Sommer.

SENATOR SOMMER:

You know, I certainly support this bill and I would hope my colleagues would.

PRESIDING OFFICER: (SENATOR DENUZIO)

The question is, shall the Senate concur in House Amend-

ment 2 to Senate Bill 413. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. The Senate does concur in House Amendment 2 to Senate Bill 413 and the bill having received the required constitutional majority is declared passed. 414, Senator Degnan. Mr. Secretary...Senator...Senator Joyce, for what purpose do you arise?

SENATOR JEROME JOYCE:

Yes, thank you, Mr. President. I'd like to know if I can have leave to move my seat. Senator Sangmeister keeps messing around in my district.

PRESIDING OFFICER: (SENATOR DEMUZIO)

414, Mr. Secretary.

SECRETARY:

Senate Bill...414 with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Degnan..

SENATOR DEGNAN:

Thank you, Mr. President. House Amendment No. 1 to Senate Bill 414 represents an agreement between the Illinois Farm Bureau and the Cook County Assessor and revises the farm assessment law as it relates to Cook County only as follows, "Cook County farm land will be assessed at the lesser of sixteen percent of the fair cash value of the land if sold for continued use as farm land," this is the current assessment process in Cook County, "or ninety percent of the actually 1983 averaged equalized assessed value per acre. This formula will be accepted in 1985 and all subsequent assessment years." I move for the concurrence with House Amendment No. 1 to Senate Bill 414.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, discussion? Senator Joyce.

SENATOR JEROME JOYCE:

Yes, thank you, Mr. President. I would rise in support of this. I've been assured that this will not have any affect on the farm land assessment formula on the rest of the State, so I would...urge its adoption also.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Well, I'm...I'm pleased to see Senator Joyce is approving something that's happening in Cook County when he is objecting to Senator Sangmeister doing something in Iroquois...that might be the reason why he does it. I have a question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Indicates he will yield. Senator DeAngelis.

SENATOR DeANGELIS:

There seems to be a...a great concern on the part of the sponsor here regarding assessment practices in Cook County. Can you tell me what affect this would have on the multiplier?

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Degnan.

SENATOR DEGNAN:

No, I can't. Can you tell me?

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

I sure can. It will raise it and it's nice to help the farmers. I have no problem with it, but I sure as...heck don't want to gyp everybody else, particularly with the generous help of some downstaters. Now, what I would recommend is...what...what I tried to do before on the bill that you so skillfully killed and that is that if you're going to

do any of this, that you make sure that it's not included in the sales ratio studies, 'cause I'm going to tell you, it's going to...increase the multiplier.

PRESIDING OFFICER: (SENATOR DEBUZIO)

Senator Degnan.

SENATOR DEGNAN:

I am advised, Senator, that the department does not include farm land in sales ratio studies as it applies to Cook County.

PRESIDING OFFICER: (SENATOR DEBUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

I think that you ought to take a look at that again.

PRESIDING OFFICER: (SENATOR DEBUZIO)

Further discussion? Senator Rigney.

SENATOR RIGNEY:

Well, I think perhaps there ought to be some good words said in behalf of the bill on this side of the aisle. In spite of what my friend Senator DeAngelis has said, this...I understand this applies to Cook County and I think what has worked out here is a reasonable compromise and that it's my understanding that the assessor's office there has never really chosen to implement the farm land valuation bill as it exists for the rest of the State. So, this was the compromise that was worked out on this subject. I think we're really treating the...the farmowners in Cook County in...in a fair fashion under this bill. If it's going to be impossible to give those landowners the advantages under the farm land assessment bill that other farmers receive, then I think probably they have to arrive at some type of an accommodation of this kind, and as I understand, this has been agreed between all of the parties involved. So, I think it's basically some pretty good legislation.

PRESIDING OFFICER: (SENATOR DEBUZIO)

Further discussion? If not, the question is, shall the Senate concur...I beg your pardon. Senator Etheredge, I had my papers over the...Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I...I, too, rise in support of this legislation. It's...this is a negotiated compromise that has been worked out between the interested parties. I think it's a good one and I think it ought to be supported.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? If not, the question is, shall the Senate concur in House Amendment 1 to Senate Bill 414. 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 53, the Nays are none, 4 voting Present. The Senate does concur in House Amendment 1 to Senate Bill 414 and the bill having received the required constitutional majority is declared passed. 416, Senator Holmberg. Senator Holmberg on the Floor? 445, Senator Davidson. Senate bills...Secretary's Desk concurrence, bottom of page 9 is Senate Bill 445, Mr. Secretary.

END OF REEL

REEL #3

SECRETARY:

Senate Bill 445 with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEBUZIO)

Senator Davidson.

SENATOR DAVIDSON:

Mr. President and members of the Senate, I'd move we concur with House Amendment No. 1. This was an amendment that was put on in the House which is a worked out agreement by all the three professions under the Illinois Medical Practice Act concerning continuing education and credits given to education which they must do already to apply to it for which they must do to keep their hospital or their speciality board certification. I appreciate a favorable vote.

PRESIDING OFFICER: (SENATOR DEBUZIO)

All right, any discussion? Any discussion? If not, the question is, shall the Senate concur in House Amendment 1 to Senate Bill 445. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. The Senate does concur in House Amendment 1 to Senate Bill 445 and the bill having received the required constitutional majority is declared passed. Senator Hall, for what purpose do you arise?

SENATOR HALL:

Senator Holmberg was coming in the door as you passed over...and she's here now.

PRESIDING OFFICER: (SENATOR DEBUZIO)

All right, do we have any objections to taking Senate Bill 416 before we leave the page? Hearing no objections,

page 9, Secretary's Desk concurrence, Senate Bill 416, Mr. Secretary.

SECRETARY:

Senate Bill 416 with House Amendments 1 and 2...or 2 and 3, I'm sorry.

PRESIDING OFFICER: (SENATOR DENUZIO)

Senator Holmberg.

SENATOR HOLMBERG:

Yes, I would like to separate the two amendments. I choose not to concur with Amendment No. 2 and I would like to concur with Amendment No. 3 which states that under these support payments, the circuit clerk may deduct from each payment an amount equal to the United State postage to be used in mailing the child support check to the recipient.

PRESIDING OFFICER: (SENATOR DENUZIO)

All right, why don't we take No. 3. Senator Holmberg.

SENATOR HOLMBERG:

...yes, Mr. President. I move that we concur with Amendment No. 3.

PRESIDING OFFICER: (SENATOR DENUZIO)

All right, any discussion? The question is, shall the Senate concur in House Amendment 3 to Senate Bill 416. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. The Senate does concur in House Amendment 3 to Senate Bill 416. Senator Holmberg.

SENATOR HOLMBERG:

Now I choose to nonconcur with Amendment No. 2 to Senate Bill 416.

PRESIDING OFFICER: (SENATOR DENUZIO)

All right, Senator Holmberg moves to nonconcur in House Amendment 2 to Senate Bill 416. Any discussion? If not,

AB 505
Mentioned.
AB HH7
nonconcurrance

those in favor signify by saying Aye. Opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. Page 10. 447, Senator DeAngelis. Senator DeAngelis. All right, top of page 10, Secretary's Desk concurrence, Senate Bill 447, Mr. Secretary.

SECRETARY:

Senate Bill 447 with House Amendment No. 3.

PRESIDING OFFICER: (SENATOR DENUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. I move not to concur with House Amendment No. 3 to Senate Bill 447.

PRESIDING OFFICER: (SENATOR DENUZIO)

All right, Senator DeAngelis moves to nonconcur in House Amendment 3 to Senate Bill 447. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it and the Secretary shall so inform the House. 448, Senator Weaver. Senate Bill 448, Mr. Secretary.

SECRETARY:

Senate Bill 448 with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR DENUZIO)

Senator Weaver.

SENATOR WEAVER:

I'd move to nonconcur, Mr. President.

PRESIDING OFFICER: (SENATOR DENUZIO)

All right, Senator Weaver moves to nonconcur in House Amendment 1 to Senate Bill 448. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. Was there leave to come back to 497? Leave is granted. Senate Bill 505, Senator Watson. Senate Bill 505, Mr. Secretary.

SECRETARY:

Senate Bill 505 with House Amendment No. 1.

*AB 518
concurance*

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. I move to nonconcur with House Amendment No. 1 to Senate Bill 505.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson moves to nonconcur in House Amendment 1 to Senate Bill 505. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. 513, Senator Netsch...513, Mr. Secretary.

SECRETARY:

Senate Bill 513 with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

Thank you. This is the wrong effective date and I would move to nonconcur. We'll just have to clean it up later on.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch moves to nonconcur in House Amendment No. 1 to Senate Bill 513. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The motion carries and the Secretary shall so inform the House. 518, Senator Watson. 518, Mr. Secretary.

SECRETARY:

Senate Bill 518 with House Amendments 1 and 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. I move to concur with both House Amendment 1 and 2 to Senate Bill 518. House Amendment No. 1 amends the Highway Code and it...pretty much clarifies the current law, but it provides for a contract for construction materials, supplies, machinery or equipment exceeding

five thousand dollars is to let to the lowest bidder advertising for such bids after such appear in...at least once in a published newspaper and at least ten days prior to the time set for opening such bids, and then House Amendment No. 2 really clarifies the intent of the legislation after the Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right,...any discussion? If not, the question is, shall the Senate concur in House Amendments 1 and 2 to Senate Bill 518. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 59, the Nays are none, none voting Present. The Senate does concur in House Amendments 1 and 2 to Senate Bill 518 and the bill having received the required constitutional majority is declared passed. Senator DeAngelis, for what purpose do you arise?

SENATOR DeANGELIS:

On a point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

State your point.

SENATOR DeANGELIS:

I wish to tell Senator Degnan that he is correct, that farm land is not used in the calculations for the multiplier in Cook County and I stand corrected, one of those rare occasions in which he is correct.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, I wish we had a photographer here to record the occasion. 518, Senator Watson. Well, we just did...561, Senator Vadalabene. Senate Bill 561, Mr. Secretary.

SECRETARY:

Senate Bill 561 with House Amendments 1 and 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. House Amendment No. 1 to Senate Bill 562 requires the amount and method of repayment by port districts to be agreed upon by the port district and executive director of the Capital Development Board. The original bill had undefined administrator of the board to set the payback method and Senate Amendment No. 1 would have the board set the...the repayment by resolution. This amendment requires the executive director of the board to set the payback method. The executive director is defined by Statute and is responsible to the board. Amendment No. 2 to Senate Bill 561 deletes the provision that permits no payment by port authority to the board when specific appropriations are made for facilities designed for the movement or handling of cargo if such facilities have no revenue, and I concur with House Amendment No. 1 and House Amendment No. 2 to Senate Bill 561.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, any discussion? Any discussion? If not, the question is, shall the...Senate concur in House Amendments 1 and 2 to House Bill...Senate Bill 561. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, 1 voting Present. The Senate does concur in House Amendments 1 and 2 to House Bill...Senate Bill 561 and the bill having received the required constitutional majority is declared passed. 562, Senator Vadalabene. 562, Mr. Secretary.

SECRETARY:

Senate...Senate Bill 562 with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. House Amendment No. 1 to Senate Bill 562...which was an Act to create the Illinois Union Label Act, the summary from the House states technical changes in grammar, makes the bill more precise in its intent to carry out the Act and it does nothing to change the bill, and I would move for the adoption...or concur with House Amendment No. 1 to Senate Bill 562.

PRESIDING OFFICER: (SENATOR DEBUZIO)

Any discussion? Senator Karpel. Any discussion? If not, the question is, shall the Senate concur in House Amendment 1 to Senate Bill 562. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 59, the Nays are none, none voting Present. The Senate does concur in House Amendment 1 to Senate Bill 562 and the bill having received the required constitutional majority is declared passed. 588, Senator Karpel. Mr. Secretary, 588.

SECRETARY:

Senate Bill 588 with House Amendments 1 and 2.

PRESIDING OFFICER: (SENATOR DEBUZIO)

Senator Karpel.

SENATOR KARPIEL:

Thank you, Mr. President. House amendment to Senate Bill 588 adds the...I mean, first of all, House Amendment No. 1 to Senate Bill 588 adds the word "individual." As the bill passed the Senate, it said that a individual who was an employee at the time of an alleged unfair labor practice...they could file an unfair labor practice charge. This amendment changes it to any individual can file an unfair labor practice charge, and I move to concur in Amendment No. 1 to Senate Bill 588.

PRESIDING OFFICER: (SENATOR DEBUZIO)

All right, any discussion? Senator Keats.

SENATOR KEATS:

...thank you, Mr. President. At the behest of the drafter, I have to ask the sponsor a...a question. Senator Karpziel, as amended, Senate Bill 588 will permit any individual to file unfair labor practice under the Educational Labor Relations Act contrary to the Labor Relations Statute we passed covering municipalities. The educational labor law does not currently permit individuals to file unfair labor practice charges nor may the labor board investigator hear such charges under the Educational Labor Act as it is currently written. Senate Bill 588 properly changes this disparity between the two laws for all future cases filed with the board. Is that true?

PRESIDING OFFICER: (SENATOR DENUZIO)

Senator Karpziel.

SENATOR KARPIEL:

Yes.

PRESIDING OFFICER: (SENATOR DENUZIO)

Further discussion? Senator Karpziel may close.

SENATOR KARPIEL:

Did we vote on Amendment No. 1? I ask for an...or shall I do both amendments together?

PRESIDING OFFICER: (SENATOR DENUZIO)

Do you wish to concur in both amendments?

SENATOR KARPIEL:

Yes. Yes.

PRESIDING OFFICER: (SENATOR DENUZIO)

You can put them on the same motion.

SENATOR KARPIEL:

All right, thank you.

PRESIDING OFFICER: (SENATOR DENUZIO)

All right, the question is, shall the...any...further discussion? The question is, shall the Senate concur in

SB 597
concurrent

House Amendments 1 and 2 to House...to Senate Bill 588. 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 in House Amendments 1 and 2 to Senate Bill 588 and the bill having received the required constitutional majority is declared passed. 597, Senator Darrow. 597, Mr. Secretary.

SECRETARY:

Senate Bill 597 with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Darrow.

SENATOR DARROW:

Thank you, Mr. President. House Amendment No. 1 strikes everything after the enacting clause and changes this bill to one pertaining to the gifted. What it does is expands the definition of gifted and talented children to include children with high level thought processes and diversion thinking. Mandates that students participating in gifted education programs shall receive special recognition upon graduation and it permits school boards' gifted education programs to include optional summer school programs. I would move that we concur with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President. A question of the sponsor, if he'll yield.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Maitland.

SENATOR MAITLAND:

Senator Darrow, this...this wasn't the best bill in the world, in my judgment, when it left this Chamber, and I...as

it comes back, I think there's a lot of merit in that amendment, but I would suggest to the Body that they want to take a very careful look at this...at this amendment. This amendment expands the gifted program, a program that's extremely necessary, I will agree. We are funding it at about a six million dollar level now, but this expands it to a summer school program. It will be costlier and I question whether or not when we are dealing with educational reform, a program expanded like this one this year probably is not in our best interest and probably should reject this amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Darrow may close.

SENATOR DARROW:

Well, thank you, Mr. President. You know we sit down here and we think about the disabilities of people and the mentally ill and the unfortunate and the people that are having to drop out of school, and all of a sudden we have a bill that pertains to the gifted, and we all have gifted students in our districts, and the gifted students are going to be some of the finest scientists and some of the leaders in the community and we can't turn our back on the gifted students. It's about time we start helping them. They're on the other end of the spectrum and all this bill does is it permits the school boards to have an optional summer school program for the gifted. Now, we're...we're building academies for science and all these other academies to take the kids out of your school districts. Let's keep the gifted students in the school districts. Let's provide better programs for them. Let's help them out, and I would ask that we have a favorable vote on the adoption of this amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, the question is, shall the Senate concur in House Amendment 1 to Senate Bill 597. 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 18, none voting Present. The Senate does concur with House Amendment 1 to Senate Bill 597 and the bill having received the required constitutional majority is declared passed. 601, Senator Etheredge. 601, Mr. Secretary.

SECRETARY:

Senate Bill 601 with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I move to concur with House Amendment No. 1. What the amendment does generally is to make...to correct some drafting errors and it also sets criteria for the purchase or sale of real estate by the forest preserve districts.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall the Senate concur in House Amendment 1 to Senate Bill 601. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. The Senate does concur in House Amendment 1 to Senate Bill 601 and the bill having received the required constitutional majority is declared passed. 612, Senator Bloom. Senator Bloom on the Floor? 616, Senator Welch. Senate Bill 616, Mr. Secretary.

SECRETARY:

Senate Bill 616 with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. The amendment added in the

House is a bill which we discussed previously in this Senate and the bill received twenty-nine votes early one morning and was put on postponed consideration. The amendment prepares the...includes the Toxic Art Supply in School Act. Since the time it was put on postponed consideration, the chamber of commerce has now removed its opposition and the bill provides for art supplies for certain grade levels, K through sixth, not to be used if they contain toxic...substances; grades seven through twelve...they have to be used only if the substances contain a...a warning of adverse health effects and describe those on a label or an insert.

PRESIDING OFFICER: (SENATOR DENUZIO)

All right, discussion? Senator Macdonald.

SENATOR MACDONALD:

Thank you, Mr. President. I rise in opposition to this amendment and to the concurrence. This bill, as Senator Welch says, was Senate Bill 94 which was defeated in this Body. I think it would be excessively expensive to continue to...recommend that the superintendent of schools has to send out notice to all of the schools for toxic art supplies. I...I just think that this goes too far. We discussed this thoroughly and this bill was defeated in this Body, and I hope that we defeat the concurrence and...request on this particular piece of legislation.

PRESIDING OFFICER: (SENATOR DENUZIO)

Further discussion? Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President. This...this bill, of course, was debated earlier, Senate Bill 84, as Senator Welch has...has mentioned, and...and it almost got out of here without any opposition and then we started talking about it and found out that there were a number of problems with it; and...and, Senator Welch, I don't fault you for what you are attempting to do, I guess, but I...I have a ter-

rible...terribly difficult time trying to determine how we are going to determine what are the harmful levels. Quite frankly, is...is there any evidence that anybody...one has been harmed by...by any of these products in the past, and I think the answer is no to that. What do we do if we have one regulation here and Indiana has another one? I...I really think we are creating something here that we're just not going to be able to deal with and will be a tremendous problem for...for school districts, and I'm just...I'm just wondering...do you have any evidence that anyone has been harmed by...by any of the...of the materials that you're...that you're speaking of?

PRESIDING OFFICER: (SENATOR DENUZIO)

Senator Welch.

SENATOR WELCH:

Well, Senator Maitland, as you know, many of these carcinogens that are contained in these inks and dyes that are used and paints are dyes and inks that cause cancer over a long period of time. It's not something that you utilize and all of a sudden you can detect the cancer. Obviously, there have been a lot of young children who do die at a early age, some of which...most of which we don't know the cause for. What I'm saying is, this is a potential cause, similar to a few years ago when there was a hue and cry about children eating leaded paint. Certainly, we took care of that problem prohibiting using leaded paint in school buildings because the kids would tend to eat it. This is in the similar vein, Senator, it's difficult to point to a specific child and say that child because of this...exposure to ink that contained a lot of dioxin contracted cancer.

PRESIDING OFFICER: (SENATOR DENUZIO)

Senator Maitland.

SENATOR MAITLAND:

Well, thank you, Senator Welch. Yesterday, you supported

an amendment of mine on a...on an ag. products bill that allowed for only the Federal Government to set those standards for...for farm chemicals, and I think you supported it for the same reason that I did, that we had to have some standardization; and again, my point is, with respect to manufacturers, there may well need to be something done in this area, but why shouldn't it be done by the Federal Government so that the manufacturers of all these supplies can...can comply with a certain standard or...or certain level? It seems to me that's the way we ought to do it.

PRESIDING OFFICER: (SENATOR DENUZIO)

Further discussion? Senator Welch may close.

SENATOR WELCH:

Senator Maitland, let me answer your question. The thing is, the industry has agreed to this. They're not objecting to this bill. I had them in my office. I spoke to them directly. They sat there with Sid Marder from the chamber of commerce. They said they could live with this. They said they could label the...the inks and dyes because they do it in other states. California has a law that's in effect and a lot of these people sell in California. This puts the burden on manufacturers, basically, to tell people what's in it, that's...there's no problem with that, Senator, and I...I think you know that too. I think that...even though this wasn't part of the school reform package, it didn't quite get to that lofty height, it is something that we can do for school children. It's not going to cost very much to do it. The burden is not going to be on government but on industry which has already agreed to accept that responsibility. It seems to me that we could pass this bill without much problem. Thank you.

PRESIDING OFFICER: (SENATOR DENUZIO)

Question is...the question is, shall the Senate concur in House Amendment 1 to Senate Bill 616. Those in favor will

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Cont.

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 35, the Nays are 24, none voting Present. The Senate does concur in House Amendment 1 to Senate Bill 616 and the bill having received the required constitutional majority is declared passed. Now, we'll jump back and pick up 612. Senator Bloom was on the Floor. Mr. Secretary, Senate Bill 612.

SECRETARY:

Senate Bill 612 with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR DENUZIO)

Senator Bloom.

SENATOR BLOOM:

As you know, House Bill 612, Mr. President and fellow Senators, addressed the Administrative Procedure Act problem of incorporation by reference. The House has added further clarifying language saying the manner in which we can incorporate...or regulations can incorporate by reference other standards. I'd seek a concurrence.

PRESIDING OFFICER: (SENATOR DENUZIO)

Any discussion? If not, the question is, shall the Senate concur in House Amendment 1 to Senate Bill 612. Those in favor vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 59, the Nays are none, none voting Present. The Senate does concur in House Amendment 1 to Senate Bill 612 and the bill having received the required constitutional majority is declared passed...648, bottom of page 10. 648, Mr. Secretary.

SECRETARY:

Senate Bill 648 with House Amendment 1.

PRESIDING OFFICER: (SENATOR DENUZIO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, I move that we concur in House Amendment 1 to Senate Bill 648. One of the things that we did with this bill was to somewhat broaden the definition of prostitution and it was felt by some that the expansion of the definition was overly broad. So, we are seeking to narrow it to a more reasonable definition which I think would meet some of the objections that were made to the bill when it originally passed this Chamber. I move for concurrence.

PRESIDING OFFICER: (SENATOR DENUZIO)

Any discussion? If not, the question is,...Senator Netsch.

SENATOR NETSCH:

Thank you. Because we do not have enough here to...identify, what is the difference? What have you changed? How is it defined now?

PRESIDING OFFICER: (SENATOR DENUZIO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

I was...I was hoping, Senator Netsch, that you wouldn't ask me to go into this, but if I get a little red in the face, I guess I can be grateful that the the TV cameras aren't on. We all know what the traditional definition of prostitution is. This goes slightly beyond that to include the touching or fondling of the sex organs of one person by another person for pay. So, we're...we're trying to get at the...the health spa situation.

PRESIDING OFFICER: (SENATOR DENUZIO)

Further discussion? The question is, shall the Senate concur in House Amendment 1 to...House...to Senate Bill 648. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are 1, none voting Present. The

*SB 651
Non-concurrence*

Senate does concur in House Amendment 1 to Senate Bill 648 and the bill having received the required constitutional majority is declared passed. Senator Hudson, for what purpose do you arise?

SENATOR HUDSON:

Mr...Speaker, let the record show, please, that I intended to vote Aye on that last one.

PRESIDING OFFICER: (SENATOR DENUZIO)

The record will...shall indicate. Senator Rupp, for what purpose do you arise?

SENATOR RUPP:

Thank you, Mr. President. I don't know whether to introduce this group right after talking about prostitutes, but in the gallery...is the Board of Directors of the Professional Insurance Agents Association. I would like to have them stand.

PRESIDING OFFICER: (SENATOR DENUZIO)

Would our guests in the gallery please rise and be recognized by the Senate. Welcome to Springfield. Page 11, Senate Bill 651, Senator Barkhausen. Mr. Secretary, 651.

SECRETARY:

Senate Bill 651 with House Amendments 1 and 2.

PRESIDING OFFICER: (SENATOR DENUZIO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, this is the bill that makes it possible for prosecutors to charge a Class 4 felony where a drunk driving incident...results in great bodily harm. I move that we concur in House Amendment No. 1 that...I think is a good idea and that it makes it clear that the...the injuries resulting in great bodily harm have to be the proximate cause of the...intoxicated operation of the vehicle. Move that we concur.

PRESIDING OFFICER: (SENATOR DENUZIO)

All right, is there any discussion? Senator Marovitz.

SENATOR MAROVITZ:

A question. Aren't there two amendments on this? My analysis, although it could be incorrect, shows that there are two amendments on this and that the House made a mistake in not Tabling one of the amendments because they are close to identical but not identical and that one of the amendments should have been Tabled. My analysis indicates that Amendment No. 1 says that the...it must be the proximate 'cause and Amendment No. 2 says it must be a proximate cause, that the...that the...that the sponsors...intented to Table House Amendment No. 1 and go with House Amendment No. 2 but neglected to do that and, therefore, we would have to nonconcur to put it in Conference Committee to get the incorrect amendment off and I think that the better amendment would be House Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

...if...I think Senator Marovitz is operating with more information than I have at this point. Assuming that he is correct, I accept his judgment and would, therefore, move to nonconcur in the House amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Barkhausen moves to nonconcur in House Amendments 1 and 2 to Senate Bill 651. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. Senate Bill 651, Senator Smith...I'm sorry, 653, Mr. Secretary. Senate Bill 653.

SECRETARY:

Senate Bill 653 with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Smith.

SENATOR SMITH:

Thank you, Mr. President and members of the Senate. I'd like to move that the Senate nonconcur on Senate Bill 653. I'd like for it to go to conference and straighten up a little bit of the language on that amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Smith moves to nonconcur with House Amendment 1 to Senate Bill 653...all those in favor signify by saying Aye. Opposed say Nay. Motion carries and the Secretary shall so inform the House. 682, Senator Kelly. 682, Mr. Secretary.

SECRETARY:

Senate Bill 682 with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President and members of the Senate. I move to concur in House Amendment No. 1. This amendment...House amendment merely clarified that a member of a legislative or representative committee of a district solely within one downstate county is entitled to cast one vote in the organization and proceedings of the committee. It's strictly a clarification and that's all it is, and I move for its concurrence.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall the Senate concur in House Amendment 1 to Senate Bill 682. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. The Senate does concur in House Amendment 1 to Senate Bill 682 and the bill having received the required constitutional majority is declared passed. Well, is there leave to come back to 688?

*SB 651
concurrance*

Leave is granted. Senate Bill 693, Senator Geo-Karis. 693,
Mr. Secretary.

SECRETARY:

Senate Bill 693 with House Amendment 1.

PRESIDING OFFICER: (SENATOR DENUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

...Mr. President and Ladies and Gentlemen of the Senate,
House Amendment 1 includes Federally licensed exhibits, and I
move the...the concurrence of the bill.

PRESIDING OFFICER: (SENATOR DENUZIO)

Any discussion? If not, the question is, shall the
Senate concur in House Amendment 1 to Senate Bill 693. Those
in favor will vote Aye. Those opposed vote Nay. The voting
is open. Have all voted who wish? Have all voted who wish?
Have all voted who wish? Take the record. On that question,
the Ayes are 58, the Nays are none, none voting Present. The
Senate does concur in House Amendment 1 to Senate Bill 693
and the bill having received the required constitutional
majority is declared passed.

PRESIDENT:

Senator Marovitz, for what purpose do you arise?

SENATOR MAROVITZ:

Just to kind of make things simpler for the Secretary of
the Senate. Having voted on the prevailing side of the vote
by which Amendment No. 2 to House Bill 651 was passed, I
would move to reconsider. The...what...what happened, Mr.
President, is that we nonconcurrred. There were two conflict-
ing amendments. What we should have done is concurred with
one, nonconcur with the other, that would save the trouble of
the Secretary. We would not have to set up a Conference
Committee. I checked with the sponsor...the Republican
sponsor and it is okay, and that would...we want to recon-
sider the vote by which House Amendment No. 2 was noncurrred

with.

PRESIDENT:

All right, Senator Marovitz has moved to reconsider the vote by which Amendment No. 2 to Senate Bill 651 was nonconcurrent. All in favor of the motion to reconsider indicate by saying Aye. All opposed. The Ayes have it. The vote is reconsidered. Senator Weaver, at Senator Barkhausen's desk.

SENATOR WEAVER:

Senator Barkhausen's intent was to accept Amendment No. 2.

PRESIDENT:

All right, the question now before the Body on Senate Bill 651 is concurrence with Amendment No. 2. All in favor of the motion to concur 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 59, the Nays are none. The Senate does concur in House Amendment No. 2 to Senate Bill 651. Senator Demuzio on Senate Bill 688. On the Order of Secretary's Desk Concurrence is Senate Bill 688, Mr. Secretary.

SECRETARY:

Senate Bill 688 with House Amendment No. 1.

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

House Amendment 1 is strictly technical. According to the synopsis, this simply makes a technical change in the cross-reference of subsection. This was the bill that would have provided the State University of Illinois Cooperative Extension Service employees with the ability to have health and...life...group life and health insurance for members who survived...survivor's benefits but they...this provision was

that they shall not be paid for by the State. I don't know of any opposition and would move the concurrence of Amendment No. 1.

PRESIDENT:

Senator Demuzio has moved that the Senate concur with House Amendment No. 1 to Senate Bill 688. Any discussion? If not, all...if not, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 688. 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 59, the Nays are none, none voting Present. The Senate does concur in House Amendment No. 1 to Senate Bill 688 and the bill having received the required constitutional majority is declared passed. Senator Darrow on 721. On the Order of Secretary's Desk Concurrence, Senate Bill 721, Mr. Secretary.

SECRETARY:

Senate Bill 721 with House Amendments 1, 2 and 5.

PRESIDENT:

Senator Darrow.

SENATOR DARROW:

Thank you, Mr. President. I would move to concur with all three amendments. Amendment No. 1 provides a six-month rather than a twelve-month basis for determining what counties would be eligible, and another technical change you removed the December 31st date and have a twelve-month period and, thirdly, when this bill was considered over here, there was some discussion from the other side of the aisle that twenty-five percent of the funds were to be used for administration. What this bill...what this amendment says is that for the first year twenty-five percent of the funds can be used for administration but thereafter it can only be fifteen percent. Amendment No. 2 provides that the

State...contribution for wages has changed from four dollars...per hour to fifty percent of the wage up to a maximum of four dollars per hour, and Amendment No. 5 eliminates governmental agencies from taking part in the program. It was felt that we should not be paying another governmental agency in this way. Instead, it pertains to not-for-profit agencies in the private sector. It makes a couple of other technical changes. I would ask for a favorable vote on concurring with all three amendments. I'll be glad to answer any other questions.

PRESIDENT:

All right, Senator Darrow has moved that the Senate concur with House Amendments 1, 2 and 5 to Senate Bill 721. Discussion? Senator Hudson.

SENATOR HUDSON:

Thank you, Mr. President and members of the Senate. I remember when we discussed this bill previously there was some question as to the overall funding cost. Now my analysis here indicates that not only has the determination period been extended from six to twelve months but that it also provides that funds shall be allocated to high unemployment counties for a twelve-month period. Is that what the...is that what the amendment actually does? In other words, are we...facing payouts over twelve months rather than six, Clarence?

PRESIDENT:

Senator Darrow.

SENATOR DARROW:

The funding period will still be six months. The funding...it...it...it's technical in nature. The funds will be available for a twelve-month period to the county, but the actual employee will be only eligible still for that six-month period. After the six months are up, if he's not in a training program, he no longer can continue to have the

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subsidy...his employer can no longer have the subsidy.

PRESIDENT:

Further discussion? Further discussion? If not, the question is, shall the Senate concur with House Amendments 1, 2 and 5 to Senate Bill 721. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 48 Ayes, 9 Nays, none voting Present. Senate does concur in House Amendments 1, 2 and 5 to Senate Bill 721 and the bill having received the required constitutional majority is declared passed. Earlier leave was granted to get back to Senate Bill...212. If you'll turn to page 7. Senate sponsor indicates he wishes to nonconcur but we'll go back to Senate Bill 212 and pick that one up. On the Order of Secretary's Desk Concurrence, the top of page 7, is Senate Bill 212, Mr. Secretary.

SECRETARY:

Senate Bill 212 with House Amendment No. 1.

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

Yes, I would move to noncur with...House Amendment 1 to Senate Bill 212.

PRESIDENT:

All right, Senator Demuzio moves to nonconcur in House Amendment No. 1 to Senate Bill 212. Those in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and the Secretary shall so inform the House. For the benefit of the members, we have determined, Senator Philip and I, that we will work until six o'clock and then begin again tomorrow morning at nine. So, we'll quit at six and begin at nine or we can quit at nine and begin at six, however you want it. On the Order of Secretary's Deck Concur-

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rence, Senate Bill 730, Senator Berman. 730, the middle of page 11, Mr. Secretary.

SECRETARY:

Senate Bill 730 with House Amendment No. 1.

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

I move to nonconcur on...

PRESIDENT:

Senator Berman moves to nonconcur in House Amendment No. 1 to Senate Bill 730. All in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and the Secretary shall so inform the House. 749, Senator Kustra. On the Order of Secretary's Desk Concurrence, Senate Bill 749, Mr. Secretary.

SECRETARY:

Senate Bill 749 with House Amendment No. 2.

PRESIDENT:

Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President and members of the Senate. I move to concur with House Amendment No. 2 to Senate Bill 749. It deletes the requirement that the court shall take findings of fact for its decision regarding custody. It clarifies that the court must find joint custody to be in the best interest of the child for awarding joint custody, and it deletes the provision that an applicant by a parent with joint custody for leave to remove the child's residence from this State is an application for modification of the custody award. These agreements have been seen by both sides of the aisle. This is an agreed to amendment and I would move for its concurrence.

PRESIDENT:

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

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shall the Senate concur in House Amendment No. 2 to Senate Bill 755. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted...749, I beg your pardon. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 Ayes, no Nays, none voting Present. The Senate does concur in House Amendment No. 2 to Senate Bill 749 and the bill having received the required constitutional majority is declared passed. 755, Senator Degnan. On the Order of Senate...Secretary's Deck Concurrence, Senate Bill 755, Mr. Secretary.

SECRETARY:

Senate Bill 755 with House Amendment No. 2.

PRESIDENT:

Senator Degnan.

SENATOR DEGNAN:

Thank you, Mr. President. Senate Bill 755 dealt with the licensing of day-care drivers in this State. The House made some technical changes and changes in the title to more accurately describe the contents. It is now called the Child Care Vehicles and Child Care Vehicle Driver's Act. I move to concur with House Amendment No. 2.

PRESIDENT:

Is there any discussion? Any discussion? If not, the question is, shall the Senate concur with House Amendment No. 2 to Senate Bill 755. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. The Senate does concur in House Amendment No. 2 to Senate Bill 755 and the bill having received the required constitutional majority is declared passed. Senator Chew on Senate Bill 756. 758, Senator...I beg your pardon, Senator Davidson, for what purpose do you

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arise?

SENATOR DAVIDSON:

To handle 756 since a hyphenated sponsor and Senator Chew has spoken to the...and Senator Chew came over to say he had spoken to the Chair...for me to handle this bill before he left.

PRESIDENT:

As long as we don't get into another one of those contests, I don't have any problem at all. All right, on the Order of Secretary's Desk Concurrence is Senate Bill 756, Mr. Secretary.

SECRETARY:

Senate Bill 756 with House Amendment No. 1.

PRESIDENT:

Senator Davidson.

SENATOR DAVIDSON:

Mr. President, I move we concur in House Amendment No. 1. This is a rewrite, reorganization of present Statute. It's the new Illinois commercial transportation law. It will let the regulated commercial carriers of passenger truck, bus railroad, common carrier or pipeline be more responsive and more competitive and it's been supported and signed off on by the Brotherhood of Teamsters, the Union Transportation...United Transportation Union, Brotherhood of Railroad Airline, Illinois Railroad Association, Illinois Truck Association of Midwest, the Illinois Movers, Small..., Illinois Interstate Motor Carriers...Regal Transportation Consultant, Illinois Commerce Commission. I'd ask for a favorable vote.

PRESIDENT:

Any discussion? If not, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 756. 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,

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concur

the Ayes are 57, the Nays are none, none voting Present. The Senate does concur in House Amendment No. 1 to Senate Bill 756 and the bill having received the required constitutional majority is declared passed. 758. On the Order of Secretary's Desk Concurrence, top of page 12, is Senate Bill 758, Mr. Secretary.

SECRETARY:

Senate Bill 758 with House Amendment No. 1.

PRESIDENT:

Senator Davidson.

SENATOR DAVIDSON:

I'd move to concur with House Amendment 1 to 758. This amendment was to correct an error we made in writing the bill so that those athletic teams that...professional teams that come into Illinois that have their own trainers so that trainer would not be affected by this Registration Act.

PRESIDENT:

All right, Senator Davidson has moved to concur with House Amendment No. 1. Any discussion? If not, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 758. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. The Senate does concur in House Amendment No. 1 to Senate Bill 758 and the bill having received the required constitutional majority is declared passed. 771, Senator Schuneman. On the Order of Secretary's Desk Concurrence, Senate Bill 771, Mr. Secretary.

SECRETARY:

Senate Bill 771 with House Amendment No. 3.

PRESIDENT:

Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. I move that the Senate do concur...does concur with House Amendment No. 3 to Senate Bill 771. This bill is an attempt to bring about better enforcement of the State's financial responsibility law. This is something that a number of us have been working on for a...for a...several years and the fact of the matter is, the State has been doing a pretty rotten job of...of enforcing the financial responsibility law. That responsibility falls upon the Department of Transportation and the Secretary of State. House Amendment No. 3 is the result of some meetings conducted between those two agencies and the sponsors of the bill and in effect will move up the time period of the enforcement of that law probably thirty or forty-five days and I move the adoption...or I certainly support the concept that's embodied in this amendment.

PRESIDENT:

Any discussion? Senator Demuzio.

SENATOR DEMUZIO:

...just a quick question...

PRESIDENT:

Sponsor indicates he'll yield, Senator Demuzio.

SENATOR DEMUZIO:

We...we are not then anyway transferring the...the responsibility...I mean, we had a problem with the Department of Transportation and the Office of the Secretary of State, I thought it was a notice problem and I noticed House Amendment 1 struck everything after the enacting clause and then I got down here to...I'm sorry...deletes the title, requires the administrator of the safety responsibility...law to notify...is this an agreement between the Department of Transportation now and Secretary of State? Fine. Thank you.

PRESIDENT:

All right, the question is, shall the Senate concur in House Amendment No. 3 to Senate Bill 771. Those in favor will

vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. Senate does concur in House Amendment No. 3 to Senate Bill 771 and the bill having received the required constitutional majority is declared passed. 775, Senator Marovitz. On the Order of Secretary's Desk Concurrence is Senate Bill 775, Mr. Secretary.

SECRETARY:

Senate Bill 775 with House Amendments No. 2 and 3.

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. I would move that the Senate do concur with House Amendments No. 2 and No. 3 to Senate Bill 775. The amendments allow the complainant to remain anonymous and allow the facility to get a written notice of deficiencies that have been found by the Department of Public Health. It is agreed by the Department of Public Health, nursing home industry, the Illinois Homes for the Aging,...Illinois Council on Long-term Care, Department of Public Health. I know of no opposition whatsoever and would solicit your Aye vote.

PRESIDENT:

Senator Marovitz has moved concurrence with House Amendments 2 and 3. Any discussion? If not, the question is, shall the Senate concur in House Amendments 2 and 3 to Senate Bill 775. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 Ayes, no Nays, none voting Present. Senate does concur in House...House Amendments 2 and 3 to Senate bill 775 and the bill having received the required constitutional majority is declared passed.

785, Senator Fawell. On the Order of Secretary's Desk Concurrence, Senate Bill 785, Mr. Secretary.

SECRETARY:

Senate Bill 785 with House Amendment No. 1.

PRESIDENT:

Senator Fawell.

SENATOR FAWELL:

Thank you, very much. The amendment that was added on in the House merely deals with...that alcohol/liquors may be delivered and sold at retail in any building owned by a fire...protection district provided that such delivery and sale is approved by the board of trustees of that district and that such delivery and sale is limited to fundraising...events to a maximum of six events per year, and I move to concur with House Amendment...

PRESIDENT:

1. Senator Fawell has moved to concur with House Amendment No. 1. Any discussion? If not, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 785. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. The Senate does concur in House Amendment No. 1 to Senate Bill 785 and the bill having received the required constitutional majority is declared passed. Senator Topinka on 786. On the Order of Secretary's Desk Concurrence, Senate Bill 786, Mr. Secretary.

SECRETARY:

Senate Bill 786 with House Amendment No. 1.

PRESIDENT:

Senator Topinka.

SENATOR TOPINKA:

Yes, Mr. President and Ladies and Gentlemen of the

Senate, I move to concur with House Amendment No. 1 which delete the exemption from any legal actions and instead it adds language that provides that interest from an invested trust funds shall except to the extent otherwise provided by law or court order become the property of the county upon disbursal of the fund.

PRESIDENT:

Senator Topinka has moved concurrence in House Amendment No. 1 to Senate Bill 786. Discussion? If not, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 786. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 Ayes, no Nays, none voting Present. The Senate does concur in House Amendment No. 1 to Senate Bill 786 and the bill having received the required constitutional majority is declared passed. Senator Davidson on 791. On the Order of Secretary's Desk Concurrence, Senate Bill 791, Mr. Secretary.

SECRETARY:

Senate Bill 791 with House Amendment No. 1.

PRESIDENT:

Senator Davidson.

SENATOR DAVIDSON:

Mr. President, I move we concur with House Amendment No. 1. It's an immediate effective date.

PRESIDENT:

Discussion? Senator Demuzio.

SENATOR DEMUZIO:

Well, I must have missed this one when it was over here before. This bill exempts State fair workers employed by the Department of Agriculture no more than twenty-nine days per year from the Personnel Code, and we put an amendment on here that also exempts temporary workers hired by the Department

of Conservation, the Illinois Conservation Service from the Personnel Code, and I assume the immediate effective date...can you tell me just briefly why...why we're doing this? I missed it when it was here the first time.

PRESIDENT:

Senator Davidson.

SENATOR DAVIDSON:

Yes, the...the first two things you mentioned was in the bill as we sent it out here and has to do with under the temporary...if we don't do this, then we have to run all those temporary employees including the Youth Conservation Corps through the Central Management Service in relation to the deduction, the pensions and all the other things and they do not qualify for that, so they got to take it out and then they got to refund that pension held out from them back to them again later in the same year and this is just so we can do it under the law, the temporary part, the conservation corps youth is so that we don't have go through that fact with them as we did a number of years ago when we had that Federal program and we had about six to eighteen months of refunding pension funds that were held out that shouldn't have been held out 'cause they're temporary employees.

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

Well,...well, how many temporary patronage workers do think this will apply to?

PRESIDENT:

Senator Davidson.

SENATOR DAVIDSON:

I can't tell you what...how many 'cause I don't know and the...the Illinois Youth Corps...there was a specific number in another bill somewhere and...correct...amount of number, Senator Demuzio, I don't know. I don't remember the number

they said.

PRESIDENT:

Further discussion? Senator DeAngelis. I beg your pardon, Senator Demuzio.

SENATOR DEMUZIO:

I just want to know what the number was 'cause I want to know what I was missing out on.

PRESIDENT:

Senator DeAngelis.

SENATOR DeANGELIS:

Well, Mr. President, I'm not going to try to create any arguments but this bill passed out 59 to nothing. All the House amendment did was change the effective date. Now we're rearguing the bill again.

PRESIDENT:

Is that a question? Oh. Further discussion? Senator Lenke.

SENATOR LEMKE:

Senator Demuzio, I want to...when you're...when we're done with bill I'll introduce you to a employee that was temporary for forty years.

PRESIDENT:

Question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 791. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are 1, 1 voting Present. The Senate does concur in House Amendment No. 1 to Senate Bill 791 and the bill having received the required constitutional majority is declared passed...Senator Sam, we'll get to you...why don't we wait till we get to the bottom of the page here. You're waiting, I know, it's tough to be in the starting gate. Four o'clock...earlier we had granted Senator Sam leave to get to

his order. We will do that. 796, Senator Fawell. On the Order of Secretary's Desk Concurrence is Senate Bill 796, Mr. Secretary.

SECRETARY:

Senate Bill 796 with House Amendment No. 1.

PRESIDENT:

Senator Fawell.

SENATOR FAWELL:

Sam, you're just going to have to wait it for a while. I would like to nonconcur on Amendment No. 1. Unfortunately, there was an administration bill lost by DCCA because it was not called for 3rd reading, and so I would like to have a committee appointed...Conference Committee appointed.

PRESIDENT:

All right, Senator Fawell moves to nonconcur in House Amendment No. 1 to Senate Bill 796. All in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries. The Secretary shall so inform the House. Senator Davidson, 813. All right, Senator Davidson moves to nonconcur in House Amendments 1 and 2 to Senate Bill 813. Those in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries. The Secretary shall so inform the House. 814, Senator Mahar. On the Order of Secretary's Desk Concurrence, Senate Bill 814, Mr. Secretary.

SECRETARY:

Senate Bill 814 with House Amendment No. 1.

PRESIDENT:

Senator Mahar.

SENATOR MAHAR:

Thank you, Mr. President. I move that the Senate concur with House Amendment No. 1 to Senate Bill 814 and it is...the amendment is noncontroversial and makes selected changes in the Snow Mobile Act.

PRESIDENT:

All right, Senator Mahar has moved concurrence with House Amendment No. 1 to Senate Bill 814. Discussion? If not, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 814. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. Senate does concur in House Amendment No. 1 to Senate Bill 814 and the bill having received the required constitutional majority is declared passed. Senate Bill 822, Senator Friedland. On the Order of Secretary's Desk Concurrence, Senate Bill 822, Mr. Secretary.
SECRETARY:

Senate Bill 822 with House Amendment No. 1.

PRESIDENT:

Senator Friedland.

SENATOR FRIEDLAND:

Thank you, Mr. President. This bill was on the Agreed List and the...and the House added language requested by the department to provide for a medical review board consisting of experts to scrutinize unusual deaths at the institutions. It's a step in the right direction. Support it. Thank you.

PRESIDENT:

Senator Friedland has moved concurrence. Any discussion? If not, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 822. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 Ayes, no Nays, none voting Present. Senate does concur in House Amendment No. 1 to Senate Bill 822 and the bill having received the required constitutional majority is declared passed. Senator Bloom on 828. All right, we're at the bottom of page 12. Earlier today we afforded leave to Senator

*AOR #11
Secretary*

Vadalabene. If you'll turn to page 3 on the Calendar. The bottom of page 3 on the Calendar. Constitutional Amendment 3rd Reading, Senate Joint Resolution 11. With leave of the Body, we will honor our earlier leave and get to that order of business immediately. Mr. Secretary, Constitutional Amendment, Senate Joint Resolution No. 11. Read the joint resolution, please.

SECRETARY:

Senate Joint Resolution No. 11 Constitutional Amendment.

(Secretary reads SJR No. 11 CA)

3rd reading of Senate Joint Resolution No. 11 Constitutional Amendment.

PRESIDENT:

Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. SJR 11, this proposed Constitutional Amendment would authorize the General Assembly to consider a tax exemption for property used exclusively for veteran organizations. Such organizations are valuable assets to communities throughout the State of Illinois and these groups annually conduct numerous activities to honor America's war heroes. They decorate the graves of thousands of American Veterans annually, provide aid to...indigent veterans and their families and support homes for veterans and their children. In addition, veterans' organizations donate medical equipment to hospitals, sponsor athletic programs, promote the scouting movement, provide educational and summer camp scholarships for children; and in short, through their facilities and services, these organizations have become an important part of local communities throughout Illinois, and unfortunately, monetary difficulties continue to threaten the existence to the State's veteran organizations, and over the past five years, approximately one-half of the Veterans' Post Homes in

Illinois have closed their doors due to rising costs. As these posts vanish in your local community, so do the services which they render and adoption of this proposal would help reverse this disturbing trend. All...all veteran organizations appeal to you for support of Senate Joint Resolution 11, and I would appreciate a favorable vote.

PRESIDENT:

Senator Etheredge. I beg your pardon, your light was on. Senator Lenke.

SENATOR LENKE:

I would...I would like to have leave to be added as a hyphenated joint sponsor with Senator Vadalabene.

PRESIDENT:

Gentleman seeks leave to be added as a hyphenated cosponsor of Senate Joint Resolution 11. Is leave granted? Without objection, leave is granted. Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, I rise in...to speak in favor of this Constitutional...Senate Joint Resolution...to change the Constitution. It authorizes exemption from property taxation...property used exclusively for veterans' organizations. I think what the prior speaker, Senator...Senator Vadalabene, said is absolutely true. The...legitimate and there are legitimate veteran...veterans' organizations have done a lot a good for this State, and I think we should try and help them as much as possible to authorize exemption from property taxation of their buildings because it is a hardship on them because all their work is voluntary and whatever they take in...they put out to help young people, senior citizens and others. I speak in favor of this resolution.

PRESIDENT:

Senator Netsch.

SENATOR NETSCH:

A question to the sponsor. Senator Vadalabene, is this the amendment that the electorate has defeated on two prior occasions?

PRESIDENT:

Senator Vadalabene.

SENATOR VADALABENE:

It's similar but not exactly.

PRESIDENT:

Senator Netsch.

SENATOR NETSCH:

Would...would you explain exactly how it differs?

PRESIDENT:

Senator Vadalabene.

SENATOR VADALABENE:

It took out that one word, and I can't think of it off the top of my head...patriotic.

PRESIDENT:

Patriotic, that's the word. Senator Netsch.

SENATOR NETSCH:

The...you're talking about the...the last time we defeated it. The first time I think the word patriotic was not in there. I think it was a...it was an exemption for veterans' homes and did not have anything about and also for patriotic purposes. So, it is essentially similar to the...the first time, as I recall. I...he is nodding his head in assent. Well, I think that is a relevant piece of information. It's not going to change a single vote on the Floor of the Senate, but I think is it relevant to know that the voters on two occasions have had a very similar if not absolutely identical amendment and on two occasions it has been defeated; and I think the reason why is that every time we increase the exemption of property taxation, by the same token we increase our property taxes, yours and mine and our constituents, and I regret to say, that is precisely what

will happen again.

PRESIDENT:

Further discussion? Senator Schaffer.

SENATOR SCHAFFER:

Well, I'm going to vote for this again, but I will tell you in, the last election, I told the veterans...I'm a member of one organization, I'm a veteran, I told four chapters in my county to contact the two political parties and ask them to mark their ballots in favor of this. I told the Department of Veterans' Affairs people they ought to encourage these groups to go out and do it. When the committee in my party met, I said we ought to mark it and they said no one has contacted us, no one has asked us to do it and if we aren't asked to do it, why involve ourselves in something this controversial. Not even a post card. What I'm saying is, this ought to be the last time. This ought to be the last time. The veterans' groups have got to get out and hustle if they want this thing to pass. It isn't going to pass because the fifty-nine of us want it to pass, they've got to hustle. They have not hustled in my area, I'm unaware of them hustling anywhere else. They're going to have editorial opposition, they're going to have opposition from some interest groups. If we do this, they ought to understand this is the last time...the last time.

PRESIDENT:

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Excuse me, Mr. President and Ladies and Gentlemen, for speaking a second time. This amendment is different from the last two, absolutely different, and when we figure out that there's very few veterans' organization...realty property left, there isn't that much of a drain on the taxes at all and I urge a favorable consideration.

PRESIDENT:

Further discussion? Senator Vadalabene, you wish to close?

SENATOR VADALABENE:

Yes, I do, Mr. President and members of the Senate. In the...in the last election it did get fifty-two percent of the vote, so it did have a majority and it needed sixty percent, and you're exactly right, Senator Schaffer, there has to be more publicity on this and it will pass, but it did get a majority of the vote and we're...needing an additional eight percent, and so I would move for a favorable roll call.

PRESIDENT:

Question is the adoption of Senate Joint Resolution No. 11. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, 1 voting Present. Senate Joint Resolution 11 having received a three-fifths constitutional majority is declared passed. Back to...with leave of the Body, we'll go back to page 13 on the Calendar. Top of page 13, on the Order of Secretary's Desk Concurrence is Senate Bill 829, Mr. Secretary.

END OF REEL

REEL #4

SECRETARY:

Senate Bill 829 with House Amendment No. 1.

PRESIDENT:

Senator Topinka.

SENATOR TOPINKA:

Yes, Mr. President and Ladies and Gentlemen of the Senate, I move to concur with House Amendment No. 1. What the amendment does, it's from R and E and it's after meetings with the ISMS, the IHA and provides that medical examining committee with the authority to compel mental and physical examinations of applicants upon showing of possible incapacity. Mental and physical examinations may also be required of individuals seeking a temporary certificate of registration. It also modernizes language in terms of mental illness, substance/alcohol abuse. It is agreed to. I know no opposition.

PRESIDENT:

Any discussion? Any discussion? If not, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 829. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. Senate does concur in House Amendment No. 1 to Senate Bill 829 and the bill having received the required constitutional majority is declared passed. Senate Rupp on 830. On the Order of Secretary's Desk Concurrence, Senate Bill 830, Mr. Secretary.

SECRETARY:

Senate Bill 830 with House Amendment No. 1.

PRESIDENT:

Senator Rupp.

SENATOR RUPP:

Thank you, Mr. President. I move to nonconcur in House Amendment No. 1 to Senate Bill 830.

PRESIDENT:

All right, the Senator has moved to nonconcur in House Amendment No. 1 to Senate Bill 830. All in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and the Secretary shall so inform the House. 831, Senator Geo-Karis. On the Order of Secretary's Desk Concurrence, Senate Bill 831, Mr. Secretary.

SECRETARY:

Senate Bill 831 with House Amendment No. 1.

PRESIDENT:

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, House Amendment No. 1 permits the Department of Conservation to lease .043 hundredths acres of land for ninety-nine years for the sum of one dollar to Gaylord Lockport Company, an Illinois corporation and its reverter...reverter clause is also included, and this property is a strip of land along the corridor and adjacent to a building which is listed on the national register of historical sites. I concur with the amendment and I ask your favorable passage.

PRESIDENT:

Senator Geo-Karis has moved concurrence. Is there any discussion? If not, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 830. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. The Senate does concur in House Amendment No. 1 to Senate Bill 831 and

*SB 840
concurrance*

the bill having received the required constitutional majority is declared passed. Senator Geo-Karis, 840. On the Order of Secretary's Desk Concurrence is Senate Bill 840, Mr. Secretary.

SECRETARY:

Senate Bill 840 with House Amendment No. 1.

PRESIDENT:

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, the amendment that was put in the House is a little longer and probably a little verbose but it doesn't hurt the bill any and, therefore, I move for its favorable passage...and to concur with it.

PRESIDENT:

Senator Geo-Karis has move concurrence on Senate Bill 840. Any discussion? If not, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 840. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. The Senate does concur in House Amendment No. 1 to Senate Bill 840 and the bill having received the required constitutional majority is declared passed.

PRESIDING OFFICER: (SENATOR SAVICKAS)

On the Order of Secretary's Desk Concurrence, we have Senate Bill 853, Senator Geo-Karis.

SECRETARY:

Senate Bill 853 with House Amendment No. 3.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

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

AB 856
concurance

House amendment to Senate Bill 853 simply prohibits Federal officers, agents and employees with the rest of the authority under Federal law from...possessing machine guns while off duty and not performing official duties, and I move for the...no...no, I said...I'll repeat it, prohibits Federal officers, agents and employees with the rest of authority under Federal law from possessing machine guns while off duty and not performing official duties. I move for the acceptance of the amendment and I...move...move to concur with the amendment and the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Geo-Karis...the question is, shall the Senate concur in House Amendment No. 3 to Senate Bill 853. 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. 3 to Senate Bill 853 and the bill having received the required constitutional majority is declared passed. Senate Bill 856, Senator Geo-Karis.

SECRETARY:

Senate...Senate Bill 856 with House Amendments 1 and 2.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

In Senate Bill...856, Mr. President and Ladies and Gentlemen of the Senate, it increases the...the House amendment increases the size of the Illinois Human Rights Commission to thirteen members and it shows when the new members' terms shall expire, and I move...I accept the amendment and that's...House Amendment No. 2. House Amendment No. 1 clarifies the current law on depositions of witnesses under the Human Rights Act, and I move...to concur on both amendments

and ask for the passage of the bill as...as concurred.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Sommer.

SENATOR SOMMER:

I just happened to notice that the Senate by an amendment increased this commission by two members and the House increased it by two members. How much does this commission pay? I do know the answer, but I'd like to hear you tell us what it is.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

As a matter of fact, Senator, first, the House in committee...we're going to take two members off and then...they changed their minds in all their wisdom and they added these extra members. I believe that...I'd have to have our staff person, Miss Ford, perhaps she can answer your question as to how much they get or do not get.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Sommer.

SENATOR SOMMER:

Senate Amendment No. 3 increased from nine to eleven. House Amendment No. 2 increased from eleven to thirteen. That sounds like four new members to me. Is that not true?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

It's...it's from nine to eleven...it's to eleven, Senator Sommer. Wait a minute. Hold on just a minute. Hold on a minute. I'm sorry, Senator Sommer, this increases it to thirteen members. House Amendment 2...Senator Sommer, it does increase it to thirteen members, House...Amendment 2. House Amendment 1 clarifies the current law and depositions of witnesses under the Human Rights Act.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lenke.

SENATOR LEMKE:

...these new members, are they going to be representative of the ethnic community 'cause we don't have anybody on there for national origin and this commission still hasn't given us our rules yet, so I think we should firmly...reject this and condition this amendment that if we're going to give them two new members, that these two members would be representative of...of the ethnic people in the State of Illinois 'cause we don't have any representation on them, we can't even get rules for the last three years.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

As my esteemed colleague remembers what I said the other day, I will certainly personally see to it that the rules are provided to not only to me but to you too and to everyone who wants it in this Assembly, and I will also personally see to it that all...all peoples are considered, including the ethnics like you and me.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, the question is, shall the Senate concur in House Amendment...now is this on both amendments, House Amendments No. 1 and 2, Senator, you wish...on House Amendments No. 1 and 2 to Senate Bill 856. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 27, the Nays are 20. The Senate does not concur in House Amendments No. 1 and 2 and the motion...and the Secretary shall so inform the House. Senator Geo-Karis.

SENATOR GEO-KARIS:

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

I please have concurrence on House Amendment 1 which clarifies the current law and depositions of witnesses under the Human Rights Act.

PRESIDING OFFICER: (SENATOR SAVICKAS)

...Senator, you're entitled to postponed consideration, but you took the vote on both amendments and they both failed.

SENATOR GEO-KARIS:

All right, then ask for a Conference Committee.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senate Bill 859, Senator Geo-Karis. Senator Geo-Karis, 859.

SECRETARY:

Senate Bill 859, House Amendment No. 1.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, I move to nonconcur in House amendment to Senate Bill 859.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis moves to nonconcur in House Amendment No. 1 to House Bill...Senate Bill 859. 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 861, Senator Geo-Karis.

SECRETARY:

Senate Bill 861 with House Amendments 1 and 2.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, the House Amendment 1 requires the Department of Central Management Services to offer any...benefit it offers to nonunion employees to union members through their bargaining agents, and House Amendment 2 says that...this changes "any benefit" to "any group insurance benefit." The bill was originally

limited to group insurance benefits, so this is to any group insurance benefit and this amendment keeps the bill within those limits, and I move the concurrence of both amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If...if not, the question is, shall the Senate concur in House Amendments No. 1 and 2...in House Amendments No. 1 and 2 to Senate Bill 861. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. The Senate does concur in House Amendments 1 and 2 to Senate Bill 861 and the bill having received the required constitutional majority is declared passed. Senate Bill 862, Senator Schaffer.

SECRETARY:

Senate Bill 862 with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schaffer.

SENATOR SCHAFFER:

We would move to concur in the House amendment. The House amendment does several things for the Department of...Public Health...Department of Public Aid, pardon me, and it primarily involves assets for qualifying for public aid. I think the major one of them would allow the department to establish rules and also would provide a maximum asset that cannot exceed the maximum allowed by the Federal Government under Title 15...16 of the Social Security Act. I think it's primarily technical. I'm unaware of any controversy.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 862. Those in favor indicate by saying Aye...or voting Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 58,

the Nays are none, none voting Present. The Senate does concur in House Amendment No. 1 to Senate Bill 862 and the bill having received the required constitutional majority is declared passed. Senate Bill 864, Senator Donahue.

SECRETARY:

Senate Bill 864 with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President. I would move that we concur with House Amendment No. 1. Let me tell you a little bit about what it does. Senate Bill 864 reactivates and expands the Board of Public Health Advisors. The board's role is to...advise the director of public health on general public health issues. In addition, the board is empowered to serve as an advisory group on public health emergencies. The director is required to consult with the board within a twenty-four hour period. It...reviews and advises the department on rules and proposals dealing with medical issues, recommends studies and ad hoc committees to review public health problems. The membership of the board consists of nine members appointed by the Governor and they are two physicians actively practicing medicine and surgery, one physician practicing in the field of public health, one physician employed by the medical school, one local health administrator, one dentist, one professional nurse active in public health and one member representing the Statewide Health Coordinating Council who also represents a professional group not otherwise required, one public health sanitarian on...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion?

SENATOR DONAHUE:

...sanitary engineer. Wait a minute, there's some other parts in here that I think you ought to hear. I mean,

I'm...I...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Go ahead...go ahead...

SENATOR DONAHUE:

...I just think it's important...

PRESIDING OFFICER: (SENATOR SAVICKAS)

...well, there were no lights, Senator, I didn't think anybody was interested, but go ahead, no...evidently now there is discussion. Go ahead.

SENATOR DONAHUE:

I figured at some point, you just got to give them a little chance. Okay. Now, the members of the board are to serve three-year terms and are paid a per diem of a dollar...a hundred and fifty dollars not to exceed ten thousand per annum, and the qualifications for the director of public health is changed to mandate a physician who has experience in the practice of medicine and has five years of progressively responsible administrative experience in public health work, okay, is certified by the American Board of Preventative Medicine in Public Health and has a Master's Degree in Public Health. I would move for concurrence.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Darrow.

SENATOR DARROW:

Will the sponsor yield?

PRESIDING OFFICER: (SENATOR SAVICKAS)

She indicates she will.

SENATOR DARROW:

Did you say that the director of public health, under this legislation, is required to be a physician?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator...Donahue.

SENATOR DONAHUE:

Yes, but he has to have five year's practice in adminis-

trative field and public health...administration and public health.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Darrow.

SENATOR DARROW:

Well, thank you, Mr. President. To the...to the amendment. Last evening we debated this very same thing on a Democratic bill where we were requiring the director of the Department of Public Health to be a physician, and I thought it was the position of the other side of the aisle that it did not have to be a physician, it could be just a good administrator; and I require...recall the President of this Senate saying we should have a director of the Department of Public Health as an M.D. who can hire administrators, and there was quite a bit of controversy and now, evidently the other side of the aisle is picking up the same chant that we had over here that we must have a physician. I'm glad that they've seen the light and that they're following the President of the Senate, and I think this is a very good amendment and should be adopted.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. Well, to clear the record, at least one person on this other side is not endorsing that concept, Senator Darrow. The law as currently prescribed does not preclude the qualifications that are on this amendment. What the amendment does, it's going to limit the options because now we're saying the only people that can be these when there could be other people more qualified than the qualifications that are in this amendment, and I still stand opposed to that requirement.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Well, I certainly believe that a...that a person should be...if he's going to head up our health department, I think he ought to be an M.D. You can see at this last outbreak of things, evidently somebody was...asleep at the switch, and I think this amendment is a good amendment and I'm certainly going to support it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Further discussion? Senator DeAngelis, again.

SENATOR DeANGELIS:

Well, just for the second time, I was going to ask the Chair...the President if he's a Parliamentarian in order to be able to rule this Body.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The answer to that is yes. Is there further discussion? If not, Senator Donahue may close.

SENATOR DONAHUE:

Well, I...I think the point of this whole thing is that...it's not just whether or not the director of public health is an M.D. but if he can run that department administratively and I think that's what this amendment...this amendment does, and I would move for its concurrence.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 864. 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 41, the Nays are 12, 1 voting Present. The Senate does concur in House Amendment No. 1 to Senate Bill 864 and the bill having received the required constitutional majority is declared passed. Senate Bill 875, Senator Maitland.

SECRETARY:

Senate Bill 875 with House Amendment No. 2.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President and Ladies and Gentlemen of the Senate. Amendment No. 2 to Senate Bill 875 does a number of things. It strengthens DPH's ability to respond to situations which pose an imminent danger to public health, and this really is a result of the salmonella hearings and...and also cleaning and sanitizing facility is defined in the bill. It also gives authority to DPH to exercise authority over local Department of Public Health departments if the local unit is not enforcing the ordinance...ordinances that they are supposed to. It further, once again, as we did in a bill out of this Chamber yesterday, identifies the fees to be charged by the department for dairies and milk haulers, and I would move that the Senate concur in Amendment No. 2 to House Bill...Senate Bill 875.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Demuzio.

SENATOR DEMUZIO:

We...Senator Maitland, we took out by virtue of amendment...Senate Amendment 1 all of the dairy farms that were to be charged the one-time fee. Is that correct?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR MAITLAND:

No farmers are charged. Correct.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

That House amendment simply includes the cleaning and...sanitizing facilities in coverage of the Act. Does

that mean we're adding any other additional types of milk facilities to this bill?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR MAITLAND:

Well, if I understand the question, Senator Demuzio, the answer is, no.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

All right, one final question. Also, I...are...are we...are we charging now a fee for the...all of the milk manufacturers that are in Illinois?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR MAITLAND:

Senator Demuzio, we...we've had this debate before and...and yes, we are...we are charging those dairy processing plants a hundred dollar fee. We are charging the milk haulers a twenty-five dollar annual fee. Same language that was in the bill yesterday. Yes, sir.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hall.

SENATOR HALL:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will.

SENATOR HALL:

Senator Maitland, do you have any idea of how much this is going to raise the price of milk, this...this...this extra fee that you're charging?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR MAITLAND:

...Senator Hall, no, I...I really don't, but I don't...I don't see any substantial increase in the cost of milk. Milk is cheap now.

PRESIDING OFFICER: (SENATOR SAVICKAS)

I would just remind the Body, that the question before the Body in our discussion is the amendment. The bill has already been passed through this Body and sent over to the House. Some people seem to forget that. Question is, shall Senate Bill 875...question is, shall the Senate concur in House Amendment No. 2 to Senate Bill 875. 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 58, the Nays are...59, the Nays are none, none voting Present. The Senate does concur in House Amendment No. 2 to Senate Bill 875 and the bill having received the constitutional majority is declared passed. Senate Bill 879, Senator Topinka.

SECRETARY:

Senate Bill 897 with House Amendments 1 and 2.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Topinka.

SENATOR TOPINKA:

Yes, Mr. President and Ladies and Gentlemen of the Senate, I would ask not to concur with Amendments No. 1 and 2 and ask the House to recede accordingly and ask for a Conference Committee.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Topinka moves to nonconcur in House Amendment No. 1 and 2 to Senate Bill 879. 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 897, Senator Lemke.

SECRETARY:

Senate Bill 897 with House Amendments 1 and 2.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

I move to concur in House Amendments No. 1 and No. 2 to Senate Bill 987. What they do are...they're clarified amendments provides that the court can only...permit an injunction where the...where the court finds that the mother's life or health is not in danger and also in the ruling they must make a finding...Amendment No. 2 says they must make a finding that the mother's life or physical health is not in danger. I think it's a good amendment. I ask for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Fawell.

SENATOR FAWELL:

Well, I'm afraid here we go again. You're saying that the court must make a...a finding that the mother's life or health will not be endangered before granting injunction relief to a...to a father to prevent an...an...an adoption. How is the court going to make that finding if the bill already says that the physician must...already say that?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

That the...the House wanted to have this in the order by the judges that he issues this...when he issues an injunction, if he issues a injunction, that there is a finding, a separate finding in this matter.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Fawell.

SENATOR FAWELL:

But...and what's going to happen if it takes awhile for the court to have that finding and by the time the finding is rendered, it's too darn late?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

Senator Fawell, there is no problem with that, we...we do that right now with the finding in regards to transfusions and everything else. The...they make a...a finding automatically that the child's life is in danger and they give the child the...the transfusion. I mean, we do that right now and...and I think the amendment only clarifies the situation, has the court have a finding.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Fawell.

SENATOR FAWELL:

Well, again, on...on...on Amendment 2, you've got that it must make clear that...to the judge that an abortion will not endanger the mother's physical health. There is absolutely no way that a judge can possibly...I mean, any kind of an operation and, indeed, that's what this is, there's no way that a judge can say, I will guarantee you that you're going to come out of this fine...I mean, you know, there's all kinds of complications that...there's no judge that will...that will render a decision like that. So, in effect, I guess, you know, what you've done is you've just said under no circumstances, if a father disagrees and...and I'm not even saying that what the...the substance of the bill is wrong, but what you're saying is that there's no way that a woman can get an abortion if the father doesn't go along with it, because I cannot see any judge sticking his neck out and saying, I will...absolutely guarantee you if you have an abortion that you're not going...that your physical health is not going to be endangered.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

Well, thank you, very much, Mr. President. Senator

Leake, hello, anybody home up there? Senator Lemke, can you tell me the difference between Amendment No. 1 and Amendment No. 2?

SENATOR LEMKE:

As far as I'm concerned, I thought the bill was great but your representative, your great leader over there, Greiman and that they suggested these amendments. So if you want to vote against nonconcurring in these amendments, fine, I'll take them off and pass the bill like it is. All they wanted this was to make sure that in incidences where the mother's life was in danger, no judge would issue a injunction, that's what this says.

SENATOR MAROVITZ:

Well, my great leader is...is Phil Rock, let's make that clear. Now, second of all, I...I...I'll repeat the question. What is the difference between Amendment No. 1 and Amendment No. 2? I...I mean, this is what we're voting on, I think that question might be in order.

SENATOR LEMKE:

Each amendment is supposed to clarify the situation. I think the bill is perfectly clear as it is, but you should talk to the...the liberal, intellectual House Judiciary Committee that wrote these amendments. I...you know, I think the amendments are not needed because it says...the original bill says that a...it's the weight of the evidence whatever the judges decides, but they want to make sure that if the judge would not issue an injunction at any time if the mother's life was in danger, and that's why this language is in there.

SENATOR MAROVITZ:

Okay, well,...according to my reading of this, Amendment No. 2 says that an injunction can't be...everything okay, Frank? Amendment No. 2 says that an injunction cannot be issued for any other reason other than if the mother's life

is in danger. So, you're saying that if the mother has been raped...if a mother has been raped...they can...they're...she can't get an injunction and the father can get an...the...the father can get an injunction against the abortion, despite the fact that she has been raped. Is that...I mean,...that...that is what you're saying here by Amendment No. 2.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

No, that does not say that. What the original bill said that it was a weight of evidence what the judges decided whether the father's rights were greater than the mother's to prevent the abortion. Okay? That's how the original bill worked. There was a weight of evidence who would decide...who had the greater rights. It just gave the father the right to go in and...and...and...and...and put his effort forth in regards to having the child. This is in regards to a marriage situation and regards to a marriage contract. I explained this when this bill was here. They put this...this wording in there very simply, that they didn't want it to apply where the mother's life was in danger, and I'm sure in the circumstances you're talking about in a rape situation that the weight of the evidence the judge would rule in the mother's favor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

The amendment that I'm talking about was not on here when the bill came out of the Senate...as I read it, it said, Amendment No. 2 stipulates that a mother's physical health must be endangered in order to prevent the father from getting...an injunction against the abortion. So if she has been raped and her physical health is not in danger, that

father can go ahead and get an injunction against the abortion. That's what the amendment says. Now it may not be your intention but that is what the amendment says. Second question and...go ahead, why don't you answer that one.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lenke.

SENATOR LEMKE:

Amendment No. 2 clarifies Amendment No. 1 that provides that only where the court finds that the mother's life or health are not in danger may the court issue an injunction, that's a prohibition against the court. Amendment No. 2 clarifies Amendment No. 1. Okay? We're not getting into the...into rape situations, we're not getting into that. That's a weight of evidence...I mean, I'm not going to get involved. What we're doing here, Senator Maragos, and you are a great civil libertarian,...I mean, Senator Marovitz, you're a great..., we're giving people's rights. We're trying to give the father a course so he doesn't take the law into his own hand and do something else. Okay, we're trying to at least have him come in and get an injunction to show that his weight is...and this is perfectly allowable in any...any...divorce action or marriage dissolution action, separate maintenance action, and we're only trying to enforce the marriage contract, at least give the father a right.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

But...I understand what you're trying to do, you want to give the father a right to have an injunction before there is an abortion, I understand that. But Amendment No. 2 does go much further than that and it says that he can get an injunction in all cases unless the mother's life is in danger. So if she's been raped, he can still get that injunction despite the fact that she's been subject to a

vicious rape unless her life is in danger, that's what Amendment No. 2 says. Okay? Now, another question I have for you is this. In a situation where the couple is not married, does that...does that individual who claims to be the father still have a right to get an injunction?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

Read the original bill, you...must be married and that this injunction would...could be...is only involved in the third...where the child is viable, which is near the second and third trimester. When we say the third trimester, my grandson was born in the second trimester, he was born four months premature. Okay? He is viable, he's living now, he's four and half years old, okay, he's viable. This is the situation...this is...we're not talking about the first trimester,...where the child is viable, so...if you're trying to take this amendment off, it doesn't matter to me 'cause to me, I think the bill is perfectly clear. The House wanted to have this in there to clarify this situation. Okay? I do not get involved. We're talking about a viable child, you know, the ACLU went in and threw out the whole Abortion Act in the State of Illinois. A woman in this State can kill a viable child in the eighth and a half month of pregnancy. She can kill that baby and to me that baby is viable when I have a grandson that was born four months premature, and I know a lot of the people...have children that were born four and five months premature and we just had an incident of seven born less than a pound in California. So they are viable children, we're talking about...now we're talking about a father going in and saying he...rights are greater than the mother's to save the life of his children. We're not in the situation in the first trimester.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Jones.

SENATOR JONES:

Yeah, thank you, Mr. President and the...will the sponsor yield?

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will.

SENATOR JONES:

Senator Lemke, the more you talk on...on the legislation, the more confused I get. Now, as far as the amendment is concerned, is there anything in the legislation that establish who the father is? 'Cause if you're dealing with wife only, then the...the husband may not be the father of the child. Now, is there anything in the legislation that specifies such as establish who the father is?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

(Machine cutoff)...the definition of father; the mother can come in and say, he's not the father. Okay? Fine. She can establish that he's not the father, then he can't come in and get the injunction, so we're not in that situation. We're talking about the father of the child which is a legal definition which is established by proof. We have established that in the Paternity Act. If you look at the...new Paternity Act, we have set those grounds down as to establish what paternity is in this State. You voted for that bill, we established those grounds. That is already in the law, that is already in the books.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, Mr. President and Ladies and Gentlemen of the Senate, Senator Marovitz is absolutely right...and I'm not the...for...ACLU as the ACLU knows quite well. Amendment 2

says, absolutely, that if there's a finding that the mother's physical health is in danger...but let me tell you, if a woman is raped and she's pregnant and her physical health is all right even though her mental health is in a bad state, well, it's too bad. The father can say...the husband can say, you can't have one, you can't have an abortion. Well, I've always been against abortion except in the cases of rape and incest. The other point is that when we talk about a marriage contract, it goes both ways. A marriage contract doesn't stop a husband from getting a vasectomy without the consent of his wife. I did not vote for this bill originally, I still would not vote for this bill because I don't think it's fair. I think you're ignoring the mental health of the woman completely, the way it's amended, when she is...it's just traumatically injured if she's raped or...a victim of an incest case and I speak against it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Lemke may close. Oh, Senator Zito, I'm sorry. Senator Zito. Senator Zito, do you wish to speak on the amendment?

SENATOR ZITO:

I...I didn't understand Senator Geo-Karis' explanation but I can't ask her a question, so I'll pass.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke may close.

SENATOR LEMKE:

I can only ask for a favorable vote. We're talking about viable children, we're talking about fathers, we're not getting in before a viable child. We are talking about a mother that wants to go in to be a legal butcher, that's what we're talking about, and if the father can establish that reason and he can prove his rights are greater than that...than his wife that that child should be born, then that child should be born. We did not make the present situation in the State

of Illinois. It's the courts that threw out the whole Statute and said a woman can have a...have a...an abortion at any time in pregnancy. We're talking about children that can live out of the womb, a viable child. We just had an example of seven children that were born early and were viable, and out of that seven children, I think in California there is presently three...three living and that are going to live and be viable and be citizens of this United States.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall the Senate concur in House Amendments 1 and 2 to Senate Bill 887. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Senator, would you vote me Aye on this. Have all voted who wish? Take the record. On that question, the Ayes are 43, the Nays are 7, 1 voting Present. The Senate does concur in House Amendments 1 and 2 to Senate Bill 887 and the bill having received the required constitutional majority is declared passed. Senate Bill 891, Senator Watson.

SECRETARY:

Senate Bill 891 with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. The original legislation simply expanded the rationale for revoking and suspending a license of a pharmacy in regard to selling prescription and legend drugs. The House Amendment No. 1 which I move to concur with is at...simply adds an immediate effective date, so move for its...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 891. 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, none voting Present. The Senate does concur in House Amendment No. 1 to Senate Bill 891 and the bill having received the required constitutional majority is declared passed. House Bill 892, Senator Topinka.

SECRETARY:

...Senate Bill 892 with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Topinka.

SENATOR TOPINKA:

Yes, Mr. President and Ladies and Gentlemen of the Senate, I would move at this time to not concur with Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Topinka moves to nonconcur in House Amendment No. 1 to Senate Bill 892. 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 903, Senator...Fawell.

SECRETARY:

Senate Bill 903 with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Fawell.

SENATOR FAWELL:

Thank you, very much. Basically, this is language that has just been reworked. It still does the same thing. It...just places election of the governing board of special election joint agreements under the law as applied to the elections of various municipal trustees, et cetera. There is one other thing they did. They did make a technical change in Chapter 108 and 1/2, Paragraph 7-132, which was requested by LRB which was not related to the substance of this Act. It's really technical language and I ask for concurrence.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, question is, shall the Senate concur in House Amendments No. 1 to Senate Bill 903. 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 58, the Nays are none, none...none voting Present. The Senate does concur in House Amendment No. 1 to Senate Bill 903 and the bill having received the required constitutional majority is declared passed. Senate Bill 925, Senator Carroll. Senate Bill 944, Senator Dawson.

SECRETARY:

Senate Bill 944 with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Dawson.

SENATOR DAWSON:

Mr. President and Ladies and Gentlemen of the Senate, I move to concur with House Amendment No. 1 to Senate Bill 944. This bill establishes a minimum payment level for the public assistance grants at fifty-two percent of the standard of assistance. The current payment level for public aid are at this level at present time. This change would require an adjustment in payment levels to reflect adjustments in the standard that is published by a department effective the beginning of the each calendar year, and I move that the Senate concur.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President. I would just point out to the members that this is a twenty-one million dollar yearly cost and it's...I would just move...what...that we defeat this concurrence.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 944. 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...take the record. On that question, the Ayes are 30, the Nays are 27, 1 voting Present. The Senate does concur in House Amendment No. 1 to Senate Bill 944 and the bill having received the required constitutional majority is declared passed. For what purpose Senator Donahue arise?

SENATOR DONAHUE:

Boy, I don't know why it always happens to be me today, but I'm afraid I'm going to have to verify this.

PRESIDING OFFICER: (SENATOR SAVICKAS)

A verification has been requested. Will all the Senators please be in their seats and will the Secretary read the affirmative roll.

SECRETARY:

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

PRESIDING OFFICER: (SENATOR SAVICKAS)

Do you question any of the affirmative vote?

SENATOR DONAHUE:

Jerome Joyce just walked in.

PRESIDING OFFICER: (SENATOR SAVICKAS)

They're both here.

SENATOR DONAHUE:

Senator Carroll.

PRESIDING OFFICER: (SENATOR SAVICKAS)

...he just came in the back.

SENATOR DONAHUE:

Senator Chew.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Chew is in the back...no, that's...

SENATOR DONAHUE:

That's real cute, Emil.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there...Senator Chew, is he on the Floor? Strike his name from the record.

SENATOR DONAHUE:

Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR SAVICKAS)

On a verified roll call, we have 29 Yeabs, 27 Nays, 1 voting Present. The Senate does not concur in House Amendment No. 1 to Senate Bill 944, and the Secretary shall so inform the...and he wishes to have it postponed consideration. Is there objection? Hearing no objection, leave is granted. Senate Bill 954, Senator Smith.

SECRETARY:

Senate Bill 954 with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Smith.

SENATOR SMITH:

Thank you, Mr. President. Amendment...No. 1 to Senate Bill...to 954 authorizes the Department of Aging to make a grant to an institution of higher learning to study the feasibility of establishing and implementing an affirmative action employment plan for the recruitment, hiring, training and retaining the person sixty or over for jobs for which there employment would not preclude by law. The original bill authorizes Department of Aging to do the study. The Department of Aging believes it will be less expensive and more quickly completed if contracted out to a university. The amendment also clarifies that the study must concern jobs at

which people sixty or over may be legally employed. According to the Department of Aging, the study will cost thirty thousand dollars and that amount has been added to its budget. I move...I want...I...therefore, Mr. President, I move that the Senate concur with this amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Well, now, Senator, we've got a lot of retraining programs for unemployed steelworkers and a lot of other people...you mean to tell me we're going to start retraining seniors now? And...and if so, what kind of retraining is...is being suggested here? And I guess my other question is, who's a senior?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Smith.

SENATOR SMITH:

Senator Schuneman, you have a lot of young sixty-year-olds who are very viable, very agile and want opportunity to do working. The Department of Aging, they sense this and so they are establishing and implementing an affirmative action program for employment for these seniors. Now there's nothing wrong with that and the money is already appropriated, it's in their budget and they're going to contract this out to a university, and I think that if people want to work and have the incentive, we should certainly, as a...legislative Body, provide the vehicle for them to do so.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman.

SENATOR SCHUNEMAN:

Would...would you explain what you meant by the term affirmative action program? How...how...how would that work?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Smith.

SENATOR SMITH:

This is giving, I would say, equal rights to those who want to work.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen. Senator Schuneman, if you keep living, you will be a senior. Now what happens is that this is what we're trying to do. I heard you ask the question what are seniors, and seniors...there are plenty of people that have passed the age of sixty-five, like myself, who need employment and so I'll tell you this, that any time you can encourage people to keep working and that's the reason for this, and we should have a program maybe to retrain legislators.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 954. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 31, the Nays are 26, none voting Present. The Senate does concur in House Amendment No. 1 to Senate Bill 954 and the bill having received the required constitutional majority is declared passed. For what purpose Senator Schuneman arise?

SENATOR SCHUNEMAN:

Well, I guess we need to do it again, Mr. President. We'd like to verify the affirmative.

PRESIDING OFFICER: (SENATOR SAVICKAS)

A request for a verification of the affirmative vote has been made. Will all the Senators be in their seats and will the Secretary read the affirmative roll.

ACTING SECRETARY: (MR. FERNANDES)

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

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman, you question any of the affirmative vote?

SENATOR SCHUNEMAN:

Senator Chew.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is Senator Chew on the Floor? Senator Chew. Strike his name.

SENATOR SCHUNEMAN:

Senator Dunn.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is Senator Dunn on the Floor? Senator Dunn. Strike his name.

SENATOR SCHUNEMAN:

That's all.

PRESIDING OFFICER: (SENATOR SAVICKAS)

...on a verified roll call, there are 29 Yeas, 26 Nays, and the bill...and amendments having failed to receive the constitutional majority is declared lost...Senator Smith has requested that Senate bill...further consideration on Senate Bill 954 be on postponed consideration. Hearing no objection, leave is granted. Senate Bill 956, Senator Smith.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 956 with House Amendments No. 1 and 2.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Smith.

SENATOR SMITH:

I'd like for the record to show that in regards to the question that Senator Schuneman asked me, the bill...if you read the bill, it merely said for a study...a feasibility study.

PRESIDING OFFICER: (SENATOR SAVICKAS)

...Senator,...what are we on now? We're on...

SENATOR SMITH:

I wanted to clear that...I...I asked permission to clear that up with Senator Schuneman.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator, would you do that privately. Let's stick with 956.

SENATOR SMITH:

I'd like to hold that one please, for a minute.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Take it out of the record. Senate Bill 982, Senator Poshard.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 982 with House Amendment No. 1...or No. 2, I'm sorry.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Poshard.

SENATOR POSHARD:

Thank you, Mr...thank you, Mr. President. This amendment makes this bill permissive. It says that elementary and secondary schools may instead of shall include in their health education curriculum various things such as the early prevention and detection of diseases such as cancer, heart attack, diabetes, stroke and prevention of child abuse and neglect and suicide, and I would vote to concur on this.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall the Senate concur in House Amendment No. 2 to Senate Bill...982. Those in favor will vote Aye. Those opposed vote Nay. The

voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. The Senate does concur in House Amendment No. 2 to Senate Bill 982 and the bill having received the required constitutional majority is declared passed. Senate Bill 984, Senator Smith.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 984 with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Smith.

SENATOR SMITH:

Thank you, Mr. President and members of the Senate. Amendment 1 to Senate Bill 984 decreases the number of required visits of the Department of Children and Family Services to child-care facilities from three years to one per year, allows a visit at any time by the Department of Children and Family Services to inspect child-care facilities for health and safety reasons, requires some rather than all DCFS personnel who inspects child-care facilities to acquire training in the detection and prevention of exploitation and abuse. Senate Bill 984 has passed by the Senate on the Agreed Bill List, requires DCFS to visit child-care facilities at least three times a year to determine whether they are in compliance with the standards. One of the visits could be without notice. The bill further mandates the Department of Children and Family Services' personnel authorized to inspect child-care facilities to receive training in the detection and prevention of exploitation and child abuse. House Amendment No. 1 to Senate Bill 984 is a compromise between DCFS and the child-care lobbys. There is no known opposition to House Bill 1...to Senate...to House Bill...Amendment 1, and I'm asking...to let you know that I...the Senate concur with the amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr...thank you, Mr. President and Ladies and Gentlemen. I would just like to add my support for this amendment and move that we do concur.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Kelly.

SENATOR KELLY:

Like to ask the sponsor a question, Mr. President.

PRESIDING OFFICER: (SENATOR SAVICKAS)

She indicates she'll yield.

SENATOR KELLY:

Senator...Senator Smith, I see that it's reducing the number of visits to these child facilities from requirements from three to one a year. Is that right?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Smith.

SENATOR SMITH:

No, there will be three per year, two with notice and one unnoted...without notice.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Kelly.

SENATOR KELLY:

Well, on page 100 of the...this sheet, it says, reduces the number of required visits from three to one per year.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Smith.

SENATOR SMITH:

Yes, it is reducing.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Kelly.

SENATOR KELLY:

Well, I just have some concern, if a...if...if there's going to be only one visit a year, why are we cutting it down

from three to one? What is the purpose and reason? I know that these...these agencies have too big a workload and maybe that's the reason for it, I'm not sure, but I'd like to know, why do you want to cut it down from three to one visit?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Smith.

SENATOR SMITH:

Senator Kelly, the department wanted to cut it down because of fiscal reasons.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Donahue.

SENATOR DONAHUE:

Well, Mr. President...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Oh, I'm sorry, Senator Kelly.

SENATOR KELLY:

Thank...thank you, Mr. President and members of the Senate. That's exactly what is being done. It's they're...they're working within a budget that's...that's limited and I know that they're trying to cut down. We no longer have a Visitation Commission. I suppose as time goes by, we won't even visit these State facilities or public facilities that are being regulated. It, obviously, is another reduction and...I'm just concerned that it'll be just a future increase in...in abuses and misuses of what these agencies are doing and I'm going to oppose it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Donahue.

SENATOR DONAHUE:

Well, thank you, Mr. President. Let me just clarify this a minute. The original legislation was introduced at three. The House amendment reduces it to one and it says that DCFS may visit any number of times at any time they wish in order to ensure the safety of children and inspection of those

premises, but they must visit at least once a year, but they can do it as many times as they want. That's the amendment, and I would...do move we concur.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

Yeah, I...I can understand having to do certain things because of...of lack of money, but there's some things you just don't skimp on, and I'm afraid that if we reduce that requirement to once a year, that's about all some of the child-care facilities will ever get, and I just don't think that is in the best interest of the children of the State of Illinois; and I want you to know that I use...that used to be my job with the State and I used to have to go out and write up the evaluation procedures for those centers and go out sometime...when I first started working with the State and...and to go out to some of those centers sometime where there were problems...and there are many problems that those centers are having out there due to lack of...of funds, and so what they do, they do what we try and do, they try and cut back. We cannot afford to make that kind of sacrifice and to say that we're only going to visit those...have to visit those centers but once a year. I think Mrs. Smith had a very good idea when that bill left here and I think we should leave it where Mrs. Smith has it and I would say that we shouldn't concur with this amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LENKE:

I...I just...how many times does the...the department visit now?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Smith.

SENATOR LENKE:

Can Senator Donahue tell me?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Donahue.

SENATOR DONAHUE:

Once.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

Make one visit a year. What...what is this bill doing then? It's just complying what they're doing now. I mean, I think it's...you know, I think in the time and the...and the...and the many instances that have been popping up with child abuse in these care facilities, I think the department should at least make more than one...inspection a year unannounced. I mean, whatever the cost is to prevent child abuse at these child facilities is worth paying. The greatest assets we have in this State is our children and if we as a State and if the man on the second floor can't find the money to make the inspections twice, but he can find the money for that great Taj Mahal, glass relic in the City of Chicago, I...it's...it's a shame. It is really a shame. I think this bill should...these amendments should be rejected and we should get it back to its original form because I think it's the worst thing in the...in...in this State to have...a facility only inspected once when we got abuse going on.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Smith.

SENATOR SMITH:

Thank you, Mr. President and members of the Senate. If I may be permitted, I feel that the Senate should nonconcur.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Smith moves to nonconcur in House Amendment No. 1 to Senate Bill 984. Those in favor will vote Aye. Those opposed vote Nay. The...I'm sorry, those in favor say...Aye.

Opposed say Nay. The motion carries and the Secretary shall so inform the House. I think they ought to visit me. Senate Bill 992, Senator Barkhausen.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 992 with House Amendments Nod. 1, 2 and 3.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, I move that we concur in House Amendments 1, 2 and 3 to Senate Bill 992 creating the Illinois Uniform Transfers to Minors Act in making certain changes in the old Uniform Gifts to Minors Act. There are three amendments to the bill, all of which are recommended by the authors of this Act, the National Commission on Uniform State Laws. The Amendment No. 1 specifically allows for a transfer of an interest in a...in a land trust. Amendment No. 2 delays the effective to July 1 of '86 and Amendment 3 increases the amount that can be transferred by a so-called obligor to a beneficiary under the Transfers to Minors Act without the creation of a...a guardianship. I move the adoption of these three amendments...I should say I move for a concurrence with these three amendments. Thank you.

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 992. 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 57, the Nays are 1, none voting Present. The Senate does concur in House Amendments No. 1, 2 and 3 to Senate Bill 992 and the bill having received the required constitutional majority is declared passed. Senate Bill 997, Senator Collins.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 997 with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

Yes, thank you, Mr. President and members of the Senate. I move to concur with House Amendment No. 1. House Amendment No. 1 is to accommodate the Cook County Election Board who felt that the certification process on the absentee voting for students bill that we passed out of here was...would be too costly, and I agreed to accept the amendment to take that certified mail provision out of the bill and, therefore, I move to concur with Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator...is there discussion? If not, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 997. 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 57, the Nays are none, none voting Present. The Senate does concur in House Amendment No. 1 to Senate Bill 997 and the bill having received the required constitutional majority is declared passed. Senate Bill 1004, Senator Joyce. Senate Bill 1014, Senator D'Arco.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1014 with House Amendment 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. The House Amendment No. 1 permits a grace period of up to thirty days before aid to the aged. Blind and disabled is suspended when a person is institutionalized and the aid to family with dependent children is exempt from such suspension. The benefits will be restored after discharge or release. There is nothing objectionable in this amendment and I would ask that we concur in Amendment

No. 1 to Senate Bill 1014.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 1014. 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 57, the Nays are none, none voting Present. The Senate does concur in House Amendment No. 1 to Senate Bill 1014 and the bill having received the required constitutional majority is declared passed. Senate Bill 1029, Senator Lemke.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1029 with House Amendments Mod. 1 and 2.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

What these amendments does is...is revise the exemption provision as to building materials used in enterprise zones. It clarifies the section numbers. When the bill left the House, there was no limitation that the materials had to be used in the limit...in the enterprise zone. What this bill does now is limits the use of these materials in an enterprise zone. I think it's a good amendment. I ask for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall the Senate concur in House Amendment No. 1 and 2 to Senate Bill 1029. 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 52, the Nays...53, the Nays are 3, none voting Present. The Senate does concur in House Amendments 1 and 2 to Senate Bill 1029 and the bill having received the required constitutional majority is declared passed. Senate Bill 1041, Senator Karpel.

SECRETARY:

Senate Bill 1041 with House Amendment 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Karpel.

SENATOR KARPIEL:

Thank you, Mr. President. Amendment No. 1 to Senate Bill 1041 simply takes out college districts and the State Board of Education and school districts and community colleges from the bill. The bill dealt with the Comptroller coming up with some standardized forms for reporting for units of local government to use if they choose, and the reason these school districts all want to be out is because they have their own forms.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 1041. 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 58, the Nays are none, none voting Present. The Senate does concur in House Amendment No. 1 to Senate Bill 1041 and the bill having received the required constitutional majority is declared passed. House Bill 1047, Senator Smith.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1047 with Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Smith.

SENATOR SMITH:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I wish that the Senate to concur with the amendment for Senate Bill 1047. House Bill No. 1 to Senate Bill 1047 merely requires the Department on Aging to develop a training program to train already employed counselors, to provide Medicare beneficiaries with counseling, it requires the

department to report back to the General Assembly. This amendment removes all reference to the Department of Insurance. The bill passed out of the Senate on the Agreed Bill List and out of the House on the Consent Calendar. I move that we concur with Amendment 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. Senator Smith, I have a surprise for you, I'm going to support this bill. I think it's a heck of a good idea. There...there are a lot of...of aged people out there who have Medicare claims and it's a terribly complicated thing for them to try to find out how to file the claims and...and handle all that paper work, and I think this is a good idea and I'm going to support it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schaffer.

SENATOR SCHUNEMAN:

Urge others to do the same.

SENATOR SCHAFFER:

I just wanted to ask for a verification.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Watson.

SENATOR WATSON:

Well, thank you, Mr. President. I don't know, but in my area this is being done by the community action service groups. I mean, they already have people, advocates going out trying to help these in regard to social security, Medicare claims, whatever. They're...they're already providing this, so...but this could be a...a duplication of services and I'd like to ask the Senator if she's aware of...of the service already being provided.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Smith.

SENATOR SMITH:

Senator Watson, there are a lot of communities doing a lot of things, but we want to put this on the State basis, the State level through the Department of Aging that represents the State of Illinois, and I think that if they set the precedents, it will enhance whatever small communities are doing in any part of the State of Illinois.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Watson.

SENATOR WATSON:

This isn't an effort of the small communities, this is the community action groups that...in our particular area, we have the Kaskaskia Community Action Group, we've got several different ones who represent our particular area who have advocates who go into the various counties and do nothing but make themselves available to provide the services I think you're wanting to provide here. This is a duplication of governmental services that I don't think is necessarily a good idea.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

I think this is something we as a State must do since the Federal Government now has stopped doing it. We used to allow this to happen under the...the Equal...Man's Equal Rights to Justice Act used to file claims and social security and so forth, they used to fund these...these community action groups. That money was taken out of the budget by our President and by our Congress. Now, we have to do this as a State to get our money from the...the Federal Government. This is what this bill is going to do is allow us to get our fair share of the Federal dollar that's left. They took away the people's legal counsel. These community action groups can't do it, they're not trained to do it and I think we have

to set up a program to help these people file these claims.

I think this is a good amendment. I ask for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch.

END OF REEL

REEL #5

SENATOR NETSCH:

...thank you. To, Senator Watson, I would just point out that this does not mandate that it be done by the department. What it mandates is that they look into the feasibility of how it can be done, and if, indeed, it is being done appropriately by the community action agencies in some areas, it seems to me that that will take care of it. There's...they're not going to set up a duplicative service, they are simply going to make sure that it...the...the service is covered everywhere, and that I think is very different.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 1047. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who...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 1047 and the bill having received the required constitutional majority is declared passed. Senate Bill 1051, Senator Watson.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1051 with House Amendments Nod. 1 and 2.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Watson.

SENATOR WATSON:

Yes, sir. Thank you, Mr. President. The original legislation that passed out of here simply said that if the Department of Mental Health was to discharge a young individual from a mental health facility, that the school in that

particular individual's school district had to be notified and that the superintendent had a right to object. Well, the House took that objection right away from the superintendent and I concur with that, that's House Amendment No. 1. House Amendment No. 2 simply permits the...the Department of Mental Health and Developmental Disabilities to implement the day training program. It permits the use of mental health funds to pay for local community providers. The...the appropriation is amended into the budget. Senator Carroll did this, I believe, yesterday with the so-called Zoro amendment and this amendment also empowers the Department of Mental Health and...Developmental Disabilities to set quality assurance standards. This particular amendment is signed off by the Association of Retarded Citizens of Illinois, the Illinois Association of Rehabilitation Facilities, the Human Service Providers for Black Residents of Illinois, the Illinois Association of Community Mental Health Agencies. I at this time know of no objections. I concur in both amendments and ask for favorable roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Smith. If not, the question is, shall the Senate concur in House Amendments No. 1 and 2 to Senate Bill 1051. 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 2, none voting Present. The Senate does concur in House Amendments No. 1 and 2 to Senate Bill 1051 and the bill having received the required constitutional majority is declared passed. Senate Bill 1053, Senator Maitland.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1053 with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President, Ladies and Gentlemen of the Senate. House Amendment No. 1 to Senate Bill 1053 merely is clarifying language, it adds the word, "knowingly," and 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 1053. 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 57, the Nays are none, none voting Present. The Senate does concur in House Amendment No. 1 to Senate Bill 1053 and the bill having received the required constitutional majority is declared passed. Senate Bill 1064, Senator Luft.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1064 with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. I would move to concur in House Amendment No. 1 to Senate Bill 1064. House Amendment No. 1 states that where a collective bargaining agreement between an employer and a labor organization contains a successor clause, such clause shall be binding upon the...upon and enforceable against any successor employer who succeeds to the contracting employee's business until the expiration date of the agreement therein stated. No such successor clause shall be binding upon or enforceable against any successor employer for more than three years from the effective date of the collective bargaining agreement between the contracting employer and the labor organization.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Keats.

SENATOR KEATS:

Thank you, Mr. President. This bill originally passed 59 to nothing but the House amendment has dramatically changed it, and I just want to make sure I wake everyone up, this is not another 59 to nothing bill. Senator Luft has been very candid and very honest in explaining what this House amendment does. It sets up an almost unenforceable policy in terms of someone buying a new company, what happens in terms of the collective bargaining agreements. I would certainly solicit a No vote because when you're buying a company, you need a certain amount of flexibility to deal with internal problems, staffing problems or whatever, and I just don't think you can constantly tie the hands of the management of that particular company. This is a collective bargaining issue, it is not a legislative issue and I'd appreciate a No vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. I am really confused by this amendment. If a successor clause is legal, this bill is not necessary. If it's not enforceable, then what you're going to do is create bankruptcies and receiverships because that would be the consequence of having to do something that would make it unenforceable or that would destroy the successor clause. I cannot understand this amendment at all, but I only perceive two bad consequences from it if it is that necessary.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

Yeah, I...I really should ask the question. Why is this necessary?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Luft.

SENATOR LUFT:

Well, to be perfectly honest with you, Senator, I'm not sure I know except I think we're trying to codify a problem that apparently exists in the employer-employee relationship, and I'm not so sure that the new language in Section 2 that provides for a fine is not something new either. Apparently, the people...Representative Saltsman and Bullock in the House thought this was important and I have tried to do my job.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

I would strongly urge that we defeat this amendment...it has some sinister implications that are totally...which we are...unable to understand at this time. I would not be very comfortable voting for this.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hudson.

SENATOR HUDSON:

Thank you, Mr. President, members of the Senate. I can only echo what the former Senators have said. I remember when this bill was debated in committee and, of course, it was a completely different bill. It was a fairly harmless bill, maybe even a good bill as it went over to the House and what I suspect has happened here is that somebody has found a...found this as a vehicle and has attached an entirely different bill to this...to this measure, which of course changes the ball game entirely, and it is every bit as bad as the previous speakers have described and...and I sincerely would recommend a...a No vote on concurrence in this measure.

PRESIDING OFFICER: (SENATOR SAVICKAS)

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

SENATOR LUFT:

Thank you, Mr. President. It is obvious there is a problem in this State with this situation and this amendment tries to address that situation. I would simply ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 1064. 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 28, the Nays are 28, 1 voting Present. The Senate fails to concur in House Amendment No. 1 to Senate Bill 1064 and the Secretary shall so inform the House. (Machine cutoff)...Bill 1084, Senator Dawson.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1084 with House Amendment 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Dawson.

SENATOR DAWSON:

Mr. President and Ladies and Gentlemen of the Senate, I wish to concur with House Amendment No. 1 to Senate Bill...House Bill 1084. Provides that the Department of Public Aid shall define by rule those services considered exceptional medical care. The amendment allows DPA to establish the criteria problem which the payment of exceptional medical care shall be based. Ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is...is there discussion? If not, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 1084. 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. Amendment...the Senate does concur in House Amendment No. 1 to Senate Bill 1084 and the

bill having received the required constitutional majority is declared passed. Senate Bill 1090, Senator Macdonald.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1090 with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Macdonald.

SENATOR MACDONALD:

I move to concur in House Amendment No. 1. The amendment becomes the bill. It removes conflicting language from the code to provide that community college elections are conducted by election authorities and not by community college districts. At the time of the election consolidation, the Public Community College Act was amended to provide that their elections were to be conducted by county clerks and boards of election commission. However, through an oversight, the language in the Election Code was never amended to reflect that fact. The council for Rock Valley Community College is eager to correct the code so as to remove any question concerning such election. So, I move to concur in this 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 1090. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. The Senate does concur in House Amendment No. 1 to Senate Bill 1090 and the bill having received the required constitutional majority is declared passed. Senate Bill 1091, Senator Dawson.

ACTING SECRETARY: (MR. FERNANDES)

1091 with House Amendments Nod. 1 and 2.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Dawson.

SENATOR DAWSON:

Mr. President, Ladies and Gentlemen of the Senate, I wish to not concur with the amendment and I'd like to also change the sponsorship of 1091 to read Lechowicz-Zito.

PRESIDING OFFICER: (SENATOR SAVICKAS)

There's...there's been a...motion by Senator Dawson to change sponsorship of Senate Bill 1091 to Senator Lechowicz-Zito. Is there any objection? Hearing no objection, leave is granted. Senator Jones.

SENATOR JONES:

Mr. President, the sponsor of the bill made two motions into one and our...and you didn't deal with the first motion...the first part of that motion. Will you kindly deal with the first part of that motion first?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator, there was no request in the order. The best order to take it is...is to change the sponsorship and have the new sponsors handle...handle the discussion. Senator Jones.

SENATOR JONES:

I object.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Hearing only one objection, the motion carries. Senator Rupp.

SENATOR RUPP:

I also object. I think that the main sponsor isn't on the Floor. I'd like to have this bill postponed, pushed off, whatever.

PRESIDING OFFICER: (SENATOR SAVICKAS)

...for what purpose Senator Zito arise?

SENATOR ZITO:

Well, thank you, Mr. President. It's...it's a standard courtesy around here, it's been done before when a sponsor gets up and requests that another member of this Body has to

take over sponsorship, it's been done and I would suggest that we continue with the business.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Jones.

SENATOR JONES:

Yeah, thank you, Mr. President. I'm very surprised at the distinguished Senator Zito start talk about precedents. I wish you would...I wish you would continue that role when you deal with other matters as it relate to sponsors on this Senate Floor. The rules of this Body and precedent is set for all members, not a select few. Now, I asked you, Mr. President, the...the sponsor of the bill made two motions, made...made a motion, he said he moved that the Senate not concur in the House Amendments No. 1 and 2 and change the sponsorship of the bill. I ask you, Mr. President, as...since he was the sponsor of the bill and that was the motion that he...he made, we must deal with House Amendment No. 1 and 2...

PRESIDING OFFICER: (SENATOR SAVICKAS)

...Senator, I...I...I think the easiest way would be have the sponsor restate his motions the way he wishes them. Senator...we're on the Order of Concurrence on Senate Bill 1091. Senator Dawson is recognized.

SENATOR DAWSON:

Mr. President and Ladies and Gentlemen of the Senate, I'd like to have the sponsorship changed to Senator Lechowicz and Zito and remove my name.

PRESIDING OFFICER: (SENATOR SAVICKAS)

There is a...Senator Dawson has requested to have his name removed as chief sponsor of Senate Bill 1091 and be replaced by Senator Lechowicz-Zito. Is there objection? There is objection. On that motion...Senator Zito...Senator Lechowicz.

SENATOR ZITO:

Defer to Senator Lechowicz.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lechowicz...Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. I believe Senator Dawson wants to move and place that matter before the Body that the sponsorship of Senate Bill 1091 be transferred from Senator Dawson to myself and that would require thirty votes.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Well, Senator Lechowicz has made that motion...or Senator Dawson has made that motion, that motion is in order...a motion is in order. Senator Dawson has made a motion to...Senator Dawson, would you restate your motion?

SENATOR DAWSON:

Mr. President and Ladies and Gentlemen of the Senate, I'd like to make a motion that the sponsorship of 1091 be changed to Lechowicz-Zito, because this bill may end up being a mandatory insurance bill, so everybody knows what we're doing.

PRESIDING OFFICER: (SENATOR SAVICKAS)

So on that motion, evidently, the Ayes and the Nays, there is a problem on determining the exact count. We will have a vote. All those...all those favor of adopting the motion of Senator Dawson's will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On Senator Dawson's motion, there are 36 Ayes, 14 Nays and 1 Present. That motion is...adopted. It carries. Senator Lechowicz...Zito will be recorded as the chief sponsor of Senate Bill 1091, and on that motion and on that order of business, Senator Lechowicz. Senator Rupp.

SENATOR RUPP:

Make a motion that we adjourn.

PRESIDING OFFICER: (SENATOR SAVICKAS)

That motion is in order and it is not debatable and it will require an affirmative vote of a majority of those voting. Have all...Mr. Secretary, those in favor of adjourning will vote Aye. Those opposed will vote Nay. State your point, it's not debatable. State your point.

SENATOR ZITO:

...order.

PRESIDING OFFICER: (SENATOR SAVICKAS)

State your point.

SENATOR ZITO:

Mr. President, we were on a second motion to take a vote on 1091 as to whether the sponsor wanted to concur or nonconcur, and I would suggest that the Chair finishes that order of business and then moves to the order of adjourning.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Zito, the motion to adjourn is always in order and it's not debatable. Senator Carroll, for what purpose do you arise?

SENATOR CARROLL:

On a point of order, Mr. President.

PRESIDING OFFICER: (SENATOR SAVICKAS)

State your point.

SENATOR CARROLL:

If, in fact, the motion had been made to nonconcur, any other motion during that time would be out of order until that issue had been resolved. If, in fact, that motion had been made and if the Chair would recognize that motion, no other motion is in order until that has been resolved.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator, the Chair had asked Senator Dawson three times to restate his motion. His motion was to change the sponsorship. There was no roll call in...in progress, so the motion to adjourn is in order. On that question, all those in favor of adjourning will vote Aye. Those opposed will vote Nay.

The voting is open. The motion to adjourn...on that question, the Ayes are 13, the Nays are 34, none voting Present. The motion fails. On the Order of Senate Bills Concurrence Secretary's Desk, Senate Bill 1091, Senator Lechowicz.

SENATOR LECHOWICZ:

I move that the House nonconcur in amendments...I move that the Senate not concur in House Amendments 1 and 2 on Senate Bill 1091.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Jones.

SENATOR JONES:

I think the Body is owed an explanation...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Jones.

SENATOR JONES:

Mr. President, I think the Body is owed...owed a explanation on House Amendment No. 1 and 2. As I read the synopsis of those amendments, I think they are very, very good amendments. I see no reason why we should not concur in House Amendments No. 1 and 2. So perhaps the sponsor of the...of the motion will state to this Body as to why House Amendment No. 1 and 2 are not good amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lechowicz.

SENATOR LECHOWICZ:

Well, as a matter of courtesy, I'd be more than happy to explain...House Amendments No. 1 and 2 on 1091; but as a matter of fact, that is not necessary when the motion is made to nonconcur and ask for a Conference Committee to be established. Amendment No. 1 to Senate Bill 1091...inserted the word "court order" on line 17 of Section 7-309 and Amendment No. 2 inserted the word "where" and, again, by court order on Section 2 on line...page 23 and also on line 19 under Section 7-309, and I move...we nonconcur in Amendments 1 and 2.

PRESIDING OFFICER: (SENATOR SAVICKAS)

...is there further discussion? Senator Rupp.

SENATOR RUPP:

(Machine cutoff)...you, Mr. President. I would request a roll call on the nonconcurrency.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Roll call has been requested. Senator Collins on discussion.

SENATOR COLLINS:

Yes, thank you, Mr. President and members of the Senate. There's a little game being played here and I think everybody know what's going on, but I think it's a very sneaky way for any member of this Body to get a piece of legislation on that is...in a Conference Committee because of the controversial nature of that piece of legislation, and it was not brought before this full Body at...of which I would have had an opportunity to amend and that is the mandatory insurance provisions and that's what this...why the nonconcurrency is taking place so that this bill can be gutted and used as the vehicle for mandatory insurance. It would not provide an opportunity for me and...and the rest of us who are concerned about...regulatory rates of the insurance industry, so that there could be fair and equitable distributions of those rates, would not have an opportunity to address that issue, and, for that reason, I would ask that we...that we concur.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senators, we have now six Senators...five Senators that seek recognition on this amendment and on the motion to nonconcur. Previous question has been moved by Senator Davidson. We have four Senators, we have Senator Hall, Lenke, Demuzio, Zito, he popped in again and Senator Jones. Senator Hall.

SENATOR HALL:

Well, Mr. President and Ladies and Gentlemen of the

Senate, I...I guess I've been asleep sitting here, I didn't dream that such as this. Now I'm vehemently opposed to this mandatory insurance.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator, we are on the amendment...

SENATOR HALL:

...what...what are we on?

PRESIDING OFFICER: (SENATOR SAVICKAS)

...it is not mandatory insurance.

SENATOR HALL:

...but if...if...if such a game is being played, I'm...I mean, I thought that...what time are we suppose to adjourn? Six o'clock? Maybe we better filibuster till then.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

I'm not on there.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Your light is on, Senator. Senator Denuzio.

SENATOR DENUZIO:

Well, thank you, Mr. President. I...I fully understand what the ramifications of where we are at this moment. It seems to me in my experience, that we have always have allowed and afforded the opportunity of the sponsor to have control over his bill. This is still within the sponsor's purview, he has asked for a nonconcurrency, and I don't know of any other period of time in recent history that we have not allowed the sponsor to...to...to do as he wishes with his bill. If it comes back in the form in which no one wants it, then we'll have to defeat it then. But if someone could...refresh my memory, I don't ever remember us getting ourselves into this predicament.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Zito.

SENATOR ZITO:

Thank you, Mr. President and members. Let me...for Senator Collins' edification and Senator Jones and Senator Hall and Senator Rupp and anybody else that's opposed to this measure, we did not try to camouflage this issue at all. Senator Dawson stated when he was transferring sponsorship that this may be, in fact, the mandatory auto insurance. I am stating it now if it was not clear and understood prior to that and if it's a game, I don't like the terminology game; unfortunately or fortunately, depending on your perspective, that in fact is the rules and the procedures by which we adopt, pass up or down legislation. Our hopes is that this will go to a Conference Committee report and we'll see what happens. One way or another, we're going to vote on it again, and I would like to see it...on 1091 go to a Conference Committee report and give this Body an opportunity to vote on the issue. We are not trying to camouflage the issue at all.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Jones.

SENATOR JONES:

Yes, thank you, Mr. President and members of the Senate. When the sponsor moved to nonconcur and I asked him specifically why, he did not indicate that he wanted to use this bill as a vehicle. Now, as I look at the House amendments to Senate Bill 1091, those House amendments are okay, and I warn you guys on this side of the aisle in particular to quit playing games. You tried to do it yesterday with Senator Collins and you had...had a little victory but that's...truth of that victory going to turn around and be ashes in each one of your mouths. Now, this piece of legislation, if the sponsor want to use it for mandatory insurance, we dealt with that issue in committee, we dealt with it on the Senate Floor, both of these amendments on this bill is okay and I

would ask that this Body do not heed to the wishes of the sponsor that we...we not concur and vote No on the concurrence motion.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lechowicz.

SENATOR LECHOWICZ:

Well, thank you, Mr. President and Ladies and Gentlemen of the Senate. So there is no question, I personally believe that this is part of the legislative process. Each and every one of you realize the fact that you have an opportunity not only to introduce legislation but to offer by...an amendment on 2nd reading and also to a Conference Committee report, and there are so many different matters that will be addressed the next few days of the General Assembly in Conference Committee that have been matters that we have discussed once again before. If you recall, last year in a Conference Committee, we seen the same proposal five different times. So it's nothing new, it's nothing shocking, there's nothing wrong with it. It's the...for the Body to decide and I would hope that the Body would concur with me and that we not...do not adopt Amendments No. 1 and 2, and that Conference Committee be reported on 1091. It's my intent to hope we bring this matter up before this Body once again as far as...mandatory automobile insurance and maybe some other matters who haven't been addressed and with other legislation, and for that reason, I'm asking for a Conference Committee to be adopted at this time. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR SAVICKAS)

There has been a request for a roll call vote on the motion to nonconcur on House Amendment No. 1 and 2 to Senate Bill 1091. On that motion to nonconcur, those in favor will vote Aye. Those opposed will vote Nay. The voting is open. The motion to nonconcur...have all voted who wish? Have all voted who wish? Take the record. On that question, on the

motion to nonconcur, there are 30 Yeas, 23 Nays and none voting Present. The motion carries and the Secretary shall so inform the House.

PRESIDENT:

If I can have your attention, it's my pleasure to introduce a former colleague and old friend, the Honorable Harold Washington, the Mayor of Chicago. Please welcome him.

MAYOR WASHINGTON:

(Remarks given by Mayor Washington)

PRESIDING OFFICER: (SENATOR SAVICKAS)

For what purpose Senator Rock arise?

SENATOR ROCK:

Thank you, Mr. President. As earlier indicated, I think the time to adjourn has arrived. We will commence again at nine o'clock tomorrow morning and begin again on the Calendar on the Order of Concurrence. In the meantime, I have placed a motion in writing with the Secretary to recommit the bills on the Calendar rather than to incur the printing cost on a daily basis to...motion is to recommit the bills on 3rd reading and consideration postponed back...with the exception of the revisory bill, I'm sorry, I forgot about that one, with the exception of the revisory bill which by leave of this Body was to be held over till October, to recommit the others to the committees from which they came, and then I will be prepared to make a motion to adjourn until nine o'clock tomorrow morning. I'd like to announce for the Democratic members, there's going to be a brief meeting in Room 212 immediately after adjournment for those who are interested in the update on the education reform and funding proposals.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Mr. Secretary, read the motion.

SECRETARY:

Motion in writing. I move to recommit all House bills

except House Bill 2525 currently remaining on the Order of 3rd Reading or Consideration Postponed to the committees from which they were originally assigned. Signed, Senator Rock.

PRESIDING OFFICER: (SENATOR SAVICKAS)

You've heard the motion. Is there discussion? If not, those in favor indicate by saying Aye. Those opposed. The Ayes have it. The motion carries. For what purpose Senator Dudycz arise?

SENATOR DUDYCZ:

Thank you, Mr. President. I ask leave of the Body to be added with permission of the chief sponsor as a hyphenated cosponsor of Senate Bill 1091.

PRESIDING OFFICER: (SENATOR SAVICKAS)

You've heard the motion, is there objection? Hearing no objection, leave is granted. If there is no further business to come before the Senate, the Senate will stand adjourned until tomorrow morning, nine o'clock.