

94TH GENERAL ASSEMBLY

REGULAR SESSION

October 30, 1985

PRESIDENT:

The hour of eleven having arrived, the Senate will come to order. Members be at their desks, will our guests in the gallery please rise. Prayer this morning by the Reverend Anthony Tzortzis, St. Anthony's Hellenic Orthodox Church, Springfield, Illinois. Father.

REVEREND TZORTZIS:

(Prayer given by Reverend Tzortzis)

PRESIDENT:

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

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. I move that reading and approval of the Journals of Thursday, October 17th and Tuesday, October 23th, in the year 1985, be postponed pending arrival of the printed Journals.

PRESIDENT:

Heard the motion as placed by Senator Vadalabene. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and it's so ordered. Messages from the House.

SECRETARY:

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

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

House Joint Resolutions 107, 108 and 109, all congratulatory.

PRESIDENT:

Consent Calendar. Resolutions, Mr. Secretary.

SECRETARY:

Senate Resolution 539 offered by Senator Zito, it's congratulatory.

*9922 C.A.
2nd Reading*

540, by Senator Lemke, congratulatory.

541, 42 and 43 from Senator Kelly, congratulatory.

And 544 from Senator Demuzio and it's congratulatory.

PRESIDENT:

Consent Calendar. Introduction of bills.

SECRETARY:

Senate Bill 1487 introduced by Senator Vadalabene.

(Secretary reads title of bill)

1st reading of the bill.

PRESIDENT:

Rules Committee. Senate will come to order. Resolutions, Mr. Secretary.

SECRETARY:

Senate Resolution...or 545 offered by Senator Lechowicz and all Senators...is congratulatory.

Senate Resolution 546 offered by Senator Newhouse and all Senators, and it's a death resolution.

PRESIDENT:

Consent Calendar. All right. With leave of the Body, we'll turn to page 2 on the Calendar. Senators Friedland and Davidson and Sangmeister have requested that the Constitutional Amendments be read a second time. On the Order of Constitutional Amendments 2nd Reading, page 2 on the Calendar, Senate Joint Resolution 4. Mr. Secretary.

SECRETARY:

Senate Joint Resolution 4 Constitutional Amendment.

(Secretary reads SJR 4 CA)

PRESIDENT:

(Machine cutoff)...Davidson, you wish to proceed on...yes. On the Order of Constitutional Amendments 2nd Reading, Senate Joint Resolution 22 as amended. Mr. Secretary, read the resolution.

SECRETARY:

Senate Joint Resolution 22 Constitutional Amendment.

(Secretary reads SJR 22 CA)

2nd reading of Constitutional Amendment Senate Joint Resolution 22.

PRESIDENT:

3rd reading, Mr. Secretary. All right. With leave of the Body, we'll turn to page 11 on the Calendar, page 11. In order to ease into the day, we will begin with motions to accept the specific recommendations of the Governor. The middle of page 11. Motion in writing on House Bill 26, Mr. Secretary.

SECRETARY:

I move to accept the specific recommendations of the Governor as to House Bill 26 in manner and form as follows. Signed, Senator Berman.

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. House Bill 26, the amendatory veto was a minor technical one from the words "committee on" to "office of." That's the only change in the bill. I move the adoption...or acceptance of the amendatory veto.

PRESIDENT:

Is there any discussion? Any discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to House Bill 26 in the manner and form just stated by Senator Berman. 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, there are 57 Ayes, no Nays, none voting Present. The specific recommendations of the Governor as to House Bill 26 having received the required constitutional majority vote of Senators elected are declared accepted. Motion in writing on House Bill 47. Mr. Secretary.

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Spec. Recommendation
of the
10/29/85

SECRETARY:

I move to accept the specific recommendations of the Governor as to House Bill 47 in the manner and form as follows. Signed, Senator Zito.

PRESIDENT:

Senator Zito.

SENATOR ZITO:

Yes, thank you, Mr. President and members. I...I do make that motion. The Amendatory Veto Message by the Governor made some technical changes which do not have an impact on the substance of the bill and would ask that we adopt the Governor's recommendation for change.

PRESIDENT:

Any discussion? Is there any discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to House Bill 47 in the manner and form just stated by Senator Zito. 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, there are 57 Ayes, no Nays, none voting Present. The specific recommendations of the Governor as to House Bill 47 having received the required constitutional majority vote of Senators elected are declared accepted. Motion in writing on House Bill 60. Mr. Secretary.

SECRETARY:

I move to accept the specific recommendations of the Governor as to House Bill 60 in the manner and form as follows. Signed, Senator Vadalabene.

PRESIDENT:P

Senator Vadalabene.

SENATOR VADALABENE:

Yes, Mr. President and members of the Senate, I move to accept the...specific amendments to the...to the bill.

PRESIDENT:

Any discussion? Is there any discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to House Bill 60 in the manner and form just stated by Senator Vadalabene. 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, there are 57 Ayes, no Nays, none voting Present. The specific recommendations of the Governor as to House Bill 60 having received the required constitutional majority vote of Senators elected are declared accepted. (Machine cutoff)...Poshard on 72. There a motion in writing, bottom of page 11 on the Calendar. Motion in writing on House Bill 72, Mr. Secretary.

SECRETARY:

I move to accept the specific recommendations of the Governor as to House Bill 72 in the manner and form as follows. Signed, Senator Poshard.

PRESIDENT:

Senator Poshard.

SENATOR POSHARD:

Thank you, Mr. President. The Governor's recommendations merely correct technical errors in the bill, and I move to accept them.

PRESIDENT:

Any discussion? Is there any discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to House Bill 72 in the manner and form just stated by Senator Poshard. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. The specific recommendations of the Governor as to House Bill 72 having received the

required constitutional majority vote of Senators elected are declared accepted. 142, Senator Bloom...142, Senator Netsch. Top of page 12, on the Order of Motions in Writing to Accept the Specific Recommendations for Change, a motion in writing on House Bill 142. Mr. Secretary.

SECRETARY:

I move to accept the specific recommendations of the Governor as to House Bill 142 in the manner and form as follows. Signed, Senator Netsch.

PRESIDENT:

Senator Netsch.

SENATOR NETSCH:

Thank you, very much. This is the bill that authorized a...and reauthorized a program of grants to public radio and television stations. This is the basic enabling Statute. There were two changes which were recommended by the Governor; one deleted the qualifying requirement that the station had been operating for two full years, and this was done specifically to permit a newly formed public station to...to be able to qualify, which we all agreed was a very good idea because...we are encouraging all of them. The second was a technical change that removed the language "annual operating income" and substituted "actual operating costs" to make clear the formula on the basis of which the grants were to be distributed. We...all the sponsors agree with these changes; in fact, we recommended one of them and I would therefore renew the motion that we accept the Governor's specific recommendations for change.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall the Senate accept the specific recommendations for change as to the Governor as to Senate...House Bill 142 in the manner and form just stated by Senator Netsch. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all

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Motions

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 specific recommendations of the Governor as to House Bill 142 having received the required constitutional majority vote of Senators elected are declared accepted. Page 12...top of page 12, House Bill 142, Senator Netsch. All right. House Bill 231, Senator Lemke. Mr. Secretary.

SECRETARY:

I move to accept the specific recommendations of the Governor as to House Bill 231 in the manner and form as follows. Signed, Senator Lemke.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

I move to accept the Governor's amendatory veto as...in...specific recommendations. I believe the matter that he deleted out is covered in another bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to House Bill 231 in the manner and form just stated by Senator Lemke. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have...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 specific recommendations of the Governor as to House Bill 231 having received the required constitutional majority vote of Senators elected are declared accepted. 264, Senator Lemke. Mr. Secretary, House Bill 264.

SECRETARY:

I move to accept the specific recommendations of the Governor as to House Bill 264 in the manner and form as fol-

lows. Signed, Senator Lemke.

PRESIDING OFFICER: (SENATOR DENUZIO)

Senator Lemke.

SENATOR LEMKE:

I move to go along with the Governor on the amendatory veto. We'll have hearings on the other matter that's...I believe is still merely technical and we did something for the tenants. We failed to do something for the landlords, and since I have many little old ladies that have two flats and three flats that get knocked out of rent for six months and a year, I think the Tribune was completely out of line. They don't consider that and I think this is still merely a technical error that was made when we drafted the original proposal. And contrary to what the Governor says and contrary to what any newspaper says, it's merely a technical proposal and I think it's time that we start protecting landlords that own two flats and three flats and not just crying the need for people. It also will assist tenants to get flats and to have some place delayed and not be evicted on the street like they're commonly done. I think this is only right that we give some relief to these little old ladies and owners of...of property that live off this income and this is the only income they have to live off of and to protect them from the thieves that steal from them in their...in their apartments for six and nine months. So I'll go along with the veto and we'll have hearings and I will guarantee you we'll pass the bill.

PRESIDING OFFICER: (SENATOR DENUZIO)

Discussion? Discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to House Bill 264 in the manner and form just stated by Senator Lemke. 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?

*H. B. 344
Sen. Geo. Karis
Pres.*

Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. The specific recommendations of the Governor as to House Bill 264 having received the required constitutional majority vote of Senators elected are declared accepted. 335, Mr. Secretary.

SECRETARY:

I move to accept the specific recommendations of the Governor as to House Bill 335 in the manner and form as follows. Signed, Senator Maitland.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President. The...the Governor agreed with the...with the intent of House Bill 335 but felt that...that the information should be provided free of charge, and I concur with that...that recommendation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to House Bill 335 in the manner and form just stated by Senator Maitland. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. The specific recommendations of the Governor as to House Bill 335 having received the required...constitutional majority vote of Senators elected are declared accepted. House Bill 344, Mr. Secretary.

SECRETARY:

I move to accept the specific recommendations of the Governor as to House Bill 344 in the manner and form as follows. Signed, Senator Geo-Karis.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President, Ladies and Gentlemen of the Senate, I move to accept the...the amendatory veto of the Governor on this bill, because this bill will protect the...the....the amendatory veto still protects the municipality's right to object to the incorporation of parcels of land within a mile and a half of their border, and I move its adoption.'

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, because it was a provision of this bill that I had...had amended on to it during our Session last spring to seek to provide an opportunity for a small unincorporated community in...in my district to incorporate and to allow others in a similar situation the opportunity to incorporate without having adjacent municipalities object to such an incorporation, I have some misgivings about this motion and will oppose it; but because an override motion was defeated in the House, I don't see any..chance for success at this point, but I simply wanted to let the Body know my feelings on the matter since it was my amendment that the Governor amendatorily vetoed out of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Darrow.

SENATOR DARROW:

Thank you, Mr. President. I happened to be listening to WBBM last night when they had asked the Governor and there were some allegations made about this legislation and about the legislative process. I'd just like to state for those people who alleged that the General Assembly listens only to high-priced lobbyists, no one has lobbied me or a number of my colleagues on this legislation, neither pro or con, and evidently, it's a local issue and I think people are misinterpreting what we do down here and I wish that before

they make statements on the radio, they'd learn more about the legislative process. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Geo-Karis may close.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, this amendatory veto will prevent a lot of paper municipalities from coming to existence and it still protects the rights of the existing...municipalities to object if they have to that are within a mile and a half of their border which is the law now, and I...move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall the Senate accept the specific recommendations of the Governor as to House Bill 344 in the manner and form just stated by Senator Geo-Karis. 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 51, the Nays are 1, none voting Present. The specific recommendations of the Governor as to House Bill 344 having received the required constitutional majority vote of Senators elected are declared accepted. House Bill 431, Mr. Secretary.

SECRETARY:

I move to accept the specific recommendations of the Governor as to House Bill 431 in the manner and form as follows. Signed, Senator Maitland.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President, Ladies and Gentlemen of the Senate. The Governor supported the addition of...of two...two more individuals to the State Fair Advisory Board but had some concern about the second part of the

bill...dealt with DuPage County and the fair, and under his...his suggested change, they...they do suggest the agreements reached between the county board and the county fair board in that county, and I move to accept that specific change.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to House Bill 431 in the manner and form just stated by Senator Maitland. 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? Senator Savickas. Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. The specific recommendations of the Governor as to House Bill 431 having received the required constitutional majority vote of Senators elected are declared accepted. House Bill 489, Mr. Secretary. Senator Geo-Karis.

SECRETARY:

I...I move to accept the specific recommendations of the Governor as to House Bill 489 in the manner and form as follows. Signed, Senator Geo-Karis.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, I move the acceptance of the specific recommendations for change by the Governor in House Bill 489, because it's a technical clean-up bill and what the Governor did is clean it up even better, and...and I move for its passage.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to House Bill 489 in the manner and form just stated

by Senator Geo-Karis. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. The specific recommendations of the Governor as to House Bill 489 having received the required constitutional majority vote of Senators elected are declared accepted. 493, Mr. Secretary.

SECRETARY:

I move to accept the specific recommendations of the Governor as to House Bill 493 in the manner and form as follows. Signed, Senator Topinka.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka.

SENATOR TOPINKA:

Yes, Ladies and Gentlemen of the Senate, I would ask that we concur with the Governor on this, he made a good bill better. The original...bill amended the Hearing Aid Consumer Protection Act. What this does is basically clean it up. It adds a...an immediate effective date and it also puts the responsibility of hearing any problems that come up with the appropriate hearing officers that were designed for this purpose.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor in the manner and form just stated by...to House Bill 493 in the manner and form just stated by Senator Topinka. 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. House...the specific recommendations of the Governor as to House Bill 493 having received the required constitutional

majority vote of Senators elected are declared passed. 521,
Mr. Secretary.

SECRETARY:

I move to accept the specific recommendations of the
Governor as to House Bill 521 in the manner and form as fol-
lows. Signed, Senator Barkhausen.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, I move that we accept the
Governor's specific recommendations for change with regard to
House Bill 521. The Governor's changes bring the...the
exemption under State law for...from immunity or from...the
exemption from liability under antitrust law under State law
into conformance with that which Federal law provides in that
relief under Federal law is...is limited to injunctive
relief, that is preventing the...the activity which is com-
plained about...rather than allowing treble damage award
which becomes very expensive for units of local government
that...that may be targets for antitrust actions.
I...therefore recommend that we accept the Governor's spe-
cific recommendations for change.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Netsch.

SENATOR NETSCH:

I'm trying to refresh my recollection, Senator
Barkhausen. Was this applicable only to the Federal anti-
trust laws or was this specifically applicable to the State
antitrust law? Because the Federal has already been changed
to eliminate the treble damage penalty.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

This would...this would apply to State law.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

Just to clarify then, what we are doing is we are not changing the scope of liability or nonliability for the units of local government, what we are saying is that if one of them does transgress the State antitrust law and is found to have violated that injunctive relief will be the only remedy rather than treble damages. So that...in that respect, it will be very much like the current State and Federal law. Is that a reasonably accurate statement?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Yes, it is. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to House Bill 521 in the manner and form just stated by Senator Barkhausen. 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 specific recommendations of the Governor as to House Bill 521 having received the required constitutional majority vote of Senators elected are declared accepted. House Bill 576, Mr. Secretary.

SECRETARY:

I move to accept the specific recommendations of the Governor as to House Bill 576 in the manner and form as follows. Signed, Senator Lenke.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lenke.

SENATOR LEMKE:

Senator Lemke.

SENATOR LEMKE:

I go along with the Governor's recommendation, I make a recommendation we adopt it. The Governor put the...the...took out the words that the...you can have a disconnection of a township...for a multiple township assessment district, and it shall...and that should not be allowed if the remaining portion of the district will have fewer than a thousand population. I think it's a good...good recommendation, I go along with it. Ask for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to House Bill 576 in the manner and form just stated by Senator Lemke. 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 54, the Nays are none, none voting Present. The specific recommendations of the Governor as to House Bill 576 having received the required constitutional majority vote of Senators elected are declared accepted. 582, Mr. Secretary, House bill.

SECRETARY:

I move to accept the specific recommendations of the Governor as to House Bill 582 in the manner and form as follows. Signed, Senator Coffey.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Coffey.

SENATOR COFFEY:

Thank you, Mr. President and members of the Senate. I move to accept the specific recommendations of the Governor in regards to House Bill 582. 582...it concerns itself with corporate farming and the reporting requirements. The Governor made two changes to that. One, he felt that annual re-

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Mandatory Vote

porting requirements should only be necessary if property holders has acquired or...or divested itself of farm land during the preceding year and in that case no reporting would be necessary. The second part, he felt that annual requirements that the landowner speculate on the potential use of farm land was not necessary. With those two changes, the...the bill has been OK'd and we'd ask for favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to House Bill 582 in the manner and form just stated by Senator Coffey. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are none, none voting Present. The specific recommendations of the Governor as to House Bill 582 having received the required constitutional majority vote of Senators elected are declared accepted. House Bill 743, Mr. Secretary.

SECRETARY:

I move to accept the specific recommendations of the Governor as to House Bill 743 in the manner and form as follows. Signed, Senator Zito.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Zito.

SENATOR ZITO:

Thank you, Mr. President and members. The Governor's recommendation deleted language prohibiting the charge of a fee for noncriminal justice fingerprint checks. This is a bill that was introduced on behalf of the State police. They are in agreement with the Governor's recommendation and..I would so move.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to House Bill 743 in the manner and form just stated by Senator Zito. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, none voting Present. The specific recommendations of the Governor as to House Bill 743 having received the required constitutional majority vote of Senators elected are declared accepted. House Bill 891, Mr. Secretary.

SECRETARY:

I move to accept the specific recommendations of the Governor as to House Bill 891 in the manner and form as follows. Signed, Senator Rock.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 891 as introduced by myself and the Speaker provided for due process in the special education placement of students across the State. The Governor made a change with which I agree, namely, moving the effective date from next July as it was passed by this Body to January 1 on the premise that to do otherwise might jeopardize the receipt of Federal money under that public loft that we're all familiar with,...94-142. I agree with what the Governor did and I move that we accept that specific recommendation for change with respect to House Bill 891.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to House Bill 891 in the manner and form just stated by Senator Rock. Those in favor will vote Aye. Those opposed will vote

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May. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, none voting Present. The specific recommendations of the Governor as to House Bill 891 having received the required constitutional majority vote of Senators elected are declared accepted. House Bill 982, Mr. Secretary.

SECRETARY:

I move to accept the specific recommendations of the Governor as to House Bill...

PRESIDING OFFICER: (SENATOR DEMUZIO)

...Mr. Secretary...Mr. Secretary, take it out of the record. House Bill 1000, Senator Joyce. 1000. J.J. Joyce. All right. Mr. Secretary, House Bill 1000.

SECRETARY:

I move to accept the specific recommendations of the Governor to House...as to House Bill 1000 in the manner and form as follows. Signed, Senator Jerome Joyce.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEROME JOYCE:

Thank you, Mr. President. What this...what the amendatory veto did would...it amended the EPA Act to allow the less frequent drinking water samples from a community water supply system serving twenty-five to a thousand people. This was Senator Schuneman's amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to House Bill 1000 in the manner and form just stated by Senator Joyce. 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

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of the floor*

none, none voting Present. The specific recommendations of the Governor as to House Bill 1000 having received the required constitutional majority vote of Senators elected are declared passed...declared accepted. House Bill 1117, Mr. Secretary.

SECRETARY:

I move to accept the specific recommendations of the Governor as to House Bill 1117 in the manner and form as follows. Signed, Senator...Senator Berman.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Terrible handwriting. Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is the bill that encouraged multiyear contracts to be entered into between the labor organization's employees of the Chicago Board of Education and the Chicago Board with the concurrence of the school finance authority. The Governor's amendatory veto requires that the second year provisions of any contract be...be...be contingent upon receipt of...sufficient revenues in order to pay for the second year provisions. I agree with the recommendations of the Governor and move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to House Bill 1117 in the manner and form just stated by Senator Berman. 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, 2 voting Present. The specific recommendations of the Governor as to House Bill 1117 having received the required constitutional majority vote of Senators elected are declared passed. Top of page 13, House Bill 1212, Mr.

Secretary. Senator Lemke, you're up.

SECRETARY:

I move to accept the specific recommendations of the Governor as to House Bill 1212 in the manner and form as follows. Signed, Senator Lemke.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

What...I make...move to go along with the Governor on this proposal. What it does is deletes the proposed requirement that counties with population of fifty thousand rather than thirty-five thousand or more have a public defender. The current legislating breakdown in the Act is...is working well, and the proposed change appears to be unnecessary according to the Governor, and we'll go along with that and I ask for...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to House Bill 1212 in the manner and form just stated by Senator Lemke. 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 specific recommendations of the Governor as to House Bill 1212 having received the required constitutional majority vote of Senators elected are declared accepted. House Bill 1340, Mr. Secretary.

SECRETARY:

I move to accept the specific recommendations of the Governor as to House Bill 1340 in the manner and form as follows. Signed, Senator Rupp.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rupp.

SENATOR RUPP:

Thank you, Mr. President. There was an ambiguity that was created by the passage of Public Act 93-1260 which exempted all vehicles registered for a gross weight of eight thousand pounds or less from safety tests. What this bill does is just affirms that all tow trucks regardless of the registered weight are required to undergo safety tests, and it also emphasizes the change...emphasizes the fact that school buses, senior citizen transportation vehicles, medical transport vehicles regardless of registered weight...must also undergo safety tests. I move to accept the specific recommendations of the Governor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to House Bill 1340 in the manner and form just stated by Senator Rupp. 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 specific recommendations of the Governor as to House Bill 1340 having received the required constitutional majority vote of Senators elected are declared accepted. House Bill 1341, Mr. Secretary.

SECRETARY:

I move to accept the specific recommendations of the Governor as to House Bill 1341 in the manner and form as follows. Signed, Senator Rupp.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rupp.

SENATOR RUPP:

Thank you, Mr. President. The Governor has changed this bill to permit the hauling and moving and towing of vehicles that are improperly registered; in fact, the reason he said

it would probably adversely affect about ten thousand operators in Illinois. There is no objection to the change. It is a good change and I move that the specific recommendations of the Governor be accepted.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to House Bill 1341 in the manner and form just stated by Senator Rupp. 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 specific recommendations of the Governor as to House Bill 1341 having received the required constitutional majority vote of Senators elected are declared accepted. House Bill 1667. Senator D'Arco on the Floor? House Bill 1680, Senator Netsch. 1755, Senator Sangmeister. House Bill 1755, Mr. Secretary.

SECRETARY:

I move to accept the specific recommendations of the Governor as to House Bill 1755 in the manner and form as follows. Signed, Senator Sangmeister.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sangmeister.

SENATOR SANGMEISTER:

Thank you, Mr. President and members of the Senate. As you can see from the Calendar, there's an effective date on this of July 1st, 1987. The Governor wanted to move the effective date up one year, there's no problem with that. So I move that we accept the recommendations of the Governor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to House Bill 1755 in the manner and form just stated by Senator

Sangmeister. 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 specific recommendations of the Governor as to House Bill 1755 having received the required constitutional majority vote of Senators elected are declared accepted. 1814. Senator Bloom on the Floor? 1814. Senator Bloom on the Floor?...House Bill 1814, Senator Netsch. House Bill 1-8-1-4. Senator Netsch, for what purpose do you arise?

SENATOR NETSCH:

I think Senator Bloom would like to proceed with that motion. I had filed one also but he is the first name and I think you can get back to it at some point. I don't want to deny him that pleasure.

PRESIDING OFFICER: (SENATOR DEMUZIO)

We'll get back to it on Friday. House Bill 1924, Senator Watson. House Bill 1924, Mr. Secretary.

SECRETARY:

I move to accept the specific recommendations of the Governor as to House Bill 1924 in the manner and form as follows. Signed, Senator Watson.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. I do move to accept the Governor's action on House Bill 1924. The original legislation provided for exchange and purposes of various land parcels. It also provided for an enforcement mechanism to hold...certain sanitary districts liable for impediment in percolating waters under the service of its land, and it also decreased the size of the board of trustees for sanitary districts with municipalities from ninety thousand but less than

a hundred thousand from five to three. The Governor's objections...he struck entirely the...all provisions in regard to enforcement mechanisms for sanitary districts which impede percolating waters, he struck that entirely. He also said that any board which currently is five members can remain at five members and it's not mandatory that they reduce to three. He made...couple of technical changes and also made technical changes that allow the bill to track properly. I move for this adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to House Bill 1924 in the manner and form just stated by Senator Watson. 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 specific recommendations of the Governor as to House Bill 1924 having received the required constitutional majority vote of Senators elected are declared accepted. House Bill 1947, Mr. Secretary.

SECRETARY:

I move to accept the specific recommendations of the Governor as to House Bill 1947 in the manner and form as follows. Signed, Senator Hudson.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hudson.

SENATOR HUDSON:

Thank you, Mr. President. House Bill 1947 among other things addresses the jurisdiction of the restored medical determination's board to review and advise the director of...of Public Health on various activities of the department...department's activities. However, the Conference Committee omitted two existing exclusions. The Governor's

*HB 1969
Amendatory Veto*

amendatory veto picks up these two exclusions. The Department of Public Health...concurs in this as do the sponsors of House Bill 1947, and I do, therefore, move that we accept the Governor's specific recommendations for change.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to House Bill 1947 in the manner and form just stated by Senator Hudson. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. The specific recommendations of the Governor as to House Bill 1947 having received the required constitutional majority vote of Senators elected are declared accepted. House Bill 1969, Mr. Secretary.

SECRETARY:

I move to accept the specific recommendations of the Governor as to House Bill 1969 in the manner and form as follows. Signed, Senator Donahue.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Bill 1969 amendatory veto is purely technical in nature. It adds some clarifying language and I would move for the acceptance of the Governor's specific recommendations for change.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to House Bill 1969 in the manner and form just stated by Senator Donahue. 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 59, the Nays are none, none voting Present. The specific recommendations of the Governor as to House Bill 1969 having received the required constitutional majority vote of Senators elected are declared accepted. 2054, Mr. Secretary.

SECRETARY:

I move to accept the specific recommendations of the Governor as to House Bill 2054 in the manner and form as follows. Signed, Senator Welch.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President and members. House Bill 2054 provided that if the State agency fails to comply with the Forms Management Programs Act, a business or local government would be relieved of its obligation to respond to request for information or submit file forms to that agency until they complied with the Act. What the Governor did by his amendatory veto was add agricultural enterprises to the bill's requirement of business or local government being relieved from their obligations.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall the Senate...accept the specific recommendations of the Governor as to House Bill 2054 in the manner and form just stated by Senator Welch. 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 59, the Nays are none, none voting Present. The specific recommendations of the Governor as to House Bill 2054 having received the required constitutional majority vote of Senators elected are

declared accepted. 2132, Mr. Secretary, House bill.

SECRETARY:

I move to accept the specific recommendations of the Governor as to House Bill 2132 in the manner and form as follows. Signed, Senator Schaffer.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schaffer.

SENATOR SCHAFFER:

Mr. President and members of the Senate, the Governor in his amendatory veto changed this particular Act from a Class 3 felony to a Class 4 felony to avoid inconsistency in State law. I know of no objections and think it's a reasonable suggestion.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to House Bill 2132 in the manner and form just stated by Senator Schaffer. 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 specific recommendations of the Governor as to House Bill 2132 having received the required constitutional majority vote of Senators elected are declared accepted. House Bill 2226, Mr. Secretary.

SECRETARY:

I move to accept the specific recommendations of the Governor as to House Bill 2226 in the manner and form as follows. Signed, Senator Marovitz.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President, members of the Senate. This is the bill which deals with services to

hard-core youth dropout in the State of Illinois. The Governor...totally agrees with the proposition of the bill, but his amendatory action narrowed the eligibility requirements from sixteen to twenty-three as we originally passed the bill to sixteen to twenty-one, and the change makes it consistent with other drop-out programs in the State. I concur with that narrowing and by...and with the Governor's amendatory action and would move that we sustain the Governor's amendatory veto.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to House Bill 2226 in the manner and form just stated by Senator Marovitz. 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 59, the Nays are none, none voting Present. The specific recommendations of the Governor as to House Bill 2226 having received the required constitutional majority vote of Senators elected are declared accepted. 2418, Mr. Secretary.

SECRETARY:

I move to accept the specific recommendations of the Governor as to House Bill 2418 in the manner and form as follows. Signed, Senator Dunn.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dunn.

SENATOR DUNN:

Thank you, Mr. President. House Bill 2418 established the Industrial Coal Utilization Program under the...under the Coal Research and the Coal Development Board. Some changes were necessary the Governor thought to clean up the language that we had and...changes are technical, and I move that we accept the recommendations of the Governor.

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PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to House Bill 2418 in the manner and form just stated by Senator Dunn. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. The specific recommendations of the Governor as...as to House Bill 2418 as having received the required constitutional majority vote of Senators elected are declared accepted. With leave of the Body, Senator Netsch has made a request to go back and pick up 1680 before we leave this page. Is leave granted? Leave is granted. House Bill 1680, Mr. Secretary.

SECRETARY:

I move to accept the specific recommendations of the Governor as to House Bill 1680 in the manner and form as follows. Signed, Senator Netsch.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President and thank you for your courtesy in going back to the bill. This is the bill that was requested by the Illinois Press Association to clarify and in effect update the language that spells out the publication charges for publishing various aspects of the property tax the...quadrennial assessment and changes therein and so forth. There were two places in which it was not absolutely clear how those charges were to be done dealing with the preamble headings and other explanatory matter which is different from the actual listings of the property, and the amendatory veto makes it clear that those will be charged at the...newspaper's regular published rate for such advertis-

ing. That is all that the bill does. It makes those two clarifications. I would move that we do accept the Governor's recommended changes in House Bill 1690.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? Discussion? If not, the question is, shall the Senate...accept the specific recommendations of the Governor as to House Bill 1690 in the...in the manner and form as just stated by Senator Netsch. 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 specific recommendations of the Governor as to House Bill 1690 having received the required constitutional majority vote of Senators elected are declared accepted. Senator Bloom on the Floor? All right. We'll...go to page 14, motions in writing, override specific recommendations. We'll begin with House Bill 189, Mr. Secretary.

SECRETARY:

I move that House Bill 189 Do Pass, the specific recommendations of the Governor to the contrary notwithstanding. Signed, Senator Rigney.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rigney.

SENATOR RIGNEY:

Mr. President, what House Bill 188 does is simply grandfather in those dams throughout the State of Illinois that were originally built to State specifications. It prevents the Department of Transportation from coming along at a later date and then deciding that they want to raise the ante on all of these dams by drawing up new specifications. I want to make it clear it does not in any way affect the ability of the department to set standards for new construction.

PRESIDING OFFICER: (SENATOR DEMUZIO)

HB 357
Override

Discussion? The question is, shall House Bill 188 pass the specific recommendations of the Governor to the contrary notwithstanding. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. House Bill 188 having received the required three-fifths vote is declared passed, the specific recommendations of the Governor to the contrary notwithstanding. House Bill 357, Mr. Secretary.

SECRETARY:

I move that House Bill 357 Do Pass, the specific recommendations of the Governor to the contrary notwithstanding. Signed, Senator Topinka.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka.

SENATOR TOPINKA:

Yes, I would...I would hope that we would not...or we would override the Governor's veto on this. This amends the Illinois Pension Code for the downstate police article. Now, since the Governor has vetoed this, we have had extensive discussions and I think he has agreed that he possibly...not necessarily may have been in error but maybe this one just kind of slipped through the cracks. So, anyway, what this does is...is it reduces the vesting threshold from ten years to eight years. It basically brings the downstate police into compliance with currently what is happening in northern Illinois, and it's the same type of program that we in the Legislature and other officers have. It's nothing unusual, it is also the...same thing that we did for the firemen last year. It's in concurrence with that and it also allows for the police to be able to pick up their pension premiums after they have retired from the force and preceding the time they go into Medicare at their own cost. So we're not paying any-

thing out on that. I see absolutely no problem with this bill. The final Senate vote here was 58 to 0, final House vote was a 100 to 2. The House override was a 106 to 1. I think we ought to join forces and just pass this out.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Channel 7 has requested leave to photograph. Is leave granted? Leave is granted. All right. Discussion? Senator Rock.

SENATOR ROCK:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates she will yield. Senator Rock.

SENATOR ROCK:

The cost of this is what, may I ask?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka.

SENATOR TOPINKA:

The fiscal impact is twelve million dollars in accrued liability, the annual cost, one million two hundred thousand.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Might we assume that that was the reason for the amendatory action?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka.

SENATOR TOPINKA:

No, I don't think we should assume that. I think what the problem was was the...the vesting seem to be the biggest problem and when that was shown to be commensurate with what was going on with other police departments and fire departments, the Governor didn't seem to have any problem.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, Senator Topinka, do you wish

to close? Senator Topinka.

SENATOR TOPINKA:

No, I just think we should pass it out.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. The question is, shall House Bill 357 pass, the specific recommendations of the Governor to the contrary notwithstanding. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. House Bill 357 having received the required three-fifths vote is declared passed, the specific recommendations of the Governor to the contrary notwithstanding. House Bill 880, Mr. Secretary.

SECRETARY:

I move that House Bill 880 Do Pass, the specific recommendations of the Governor to the contrary notwithstanding. Signed, Senator Degnan.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Degnan.

SENATOR DEGNAN:

Thank you, Mr. President. The Governor has deleted language in House Bill 880 which...which removed Cook County from the provisions of Section 20-1 of the Revenue Act. This pertains to the Illinois Forest Redevelopment Act. The bill 880 was intended to stop abuses in Cook County only of this Act. Currently, there are four hundred and seventy-five applications on file to take advantage of this Act. Of those four hundred and seventy-five, a hundred of them are located down in...the southeast region of our State...near the Shawnee National Forest which is appropriate but one such application has been approved in Cook County. The intent of the original legislation was to encourage the commercial timber growth in our State. There are no commercial timber

growers in Cook County, and as an example of the abuse this kind of legislation creates in Cook County, we have one taxpayer up there who has a hundred and thirty-four acres of wooded land which is part of his estate including a twenty-eight acre lake. Instead of paying what the assessor believes is a fair market assessment of thirty-seven thousand dollars each year, this taxpayer has taken advantage of...of the current Act and paying six hundred dollars a year. Be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall House Bill 980 pass, the specific recommendations of the Governor...to the contrary notwithstanding. 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 46, the Nays are 11, none voting Present. House Bill 980 having received the required three-fifths vote is declared passed, the specific recommendations of the Governor to the contrary notwithstanding. House Bill 1269,...House Bill 1585, Mr...Mr. Secretary.

SECRETARY:

(Machine cutoff)...move to...that House Bill 1585 Do Pass, the specific recommendations of the Governor to the contrary notwithstanding. Signed, Senator Poshard.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Poshard.

SENATOR POSHARD:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I move to override the Governor's specific recommendations on this bill. House Bill 1585 will permit municipally owned gas utilities to...form joint ventures in order to provide better service at cost effective levels to their customers. There are several benefits of this legislation

enabling these joint ventures to...the availability of lower costs, natural gas for local utilities because of their ability to purchase in larger volumes, their client rapid cost increase of gas to residential and industrial customers and the municipal gas systems would provide them the ability to access more than one gas pipeline, the use of Illinois coal for gas projects and so on. The Governor amendatorily vetoed this bill on the basis that the property tax exemptions would place an unfair burden on other property taxpayers but, really, we're not exempting these people from property taxes. The...the property that is included here would be paid back on a...on a...on another basis, not just in the form of property taxes...in lieu of property taxes, the same amount of money that would ordinarily be paid as property taxes. I would move that we override the Governor's specific recommendations on this.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Discussion? If not, the question is, shall House Bill 1585 pass, the specific recommendations of the Governor to the contrary notwithstanding. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 29, the Nays are 27, none voting Present. House Bill 1585 having failed to receive the required constitutional three-fifths majority is declared lost. House Bill 2369, Senator Lemke. House Bill 2368, Mr. Secretary.

SECRETARY:

I move that House Bill 2368 Do Pass, the specific recommendations of the Governor to the contrary notwithstanding. Signed, Senator Lemke.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

What the Governor did was delete the provision that the...the FOI card would be valid until thirty days after application, and the reason we put that clause in there was that historically the Department of State Police have been late in getting out the new FOI cards; and since we want to make it...make it plain sure so nobody is on the spot and they can allow them to purchase ammunition and that for the hunting season, I think we should override the Governor's veto so our hunters and that can exercise their rights and have permission to go thirty days after their card expires. So I ask for the override.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Rock.

SENATOR ROCK:

Thank you, Mr. President. As I recall this bill, its purpose was to ensure the fact that those who are in possession of firearms have a currently valid firearm owner's identification card. I think that was the point of the Governor's amendatory veto to clarify that, in fact, one had to have a currently valid card in one's possession as opposed to a card that had been previously issued and is now expired, and I, frankly, do not agree with the gentleman's rationale. I think those who own firearms are well aware of their rights and responsibilities under the law and they should in fact be required to have, if indeed they wish to own a weapon, a currently valid firearms owner's identification card. I wonder if the gentleman would explain why we should override.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

REEL #2

SENATOR LENKE:

That was the initial intent until we found out from various hunting groups throughout the State that historically this...the...the State Police, you apply, and it takes additional time which is...almost thirty days after your card expires to get a current card. So, what we're doing here is just extending it...your existing card thirty days as long as you have applied and I don't think this is too much of a...I think it gives the State adequate time and it doesn't jeopardize a...a man from going hunting or so forth because the State is...because of the mechanism in clearing this takes additional thirty days and I think this is what we're doing here, and I think it's a perfectly valid amendment. The...the existing bill was to make...assure a valid card. This way it does set it down. This way, also, the law goes into effect that a guy can't have a card three years after it expires and go out and buy...ammunition and have some judge come in and rule that he had a FOI card, and that's what the Statute says, so we added the word valid and the thirty days is requested by the hunting groups. So, I think it's valid and I think we should all go along with overriding the Governor's veto.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. On Monday, the Legislative Audit Commission reviewed the Department of Law Enforcement, and Director Zagel did indicate at the time that they were a little late in issuing the new licenses. However, Senator Lenke, they're only about fifteen days late and they claim

that very shortly they will have that backlogged wiped out, so I really don't see any need for this legislation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senate...further discussion? Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President and members of the Senate. Senator DeAngelis hit it on the head. The department is and has year after year held back on these cards and it's not their fault because they only have a handful of people that work within the department. I think this is a good bill. I do not expect even the identification card to do much to prevent crimes or anything else, so I don't think much of this card to begin with. All it does is bring...and that's the one worthy part of it, it brings funds into the Department of Conservation and that's why the hunters are for it. It's a problem. I know I have been contacted, I'm sure you have too, about...from hunters that want to get their cards and aren't getting them. I think it's a good concept and I support Senator Lemke.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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

SENATOR LEMKE:

I think this bill is necessary. I wasn't that happy with the amendment initially, but it was put on so we could pass the bill. What this bill does, and let's not...not...not take the initial intent of this bill, was to say that in order to buy ammunition and carry a gun, you needed a currently valid FOI card. That's what this bill does. If this bill does not pass and we reject to override the Governor's veto, then we will go back to the old law and people will be able to buy...ammunition with a three-, four- or five-year old suspended FOI card. All we're doing here is putting a thirty-

day clause on it. I...I think that court cases have come down on that basis, and I...I've been told by several judges that there's been decisions in Illinois...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator...Senator Rock, for what purpose do you arise? Senator Lemke was closing. Senator Rock.

SENATOR ROCK:

I...I...I understand it and I beg the gentleman's pardon, but on a point of order, that simply is not the fact. In order to purchase ammunition and in order to have a firearm, one is supposed to have a currently valid firearm owners identification card. The fact of the matter is, I suppose we could do the same thing with a driver's license. You know, why don't we just extend the...you don't have to renew your license or if it's not renewed on time, you're still all right. The...the people who own weapons understand this. I think Senator DeAngelis has just pointed out that the department is making every effort to get current, but to allow people to...to purchase guns or ammunition on the basis of a card that is not currently valid simply is wrong, we ought not allow it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Lemke, you may now close.

SENATOR LEMKE:

Well, I have been told by several judges and I've been told by those people of interest, some of you might not agree but you must agree that he does research, and there are judges in Illinois...according to this judge that have ruled that since he had a FOI card, the Statute...he complied with the Statute and they dismissed the case, and that's what the word valid...the word currently valid was added into the law. The...the amendment came onto the bill in the House which extended it thirty days because the hunters and sportsmen's clubs wanted that thirty days in order for us to pass the

bill. So, we put that amendment on. Now the Governor took it off. I have no choice but to go along with the House's motion which was to override the Governor. It's up to the Body whether they want somebody to have a currently valid card or if they don't want to...have a currently valid card. The department is moving along swiftly, but before this, the department never moved swiftly and it's still fifty days to get a card, and I think it's...after a year's expiration, I think that's terrible. I think it's terrible on the State...we should do this. Then we should move up the application time earlier in the Statute then, but this is the only thing before us whether we want to go along with it or not, I think it's a good bill and I can't see it going down for this amendment. If the department wants to take out the thirty-day clause next year 'cause they have complied, we can do it and I think that's sufficient. I know, Senator Rock, we passed a...a spousal rape bill and we said it's not going to go in to force for two years. I mean, we can do it...anything we want in this Legislature, but right now we have people out there that have expired cards and because of the slowness might not be able to hunt this season, and I think it's wrong, and I ask for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...all right, the question is, shall the...shall House Bill 2368 pass, the specific recommendations of the Governor to the contrary notwithstanding. 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 22, the Nays are 23, none voting Present. House Bill...the motion on House Bill 2368 having failed to receive the required three-fifths vote is declared lost. All right, page 10. Leave of the Body, we'll go to page 10. At the bottom of page 10, motions in writing to override total vetoes. Senator Lemke,

you're first out of the hat, House Bill 124. House Bill 341, Senator Netsch. All right, House Bill 341, bottom of page 10, motions in writing for total vetoes, Mr. Secretary.

SECRETARY:

I move that House Bill 341 Do Pass, the veto of the Governor to the contrary notwithstanding. Signed, Senator Netsch.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. The bill dealt with life-care facilities as they are defined in the Illinois Statutes and was...designed to extend to life...to people who live in life-care facilities the same two property tax exemptions that are available to all other people in their same general condition, that is the senior citizen homestead exemption and the general homestead exemption. The...the Governor's veto, I think, may have misunderstood a couple of points, at least...as I read the Veto Message. For one thing, the bill makes it clear that only those senior citizens who live in life care facilities who are, in fact, responsible for payment of the property tax pursuant to a contract entered into with the facility will be the beneficiaries of these two property tax exemptions and that is assured by, really, simply defining a life-care facility as a cooperative and as most of you know a co-op already makes available to the resident thereof...that is the owner and resident thereof both of these property tax exemptions, the senior citizen and the general homestead exemption. The other point that the Governor made in the Veto Message was that somehow this was going to be in violation of the proviso township case which I think is not correct, again, because the...all that case said was that where a corporation, that is somebody...who is not a resident, is...in possession of...of a piece of property,

they are not entitled to either the general homestead or senior citizen exemption. That is just simply not applicable in this case because we are, in fact, talking about elderly people who, indeed, are a resident. Basically, what these people have done is that they have effectively sold their homes which would have been eligible for these property tax exemptions, consolidated their assets and bought a contract in a life-care facility and that for all practical purposes becomes their home from that point on to the end of their days. That's why I think it is just a matter of simple fairness that they would be allowed to have the same exemptions available to others. The other point the Governor made in the Veto Message was that it was...he thought it raised some kind of a question under the State Mandate's Act. I think that is not correct because the State Mandate's Act is and has been absolutely clear that it does not apply to either of these two homestead exemptions. Again, I think the...the reason why we passed this bill so overwhelmingly is that it really is simply a matter of addressing fairness, of putting a...a particular group of senior citizens in exactly the same position as those who continue to live in their own home but may be in the same financial circumstances. I would request that we override the Governor's Veto of House Bill 341, which, incidentally, the House did by an overwhelming vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I rise in opposition to this override motion. There are two points that I want to make about this legislation. First off, the homestead exemption was meant to be a tax reduction for the individual homeowner. I want to make it clear that this bill does not provide a tax...break for the

citizens who live in these life-care facilities that Senator Netsch has talked about. This does not reduce their monetary obligation to the life-care facility one iota. So, this is not a tax break for individual senior citizens. Point number two, what this bill really does is to shift the tax burden from one set of taxpayers to another set of taxpayers. Let me talk about a specific facility which is located in a neighboring district to mine. If this bill were to be implemented, it would reduce the assessed evaluation of a school district by 1.65 millions of dollars. To some of the tax levies that are available to school districts are if...if the tax levy is not at a cap, what happens when the EAV is reduced is that the tax levy increases on those properties that remain on the property tax roll. So, what this bill does is to shift the tax burden from one set of taxpayers to another set of taxpayers and, let me repeat my first point, it does not provide a tax break to any individual...senior citizen. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I rise in support of the motion to override the Governor's Veto on House Bill 341, and let me just point out that I think the previous speaker misspoke. If you read the Governor's Message...in the Message he outlines the...the salient provisions of this legislation which very clearly says that the county assessor may determine the eligibility of each life-care facility to receive this benefit and may request proof that the management has credited an exemption to the resident's apportioned liability. So, the fact is, the individual does, in fact...the individual senior does receive the benefit and that's the point that we have afforded this benefit and the...fact of the matter is that our assessor in

the County of Cook already does this, and it just seems only fair that we extend this same provision to seniors elsewhere located, and I urge an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion?...if not, Senator Netsch may close.

SENATOR NETSCH:

Thank you, Mr. President. Senator Rock called attention to one important point that I think is worth noting. In Cook County, the assessor has for sometime already interpreted life-care facilities as qualifying the residents thereof for the senior citizen homestead exemption and the general homestead exemption. What we are doing, really, is affecting approximately fifteen facilities in other parts of the State and making the State consistent in its treatment of these facilities. One brief response to a point raised by Senator Etheredge. He said that this just shifts the burden to other property owners. In a sense that's true, of course, Senator Etheredge, but it's true of any property tax exemption. The point is that we have already put into place a senior citizen homestead exemption and a general homestead exemption. What we are saying is that here are a group of senior citizens who have in most cases sold their assets, sold their home, they have given up their normal property tax exemption because they no longer live in the residence which they owned for many years, they have traded it all in to a facility which will then take care of them for the rest of their lives, and a...a part of the bill is absolutely explicit that the contract requires the applicant to pay the real property taxes. So, there is no question that the applicant would otherwise be responsible and, as Senator Rock indicated, there are provisions which allowed that to be verified. So, what we are really saying is that these people should be allowed to be treated as any other group of senior citizens anywhere else in the State. That is basic fairness. I would urge an Aye

vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall House Bill 341 pass, the veto of the Governor to the contrary notwithstanding. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 34, the Nays are 19, 1 voting Present. The motion with respect to House Bill...341 having failed to receive the...three-fifths vote is declared lost. Senator...all right, top of page 11, House Bill 761, Mr. Secretary.

SECRETARY:

I move that House Bill 761 Do Pass, the veto of the Governor to the contrary notwithstanding. Signed, Senator Vadalabene.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. House Bill 761 would repeal two sections of the State Police Code which are clearly unconstitutional. The first section applies to the troopers. It says a trooper can only vote and serve on a school board and a trooper cannot serve on...the public in any other way. He cannot ask his neighbor to vote for a candidate or place political sign in the family yard or serve on a township or village board. He cannot even talk about politics to someone else. The other section deals with us, the State Senators. We cannot even inadvertently ask a State trooper for any kind of help. If a trooper should get on your contribution mailing list even by mistake, then you could be found guilty of a Class B misdemeanor. The House overrode the Governor's veto by a vote of 94 to 16 and during

the Regular Session we passed a bill, I think it was 39 to whatever, and I would ask that we do pass, the veto of the Governor to the contrary notwithstanding.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. This bill has had some extensive hearings in the Senate Executive Committee over the past few years and I think we ought to be aware of what we're doing here, that the sponsor just made the point that if this bill doesn't pass, we'll all be guilty of some kind of misdemeanors or violation of the law. I guess the fact of the matter is that most of us have been guilty of that then, because he's addressing the law as it currently exists, and the law as it currently exists was intended to make sure that State police remain professional, that they not become a political arm of either one party or the other or a political arm of the Governor, and I think that's been a pretty good system for something over thirty years and this bill, in my opinion, would change that direction. Now the argument can always be made that somehow we're denying the constitutional rights of these people and that we're making them second-class citizens and all that sort of thing, and I think those arguments are...are false because nobody considers the Illinois State Police to be second-class citizens. We all hold them in the highest regard, but I think that...to sustain the Governor's veto in this case will maintain that present posture of high regard for State police and will not make them just another political organization. I would urge opposition to the motion.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Bloom.

SENATOR BLOOM:

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

of the Senate. It's with some reluctance that I rise in opposition to the motion to override; however, I would commend to you the volume of history of Senator John Fribley, of all names, that the oral history people at Sangamon State have done and give a very thorough description of what the State police force was like before they took it out of politics, and it seems to me that if it ain't broke, you don't want to fix it. And under the present law, if an officer wants to participate in the political endeavor, either in his own behalf or on behalf of others, he may get the time off to do that and return to duty after the political battle is done, and I would not take up more time of this Body describing the way the State police were operated...that agency was operated before it was taken out of politics, but I think that probably one of the better policy decisions that was made, and by the way, it was made on a bipartisan basis when Adlai Stevenson became Governor, was to take them out of politics and make them truly professional. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I rise in support of the motion to override, and Senator Schuneman was quite correct, we debated this at some great length in the Senate Executive Committee and the fact of the matter is, this law, this prohibition, is an anachronism and one that ought to be summarily thrown out by us. We have tried before, the Governor even admits in his...in his Veto Message that the advocates of this bill, and I am one, argue that the ban on State police political activity makes second-class citizens of the officers and the fact is, it does. If this law was applicable, for instance, to the Chicago Police Department, your seatmate would not be present, Senator Bloom. The fact of the matter is, we have

made...we have taken this class of individuals and just said, hold it, you are no longer involved as members of the electorate in the political process, and that's silly, and those who argue that somehow this is going to politicize the State police simply don't understand the nature of the beast I suggest. The troopers were the ones that requested this so that they can enjoy full rights of citizenship including supporting the...supporting or running for public office and supporting the candidates of their choice. I think this law is silly and in order to get it off the books, I urge an Aye vote on the motion to override.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, Senator Vadalabene may close.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. The right to become involved politically is a fundamental element of our system, and I hasten to add that this legislation that Senator Rock has indicated is from the Fraternal Order of Police and I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall House Bill 761 pass, the veto of the Governor to the contrary notwithstanding. 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 41, the Nays are 17, none voting Present. House Bill 761 having received the required three-fifths vote is declared passed, the veto of the Governor to the contrary notwithstanding.

PRESIDENT:

On the Order of Motions in Writing to Override Total Vetoes, top of page 11, a motion in writing on House Bill 781, Mr. Secretary.

SECRETARY:

I move that House Bill 781 Do Pass, the veto of the Governor to the contrary notwithstanding. Signed, Senator Demuzio.

PRESIDENT:

Senator Demuzio.

SENATOR DEHUZIO:

Thank you, Mr. President. What House Bill 781 sought to do was simply to raise the threshold for the sales tax to be sent into the Department of Revenue from ten thousand to twenty-five thousand. This provision actually restores that threshold back to the level that it was prior to, I think, 1975, as I recall correctly, when we accelerated the sales tax collection system. So, I would move that we...that we accept 781...that we override the Governor's specific...override his veto.

PRESIDENT:

Any discussion? Is there any discussion? If not, the question is, shall House Bill 781 pass, the veto of the Governor to the contrary notwithstanding. 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, there are 54 Ayes, 1 Nay, none voting Present. House Bill 781 having received the required three-fifths vote is declared passed, the veto of the Governor to the contrary notwithstanding. Senator Kelly, yes, on the Order of Motion in Writing to Override Total Vetoes, a motion in writing on House Bill 882, Mr. Secretary.

SECRETARY:

I move that House Bill 882 Do Pass, the veto of the Governor to the contrary notwithstanding. Signed, Senator Kelly.

PRESIDENT:

Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President and members of the Senate. House Bill 882 required county and municipal election authorities to submit to the State Board of Election current voter registration information on a...semiannual basis. The Governor in his Message indicated that this bill would impose a costly administration...administrative burden...on to it. The fact remains that...that this cost can be passed on to those that make the request, the State political committee. The bill received a 113 to 0 override vote in the House and I, therefore, would move that House Bill 882 pass, notwithstanding the veto of the Governor.

PRESIDENT:

Is there any discussion? Any discussion? If not, the question is, shall House Bill 882 pass, the veto of the Governor to the contrary notwithstanding. 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, there are 40 Ayes, 17 Nays, none voting Present. House Bill 882 having received the required three-fifths vote is declared passed, the veto of the Governor to the contrary notwithstanding. On the Order of Motions in Writing a motion with respect to House Bill 932, Mr. Secretary.

SECRETARY:

I move that House Bill 932 Do Pass, the veto of the Governor to the contrary notwithstanding. Signed, Senator Degnan.

PRESIDENT:

Senator Degnan.

SENATOR DEGNAN:

Thank you, Mr. President. House Bill 932 creates the Dietetic Practice Act to be administered by R and E, estab-

lishes qualifications for registration, establishes fees, grounds for refusal to issue or renew and for revocation or suspension of registration and also penalties for violation. The Governor vetoed House Bill 932 feeling that proponents of the bill have not demonstrated the bill would serve to improve significantly the public safety. My understanding is R and E is neutral on the bill. I have not talked to R and E in awhile on it. The Illinois Dietetic Association is in favor of it, Hospital Association is opposed to it, the weight watchers of the world are in favor of it, Illinois Health Care Association is in favor of it, Illinois Association of Homes for the Aging is in favor if it. I'd be happy to answer any questions.

PRESIDENT:

Any discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, I hate to rise against the prior speaker because I have a lot of respect for him, but this...more regulation and I might add that the Illinois Nurses Association is against it and I don't think we need that much more regulation, and I really think the Governor is right in the veto that he's exercised in this bill, and I think we have enough regulation, so I speak against it.

PRESIDENT:

Further discussion? Is there any further discussion? Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President and Ladies and Gentlemen of the Senate. Just would like to ask the sponsor a question. Senator Degnan, I...I...as you know, I'm a co-sponsor of the bill and...and support the bill. I...I have heard from the...from the homes for the aging and there was some concern about whether or not a full-time dietetic

service supervisor in a long-term care facility would...would be required to be licensed, and it's my understanding that that is...that that would not be the case. Could you clear that up for me, please?

PRESIDENT:

Senator Degnan.

SENATOR DEGNAN:

...sure, my understanding is diet supervision remains all right as long as they are working with consultants which they all do now as required by Department of Public Health.

PRESIDENT:

Any further discussion? Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, this is one of those tough issues for us laymen legislators to try to...discern the...the merits of, but my feeling is that when we're being asked to license an additional profession, the burden ought to heavily be on...on that profession which is seeking to be licensed and seek...seeking thereby to close out others who might seek to...to practice whatever it is they might be precluded from practicing by an additional form of licensure. I have been besieged by those from various quarters expressing misgivings about this bill and I think all of us voted for it last Spring because there wasn't any real opposition to it, but as...as best I can tell, it would...it would cause considerable problems for those in hospitals, for those in nursing homes and it would, for example, require anybody obtaining the services of a dietitian to first go to see a physician and have the physician approve that kind of service. In addition, I am told that it would only allow nutritionists to provide...to provide advice to healthy people and never to sick people, and I am told that nutritionists as distinguished from dietitians are concerned about the health of...of cells as opposed simply to the...the kind of food and

food groups that one eats; and I think also...the statement was made that R and E is neutral, my impression is that they're strongly opposed to it. I think those of us who are laymen have to be in the position of accepting...advice from those who are in a position to...to be objective and who are the experts which, hopefully, in this case, R and E is. For all of these reasons, I don't think that those seeking this bill and seeking this additional form of licensure have met the burden of proof as they should and...and, therefore, I think we should reject this override motion.

PRESIDENT:

Further discussion? Senator Fawell.

SENATOR FAWELL:

Thank you, very much. For the clarification of the...of the assembly, I got the bill and it does not do all these terrible things that the prior speaker has said. It says, the practice of dietetics by any person who does not represent themselves as dietitians...it does not...does not prohibit or restrict the practice of dietitican by any person who do not represent themselves as dietiticans and who market or distribute food products and who may engage in the normal...explanation to and education of customers in connection with the marketing and distribution of...of those products. It does not prohibit and restrict persons who do not call themselves dietiticans from furnishing nutritional information as to the use of food, does not prohibit anybody from the practice of...of dietiticans by a dietary...technical support person in a hospital setting who has been trained and supervised. So, you know, I'm...I think there's a lot of misunderstanding about this bill, and having read the bill, I think that if we can vote for the bill, we can go back and explain to the people who are very upset about it that it doesn't say what they seem to think it says.

PRESIDENT:

Further discussion? Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. Well, I...I think perhaps originally, without knowing too much about this bill, I was duped also, but the Governor, I think, in his wisdom has made the right move and vetoed this legislation, and I think that we should also make the right move and sustain that veto, and I do this sort of reluctantly because of the sponsorship of the bill, but the fact is, and...and if...if this...is not the fact, I'd like someone to tell me why it is not the fact. This law would give Illinois...the...the Dietetic Association the unprecedented authority which is nowhere else in the law to prosecute alternative health professionals with a felony charge after the first offense for providing nutritional counseling. That seems to me absolutely absurd. What also upsets me is that this would give these people a...monopoly in this particular health care field and limit competition and, therefore, cause increased costs to the consumer; and with the burgeoning health care field, I think that this is an area that we need to provide as much competition as possible, certainly within the realm of protection and the Department of...is strongly opposed to this legislation and feels that this type of protection is absolutely not needed. If 932 becomes law, health care costs are going to escalate, as I said, due to lack of competition. The bill's provision says the dietitians will provide therapeutic nutritional counseling only upon referral or in consultation with a physician licensed to practice medicine in all of its branches...hear that Doc Davidson, all of its branches. Thus, the consumer will ultimately find it necessary to visit the physician before he or she can even receive nutritional counseling, and this is going to double or triple costs for any therapeutic nutritional services. This bill isn't needed at all. The

protections aren't needed at all. We have a...a...we have a department in State Government, R and E, that is supposed to protect the public. They're doing the job. They are opposed to this legislation in increased health costs. It provides a monopoly to the one segment. Why are we doing this? Let's sustain the Governor's veto. He was right in his action.

PRESIDENT:

Further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

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

PRESIDENT:

Sponsor indicates he'll yield, Senator DeAngelis.

SENATOR DeANGELIS:

Senator Degnan, who are we putting out of business here? Because if we're not putting anybody out of business, we don't need this Act. Who are the people that will not be able to perform their work as they did before if this were to become law?

PRESIDENT:

Senator Degnan.

SENATOR DEGNAN:

Well, I would answer your question and the previous speaker's question about competition with calling your attention to several documented...instances of harm being caused to consumers when they sought advice from unqualified practitioners. Parents of a seven-year-old Illinois leukemia victim following the advice of a nutrition consultant who claimed to enhance the immune system of cancer patients. The patient was readmitted to the hospital where he received additional therapy, not for a relapse of leukemia but for a sever vitamin toxicity resulting from a nutrition program. A second case, the Wall Street Journal reported a six million dollar lawsuit regarding a vitamin aid toxicity of a sixteen-year-old Illinois boy. A man was admitted to an

Illinois hospital following a coronary. The man had been convinced by a so-called dietitian that his hypertensive medications were unnecessary if he followed a particular nutrition regimen. The licensed physician indicated that the coronary was a result of that advice. I would suggest we are putting these people out of business.

PRESIDENT:

Senator DeAngelis.

SENATOR DeANGELIS:

Well, I don't know about you but I have occasionally taken vitamins and I've gone to the drugstore and I ask my pharmacist,...I'd like to buy some vitamins for this purpose, make my hair turn dark or something like that. Would...would my pharmacist or somebody who works behind the counter be allowed to advise me of what vitamins to buy?

PRESIDENT:

Senator Degnan.

SENATOR DEGNAN:

...first of all, your pharmacist gave you terrible advice, Senator. My understanding is that the...the division here is between general nutritional advice and therapeutic care. I would assume your pharmacist can give you general nutritional advice but not therapeutic care advice...and I don't know...and I'm not sure where hair follicles fall in...in that definition.

PRESIDENT:

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

SENATOR DEGNAN:

I move to override the Governor's veto...House Bill 932.

PRESIDENT:

Question is, shall House Bill 932 pass, the veto of the Governor to the contrary notwithstanding. Those in favor will vote Aye. Those opposed vote Nay. The voting is open.

HB 1539
Override

Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 28 Ayes, 25 Nays, 2 voting Present. The motion fails...1539, Senator Demuzio. Senator Vadalabene, for what purpose do you arise?

SENATOR VADALABENE:

Yes, on a point of personal privilege.

PRESIDENT:

State your point, sir.

SENATOR VADALABENE:

With me here at my seat is Alan Lynch, a...Medal of Honor winner, and Tom Stack who has two silver stars, a Medal of Honor and three bronze stars. They are Vietnam Veterans and they are here today on the Veteran's Advocacy Division of the State of Illinois. Let's give them...a rousing round of applause.

PRESIDENT:

Gentlemen, welcome to Springfield. Senator Geo-Karis, for what purpose do you arise?

SENATOR GEO-KARIS:

...point of personal privilege. I...I, too, join Senator Vadalabene in welcoming the gentlemen, particularly Alan Lynch who comes from Lake County, Illinois.

PRESIDENT:

1539, Senator Demuzio. On the Order of Motions in Writing, motion with respect to House Bill 1539, Mr. Secretary.

SECRETARY:

I move that House Bill 1539 Do Pass, the veto of the Governor to the contrary notwithstanding. Signed, Senator Demuzio.

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

Well, thank you, Mr. President. I think the proper

motion, I guess, is to override on House Bill 1539 and to provide equity to the firefighters in Illinois. This bill would have granted full political rights and privileges to those individuals who were covered under civil service, police and fire commission or the Fire Protection District Statutes in Illinois, and it seems to me that we ought to in concert to allow these the same equity that we have already afforded the State police by action that we took a few minutes ago and, therefore, I would move that we override the Governor's veto of House Bill 1539.

PRESIDENT:

Any discussion? Is there any discussion? If not, the question is, shall House Bill 1539 pass, the veto of the Governor to the contrary notwithstanding. 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, there are 48 Ayes, 7 Nays, none voting Present. House Bill 1539 having received the required three-fifths vote is declared passed, the veto of the Governor to the contrary notwithstanding. Senator Lemke, 1568. Senator Lechowicz, 2108. Senator Luft, 2384. Senator Bloom, for what purpose do you arise?

SENATOR BLOOM:

Yes, thank you, Mr. President and Ladies and Gentlemen of the Senate. I'd...a point of personal privilege. I'd like to introduce to the Senate some people that are pretty important to our operation in State Government. A certain amount of publicity was generated about my summer job, but they're seated behind the President's...in the President's Gallery, on the east side, are some men and women who really provide the first line of defense for a very fragile Medicaid system, they are some investigators from the Department of Public Aid who are down here to observe the process and they

include some men and women that day in, day out go into clinics and try and ensure the quality of care and to try and weed out the bad actors in a terribly fragile system, and I wonder, Mr. President, if they could be recognized by the Senate.

PRESIDENT:

Will our guests in the gallery please rise and be recognized. All right, with leave of the Body, we'll return to the top of the Calendar, page 2. Page 2 on the Calendar and I'll ask the Secretary to distribute the supplemental Calendar. Members have filed additional motions which at the conclusion of the Regular Calendar we will then address. Top of page 2, with leave of the Body, we'll move to the Order of House Bills 3rd Reading. 568, Senator Philip. 1090, Senator Joyce. 1263, Senator Marovitz. You wish that called or is there an amendment? All right, Senator Marovitz seeks leave of the Body to...on the Order of House Bills 3rd Reading, House Bill 1263. Senator Marovitz seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading is House Bill 1263, Mr. Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Marovitz.

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. Amendment No. 2 to House Bill 1263 makes certain technical changes and let me detail them. First of all, it clarifies the responsibility of which constitutional officer is responsible for the payment of voucher from the Industrial Commission. Second, it...it inserts in certain sections of the bill the term Occupational Disease Act where it was inad-

*SB 1136
Concurrence*

vertently left out, and finally, it clarifies the term nonappropriate and appropriate account in the bill, this is a nonappropriated account, and I would ask for adoption of Amendment No. 2 which is technical in nature to House Bill 1263.

PRESIDENT:

All right, Senator Marovitz has moved the adoption of Amendment No. 2 to House Bill 1263. Any discussion? If not, all in favor of the adoption of the amendment indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. Senator, you wish to get back to that today? All right, with leave of the Body, we'll get back to it after some intervening business. Bottom of page 2 on the Calendar, on the Order of Secretary's Desk Concurrence. Senator Watson, you...yeah, okay. Senator...147, Senator Berman. 1136. Top of page 3 is Senate Bill 1136, Mr. Secretary.

SECRETARY:

Senate Bill 1136 with House Amendment No. 1.

PRESIDENT:

Senator Watson.

SENATOR WATSON:

Yes, I move to concur with House Amendment No. 1 and ask for concurrence on Senate Bill 1136. I don't know if you recall this or not, but this was a piece of legislation which was trying to rectify a problem in which the auto salvage people found themselves in when a bill was passed during last Session trying to put an end to the chop shop operations in Illinois. What happened is that it ultimately went overboard and really put a great deal of harm into the auto salvage and

rebuilding business. We're trying to help rectify that problem with these changes. Just to give you an...idea of what the amendment actually does, it requires vehicle identification numbers to be kept on all hulks, chasis, frames, cowl regardless of age. For all other essential parts, the record keeping of VIN numbers will not be required on parts which are eight years model or newer. It places the responsibility on the licensee to make sure that the gross appearance of the essential part corresponds with the vehicle identification number and it defines how to determine whether an essential part is eight years of age or newer. The State's Attorney of Cook County and other interested parties have worked...sat down and worked together in coming up with this amendment, and I appreciate the work of...of all involved and hope that the Senate will concur with this particular motion.

PRESIDENT:

Any discussion? Senator Vadalabene.

SENATOR VADALABENE:

...yes, thank you, Mr. President. I merely want to concur with what Senator Watson said and I also support the...support the bill.

PRESIDENT:

Further discussion? Senator Davidson.

SENATOR DAVIDSON:

Question of the sponsor.

PRESIDENT:

Sponsor indicates he'll yield, Senator Davidson.

SENATOR DAVIDSON:

Senator Watson, there's been a number of these body repair places who asked and met with me, does this bill...or the Conference Committee report alleviate part of the problems they have had in relation to the record keeping and all the other things that's created a hardship on the legitimate body repair people?

HB 316
Refer to Record

PRESIDENT:

Senator Watson.

SENATOR WATSON:

The answer is yes.

PRESIDENT:

Any further discussion? Further discussion? If not, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 1136. 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. The Senate does concur in House Amendment No. 1 to Senate Bill 1136 and the bill having received the required constitutional majority is declared passed. 1164, Senator Joyce. 1200. 1412, Senator Lemke. On the Order of Secretary's Desk Nonconcurrency, House Bill 316, Mr. Secretary.

SECRETARY:

House Bill 316 with Senate Amendment No. 1.

PRESIDENT:

Senator Sangmeister.

SENATOR SANGMEISTER:

Yes, Mr. President and members of the Senate, the motion is that the Senate not recede from Senate Amendment No. 1 and that a Conference Committee be appointed.

PRESIDENT:

Any discussion? All right, Senator Sangmeister moved that the Senate refuse to recede from the adoption of Senate Amendment No. 1 to House Bill 316 and that a Conference Committee be appointed. All in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and the Secretary shall so inform the House. 374, Senator Joyce. Senator Joyce.

SENATOR JEREMIAH JOYCE:

AB 1529
Refuse to Recede

Yes, Mr. President, I move that the Senate not recede from Senate Amendments 1, 2 and 3 to House Bill 374 and that a Conference Committee do be...appointed.

PRESIDENT:

All right, Senator Joyce has moved that the Senate refuse to recede from the adoption of Senate Amendments 1, 2 and 3 to House Bill 374 and that a Conference Committee be appointed. All in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and the Secretary shall so inform the House. House Bill 510, Senator Poshard. Senator Poshard.

SENATOR POSHARD:

Yes, Mr. President, I move that the Senate refuse to recede from Senate Amendments No. 1 and 2 and request that a Committee of Conference be appointed.

PRESIDENT:

All right, Senator Poshard has moved that the Senate refuse to recede from the adoption of Senate Amendments 1 and 2 to House Bill 510 and that a Conference Committee be appointed. All in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and the Secretary shall so inform the House. House Bill 1529, Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. I move that the Senate refuse to recede from Senate Amendment 1, 2, 3, 4 on House Bill 1529 and request a Conference Committee.

PRESIDENT:

All right, Senator Vadalabene has moved that the Senate refuse to recede from the adoption of Senate Amendments 1, 2, 3 and 4 to House Bill 1529 and that a Conference Committee be appointed. All in favor indicate by saying Aye. All opposed Nay. The motion carries and the Secretary shall so inform the

House.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Supplemental Calendar No. 1...Supplemental Calendar No. 1 which was passed out. Motions in writing, override total vetoes, House Bill 82. Senator Zito, are you ready? House Bill 82, Mr. Secretary.

SECRETARY:

I move that House Bill 82 Do Pass, the veto of the Governor to the contrary notwithstanding. Signed, Senator Zito.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Zito.

SENATOR ZITO:

Thank you, Mr. President and members of the Senate. House Bill 82 is back before us once again and I'm troubled that it's back here and that we should be postured in this situation of overriding the Governor's veto. What House Bill 82 did was increase the penalties for third or subsequent convictions for various prostitution related offenses, those being prostitution, pimping, soliciting for a prostitute, keeping a place of prostitution and the like. In my discussions with many law enforcement officials, specifically in Cook County where I am unfortunately put in a position of representing the Manheim Road strip, the problems there are not unlike many of the red light districts I find throughout the State of Illinois in the sense that prostitutions that are...arrested in those areas are back on repeated offenses and the problem, at least the Law Enforcement Department tells me, is that they realize that the penalties for prostitution are minimal and without any deterrents to that, they will continue to...to persist. So, what we've said...and I worked with Chairman Marovitz and the Judiciary II Committee and Senator Geo-Karis that strengthened the bill and helped me with the bill. We passed this bill 59 to nothing the first time. The House has overridden the Governor's veto.

I'd be happy to ask any...answer any questions, but I think this...this really is a three-time loser bill. If you're convicted on the third offense or subsequent offenses, it will be a much stricter penalty, and I would move to override the Governor's veto.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President. Well, I would concur wholeheartedly with the sponsor's words on this. I think this is a veto that deserves to be overridden. In certain areas of our State, and certainly in Senator Zito's district, prostitution is a very serious problem, and we're not talking about a first time offender here, we're talking about a third conviction, and I think this sends a...and should send a very loud and clear message to the prostitutes and the pimps who are destroying neighborhoods and preying upon individuals that we're not going to tolerate this. I would like to see us get tougher, but absolutely, I think this is a veto that needs to be overridden and...and if you take a look at the vote and the fact that each and every one of us in here supported this legislation when it first came through, what's wrong with it now? And if...if each of us have problems in our own districts and make a legislative attempt... a legitimate legislative attempt to solve those problems, I think we have to respect the individual Senators in the efforts that they make to resolve those problems. This is a serious problem in Senator Zito's district. I have to say, unfortunate, it's also a problem in my district along segments of the lake front, and I think sending a loud and clear message is important and I don't think it's inconsistent with the fact...that we're getting tough on individuals after a third time conviction. Let's support our original vote, vote to override.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Bloom.

SENATOR BLOOM:

Well, I'm in...I'm in sympathy with the two prior speakers and I guess I have a question for the sponsor and that goes to the question of the constitutional issue, and that is, the prior convictions become an element of the offense which must be proven to the jury. That being the case, the analysis then raises the issue of a defendant being improperly prejudiced since the jury sees at least two prior convictions for the same offense. This troubles me somewhat and if you could help me around that, I'd certainly like to support the override motion.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Zito.

SENATOR ZITO:

If you'll beg my pardon, I have talk to my counselor, I'm not an attorney. So, let me figure that out and I...I will answer your question. You have any other questions? I'll work on that one now.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right,...Senator Marovitz.

SENATOR MAROVITZ:

Well, first of all, I...I believe, and I'm not...I'm not going to be able to cite specifics that there are other crimes where a third time conviction will elevate the penalty. If, indeed, there is a constitutional problem, let someone take it up and...and find that it's...unconstitutional. I don't believe that it's unconstitutional and I think that there are...that there are laws on the books and precedent to establish that this has occurred before for third time convictions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Zito may close...oh, oh, I

HB 1086
Vote of the
House

beg your pardon...

SENATOR ZITO:

...well,...

PRESIDING OFFICER: (SENATOR DEMUZIO)

...I beg your pardon, there was...I did not see Senator DeAngelis' light, either that or he didn't have it on. Senator DeAngelis.

SENATOR DeANGELIS:

Well, I'm not an attorney either, but I think what Senator Bloom was asking, is there any precedent for taking a misdemeanor and upgrading it because of the number of convictions? Is that correct, Senator Bloom...and I don't think there is.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Zito.

SENATOR ZITO:

Thank you, Senator. That...the reason I deferred questioning to Senator Marovitz is because that question was asked in committee. The committee's response was that there was...I can't cite specific cases, I don't know of any, but...that question was raised in committee, maybe Senator Geo-Karis can add some light to...to that subject. She had answered that question in committee I believe.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Further discussion? If not, the question is, shall House Bill 92 pass, the veto of the Governor to the contrary notwithstanding. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. House Bill 82 having received the required three-fifths vote is declared passed, the veto of the Governor to the contrary notwithstanding. House Bill 1086, Mr. Secretary.

SECRETARY:

I move that House Bill 1086 Do Pass, the veto of the Governor to the contrary notwithstanding. Signed, Senator Holmberg.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Holmberg.

SENATOR HOLMBERG:

Thank you, Mr. President. House Bill 1086 is another in the series of bills allowing some indirect cost to school districts in the pupil transportation formula, those districts that own their own school buses; and this particular bill would allow a supervisory salary costs in all transportation building and maintenance costs and would bring some...some needed funds to school districts and some equity to the districts that do it this way.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Davidson.

SENATOR DAVIDSON:

Mr. President and members of the Senate, I rise in support of this override motion and this is a bill which I've had in prior sessions here. All we're asking by this bill is to give those school districts who run their own transportation fleets the same courtesy and the same rights to figure in the supervisory and maintenance type cost as part of the transportation costs as we allow those school districts who contract with private contractors, and this is finally...with the override this will give those districts who furnish their own transportation to right...the right to compete on an equal basis on those items, and I think it's an excellent bill, and I urge all of you to vote Aye.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? The question is,...if not, the question is, shall House Bill 1086 pass, the veto of the Governor to the contrary notwithstanding. 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 46, the Nays are 10, none voting Present. House Bill 1086 having received the required three-fifths vote is declared passed, the veto of the Governor to the contrary notwithstanding. All right, motions in writing, Supplemental Calendar No. 1, restoration, House Bill 679, Mr. Secretary.

SECRETARY:

I move that the item on page 1, line 28 of House Bill 679 be restored, the item reduction of the Governor to the contrary notwithstanding. Signed, Senator Welch.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. The appropriation that was reduced by Governor Thompson amounted to one hundred and seventy-two thousand dollars. The purpose of the appropriation was to fund House Bill 27 that we passed out of the Senate this year and was signed into law. The purpose of that bill was to provide in-home care demonstration program for families caring for mentally ill and developmentally disabled persons. Families were not required to participate but in order to have this pilot project it was thought that this initial grant of a hundred and seventy-two thousand dollars was necessary. This is an attempt to keep people out of institutions. It's an attempt to keep them in their homes with their families where they belong. I think it's a very worthwhile program and I would move the override of the Governor's veto.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Bloom.

SENATOR BLOOM:

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

Senate. I guess I'm the designated hitter on these and so it's...with some reluctance that I rise and speak against it because it was extensively discussed during the Conference Committee process. The...the problem here is that if we...embark on...on this restoration, and there's an even...there's a...an amount...an even larger dollar amount and a subsequent motion that has been filed, but on this issue, the concern is, essentially, that you...what you're saying is, we're going to be funding...psychiatric care in the home and what that means is basically in the next eighteen to twenty-seven months we'll probably see another lobbying group on this issue, the Visiting Shrinks Association. The Bureau of the Budget and the...the Governor reviewed this and...and really this is one of those things that when you start looking at the out-year costs and consider the kinds of benefits that are brought to a...percentage of the population, that the result really starts to get somewhat staggering, and so it is for this reason that I would urge us to not override the Governor's Veto on this particular case. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Marovitz.

SENATOR MAROVITZ:

Just a question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Marovitz.

SENATOR MAROVITZ:

Senator Welch, where are these...how many projects are we talking about and where are they located?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

There are...I think there's going to be six projects to be determined by the department as to locations.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

So, at this time they're not in any particular district?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...

SENATOR MAROVITZ:

Okay...okay, fine.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, Senator Welch may close.

SENATOR WELCH:

Well, thank you, Mr. President. This is a...is a bill which we're talking about a hundred and seventy-two thousand dollars for pilot projects. I recognize Senator Bloom's concern that in the future years, the out years as they say, the project costs may go up, but that's why this is just a pilot program. The idea is that we find out if the project works or not. If it doesn't, we don't have to fund it any further. This isn't a mandated program that we're going to be stuck with in perpetuity; rather, it's a program that we can see if it works, if we end up saving money, fine, then we're all the better for it. If we end up losing money, certainly we should and can cut back, but I think a hundred and seventy-two thousand dollars for the Department of Mental Health is a small amount to pay to take care of this problem. I would move for a...an affirmative vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, the question is, shall the item on page 1, line 28 of House Bill 679 be restored, the item reduction of the Governor to the contrary notwithstanding. Those opposed will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 30, the Nays are 24, none

voting Present. The...the item on page 1, line 28 of House Bill 679 having received the required majority vote of Senators elected is declared restored, the item reduction of the...of the Governor to the contrary notwithstanding. Senator Weaver, for what purpose do you arise?

SENATOR WEAVER:

Verification of the affirmative vote, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Weaver has requested a verification of the affirmative vote. All Senators will be in their seats. The Secretary will read the affirmative votes.

SECRETARY:

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Weaver, do you question the presence of any of those members who voted in the affirmative?

SENATOR WEAVER:

Senator Hall.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall is on the Floor, back of the Chamber.

SENATOR WEAVER:

Senator Jones.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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

SENATOR WEAVER:

Senator Nedza.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Nedza did not vote. Senator Weaver, do you ques-

tion the presence of anyone else?

SENATOR WEAVER:

Senator Carroll.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll on the Floor? Senator Carroll is at the...to my left. Senator Jones has returned to the Floor, so restore his name.

SENATOR WEAVER:

Senator Friedland.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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

SENATOR WEAVER:

Senator Dunn.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dunn on the Floor? Strike his name. Senator Weaver,...on the verified roll call, the...the Ayes are 23, the Nays are 24, none voting Present. The motion fails. Senator Keats, for what purpose do you arise?

SENATOR KEATS:

Thank you, Mr. President. I would like to introduce a group of students in the balcony behind our side here, they are from Uelzen, Germany, which is in the state of Lower Saxony, and when I visited there in 1982, I spoke to students in their high school there in Uelzen and they have made an annual trip here students in...in their year. This is the third consecutive year, they are staying Jacksonville tied to MacMurray College which, of course, is Senator Demuzio's district. I wanted just to introduce the students to my colleagues.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Will our guests in the gallery please rise and be recognized by the Senate. Welcome to Springfield. Supplemental Calendar No. 1, motions in writing to accept the specific

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recommendations for change is House Bill 513, Mr. Secretary.

END OF REEL

REEL #3

SECRETARY:

I move to accept the specific recommendations of the Governor as to House Bill 513 in the manner and form as follows. Signed, Senator Poshard.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Poshard.

SENATOR POSHARD:

Thank you, Mr. President. House Bill 513 authorized the Department of Transportation to install signs along the interstate highways alerting motorists of facilities that were upcoming in the different communities. It exempted the interstate highways that are toll highways from application of the Act, and the Governor changed the bill because he felt that a logo program should be limited to certain businesses where a need exists rather than arbitrarily putting up signs along all the exits. I accept the Governor's change on this and would move for passage of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to House Bill 513 in the manner and form as just stated by Senator Poshard. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. The specific recommendations of the Governor as to House Bill 513 having received the required constitutional majority vote of Senators elected are declared accepted. Cook-Witter, a...has asked leave to film for an educational documentary. Is...is leave granted? Leave is granted. House Bill 975, Senator Lemke. House Bill

975? House Bill 2278, Senator Marovitz. House Bill 2278,
Mr. Secretary.

SECRETARY:

I move to accept the specific recommendations of the
Governor as to House Bill 2278 in the manner and form as fol-
lows. Signed, Senator Marovitz.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the
Senate. House Bill 2278 provides that milk tank trucks can't
be used if they have chemicals or other nonmilk substances,
provides for decontamination inspection and certification and
it creates a presumption that milk...introduced into a tank
that's been used for chemicals is unwholesome milk unless the
truck...unless the truck has been inspected and certified as
clean. The Governor in his amendatory action wanted to make
certain points clear and I agree with him. He...changed the
bill to make it clear that a milk truck may not haul any sub-
stance other than milk unless that substance is on an
improved list developed by the Department of Public Health,
and also he wanted to make sure that proper records
were...were maintained and so he put in a requirement that
such tank trucks maintain logs on the materials they haul and
the logs have to be available to the Department of Public
Health. I think these changes make the bill even better and
I would ask everybody to sustain the Governor's amendatory
change.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall the Senate
accept the specific recommendations of the Governor as to
House Bill 2278 in the manner and form as just stated by
Senator Marovitz. 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 specific recommendations of the Governor as to House Bill 2278 having received the required constitutional majority vote of Senators elected are declared accepted. Motions in writing, override specific recommendations, Supplemental Calendar No. 1, House Bill 53. Senator Marovitz.

SENATOR MAROVITZ:

With leave of the Body, could we pass this for a moment and get back to it?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, is leave granted to come back to it later? Leave is granted. Friday, ten o'clock. House Bill 99, Senator Coffey. House Bill 99, Mr. Secretary.

SECRETARY:

I move that House Bill 99 Do Pass, the...the specific recommendations of the Governor to the contrary notwithstanding. Signed, Senator Coffey.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Coffey.

SENATOR COFFEY:

Thank you, Mr. President and...members of the Senate. This override that I'm asking this Body to...to consider is one I think is very important and...and somewhat difficult to explain but very simple, really. Several years ago in the Vehicle Code, and I have went back to as far as 1969 when a...a new word was added to the Vehicle Code and it's the word "state" and it's in regards to load limits and axle weights of trucks. Originally there was a provision in the Motor Vehicle Code to allow vehicles with a compactor such as garbage trucks or roll-off to be eliminated from the load limits on...under certain specifications on certain roads. And since that time there was a provision that was added back

in 1983, the word "state" was added. The word state was added and at that time said it was necessary so we could receive Federal dollars, but what that has done has said to those people with roll-offs or with garbage compactors that in many cases because of their load limits on other roads; in other words, it can't travel on county, township and city unless the municipality has give them that right to do so. I think it's one that we should override. It's...certainly, we've dealt with this the last two or three years. I think the Governor...my understanding is as since the time of the...the amendatory veto is agreed maybe it is a necessary piece of legislation and I don't want to speak for them but my understanding is that they've changed their position. But I would like to...be glad to answer any question and ask for a favorable roll call and override on this issue.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall House Bill 99 pass, the specific recommendations of the Governor to the contrary...notwithstanding. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. All right. 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 21, the Nays are 17, 7 voting Present. The motion with respect to the override of the specific recommendations for change on House Bill 99 having failed to receive the three-fifths vote is declared lost. House Bill 1026, Senator Maitland. House Bill 1026, Mr. Secretary.

SECRETARY:

I move that House Bill 1026 Do Pass, the specific recommendations of the Governor to the contrary notwithstanding. Signed, Senator Maitland.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President, Ladies and Gentlemen of the Senate. There was a great deal of confusion on this bill last spring and what was considered to be at that time a companion bill, Senate Bill 640. This bill really deals with...with...with two issues. Number one, a test for salmonella as a result of the problem we had last spring and...and late winter. And secondly, it has been, it's become apparent that from time to time a number of processors have not kept the standards for the various grades of meat at the level to which they're supposed to keep them. And this would simply then establish a test for standards to make sure that...that the consumer is buying what he or she is paying for and secondly, the test that we think is needed for salmonella.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall House Bill 1026 pass, the specific recommendations of the Governor to the contrary notwithstanding. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 41, the Nays are 11, none voting Present. House Bill 1026 having received the required three-fifths vote is declared passed, the specific recommendations of the Governor to the contrary notwithstanding. Senate...House Bill 1500, Mr. Secretary.

SECRETARY:

I move that House Bill 1500 Do Pass, the specific recommendations of the Governor to the contrary notwithstanding...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...

SECRETARY:

...signed, Senator...DeAngelis.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Pardon me, Mr. Secretary. Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. House Bill 1500 when it passed out of the Senate had two parts. The first part would require the Auditor General to conduct an audit of Federal funds when we are reimbursed by the Federal Government. The second part was an amendment suggested by Senator Philip and I think it was Senator Luft that required county boards to do an audit of all funds after a county official leaves office. The Governor sought to amendatorily veto this by changing "shall" for "may" which essentially neutered the entire concept because I think right now they would have the authority to do that anyhow on a "may" basis. So, I am asking the Senate to override the Governor's amendatory veto or to pass House Bill 1500 with the specific recommendations of the Governor notwithstanding.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? The question is, shall House Bill 1500 pass, the specific recommendations of the Governor to the contrary notwithstanding. 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 56, the Nays are none, none voting Present. House Bill 1500 have... 1500 having received the required three-fifths vote is declared passed, the specific recommendations of the Governor to the contrary notwithstanding. All right. We will now go our regular Calendar...back to the regular Calendar. Senator Bloom on the Floor? Senator Bloom on the Floor? Senator Bloom outside the Chamber? Resolutions.

SECRETARY:

Senate Resolution 547 offered by Senators Vadalabene, Geo-Karis and all Senators, congratulatory.

Senate Resolution 548, Senator Lemke, congratulatory.

Senate Resolution 549, by Senator Topinka and Hudson, congratulatory.

Senate Resolution 550, by Senators Welch, Rock and all Senators, it's congratulatory.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Consent Calendar.

SECRETARY:

Senate Resolution 551, by Senator Watson.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Executive.

SENATOR LECHOWICZ:

Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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

SENATOR LECHOWICZ:

I move that the Senate resolve itself into Executive Session for the purpose of acting on the Governor's appointments set forth in his Message of October 2nd, 1985, October 17th, 1985 and October 29th, 1985.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. You've heard the motion by Senator Lechowicz. Those in...those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The Senate is...now resolves itself into Executive Session. Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. With respect to the Governor's Message of October 2nd, 1985, I will read the salaried appointments to which the Senate Committee on Executive Appointments, Veterans' Affairs, Administration recommends that the Senate do advise and consent.

To be the chairman of the Civil Service Commission for a term expiring March 1st, 1989, J. J. Hoffat of Springfield.

To be a member of the Civil Service Commission for a term expiring March 1st, 1991, John Gilbert of Edwardsville, Peter Zelkoff of Lombard.

To be a member of the Prisoner Review Board for a term expiring January 16th, 1989, Corrine Franklin of Jerseyville.

To be the chairman of the Illinois Racing Board for a term expiring on July 1, 1986, Farrell Griffin of Chicago, Thomas Garvey of Oak Brook.

Mr. President, having read the salaried appointments, I now seek to consider these appointments on one roll call unless some Senator has objections to a specific appointment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Are...are there any objections?

SENATOR LECHOWICZ:

Will you put the question as required by our rules.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Hearing no objections, the question is, does the Senate advise and consent to the nominations just made by Senator Lechowicz. 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. A majority of Senators elected concurring by record vote, the Senate does advise and consent to the nominations just made. Senator Lechowicz.

SENATOR LECHOWICZ:

Mr. President, with respect to the Governor's Message of October the 2nd, 1985, I will read the salaried appointments to which the Senate Committee on Executive Appointments, Veterans' Affairs, Administration recommends that the Senate do advise and consent.

To be a member of the State Board of Elections for a term expiring June 30th, 1989, Richard Cowen of Chicago.

Mr. President, pursuant to Chapter 46, paragraph 1A-4 of

the Illinois Revised Statutes, a three-fifths majority vote is required for the advice and consent of the Senate for confirmation of members of the State Board of Elections. Having read the salaried appointment, will you put the question as required by our rules.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Discussion? If not, the question is, does the Senate advise and consent to the nominations just made by Senator Lechowicz. 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 majority of Senators elected concurring by record vote, the Senate does advise and consent to the nominations just made. Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. With respect to the Governor's Message of October 17th, 1985, the Senate Committee on Executive Appointments recommends to be the director of the Department of Central Management Services for a term expiring January 19, 1987, Michael Tristano of Springfield. Mr. President, have...having read the salaried appointment, will you put the question as required by our rules.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Discussion? If not, the question is, does the Senate advise and...and consent to the nomination just made. 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. A majority of Senators elected concurring by record vote, the Senate does advise and consent to the nomination just made. Senator Lechowicz.

SENATOR LECHOWICZ:

Mr. President, with respect to the Governor's Message of October 17th, 1985, I will read the unsalaried appointments to which the Senate Committee on Executive Appointments, Veterans' Affairs, Administration recommends that the Senate do advise and consent.

To be members of the Illinois Development Finance Authority for terms expiring January 16th, 1989, Peter Gidwitz of Chicago, Thomas Harrington of Champaign, Perry Snyderman of Highland Park.

To be members of the Illinois Jobs Training Coordinating Council for terms expiring July 1, 1986, Verne Hagstrom of Quincy, Cleveland Walker of Chicago.

To be members of the Illinois Job Training Council for terms expiring July 1, 1987, Lester Brann of Hinsdale, D. Royce Carter of Fairfield, Robert Gibson of Chicago, Margarita Martinez of Chicago, Carl Officer of East St. Louis, Edgar Garcia Rojas-Smoot of Evanston, Richard Weeks of Davenport, Consuelo Williams of Chicago.

To be a member of the Southern Illinois University Board of Trustees for a term expiring January 19th, 1987, Barnard B. Birger of Collinsville.

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Are there any objections to...to one roll call? Hearing none, discussion? If not, the question is, does the Senate advise and consent to the nominations just made by Senator Lechowicz. 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. A majority of Senators elected concurring by record vote, the Senate does advise and consent to the nominations just made. Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. With respect to the Governor's Message of October 29th, 1985, I will read the salaried appointments to which the Senate Committee on Executive Appointments, Veterans' Affairs, Administration recommends that the Senate do advise and consent.

To be director of the Emergency Services and Disaster Agency for a term expiring October 1, 1987, Charles Jones of Springfield.

To be a member of the Illinois Racing Board for a term expiring on July 1, 1990, Mr. Irwin Jann of Chicago.

Mr. President, having read the salaried appointments, I now seek leave to consider these appointments on one roll call unless some Senator has objection to a specific appointment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. You've heard the...you've heard the motion by Senator Lechowicz. Is there leave? Senator Carroll, for what purpose do you arise?

SENATOR CARROLL:

I have objection but I cannot state it. I may have a conflict in that one of the two appointees, Mr. Jann is my law partner, and I will be voting Present.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Is there leave to consider all of the members on...nominations on one roll call? Leave is granted. Further discussion? If not, the question is, shall...does the Senate advise and consent to the nominations just made. 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

*HB 1814
Spec. Recommis.
for change*

that question, the Ayes are 53, the Nays are none, I voting Present. The majority of Senators elected concurring by record vote, the Senate does advise and consent to the nominations just made. Senator Lechowicz.

SENATOR LECHOWICZ:

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. You've heard the motion. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The Senate arises from Executive Session. Senator Bloom. With leave of the Body, we will now return to the regular Calendar. Page 13, House Bill 914, motions in writing, accept the specific recommendations for change. House Bill 1814, Mr. Secretary.

SECRETARY:

I move to accept the specific recommendations of change as to House Bill 1814 in the manner and form as follows. Signed, Senator Bloom.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bloom.

SENATOR BLOOM:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I...if Senator Netsch is within the sound of my voice...ah, good, she has returned to the Floor. As you know, House Bill 1814 represented a...a really excellent effort by the Legislative Branch of Government to address the very complex and rapidly changing issues of telecommunications. The specific recommendations that the Governor has sent to us have been examined by staff thoroughly on both sides of the aisle and by and large they are technical in nature and involve no policy changes, no departures from the policies we enunciated this spring. I would answer any questions that any member may have. I...I am sure that Senator

Netsch has one or two remarks and between us we'll try and answer your questions; otherwise, we would urge that you accept the specific recommendations for change. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. I...stand to confirm and affirm what Senator Bloom has said. Just to summarize, I think that the suggested changes include some twelve really technical errors, mostly typographical. There is a substantive provision which continues the State regulatory jurisdiction over some aspects of the so-called CPE equipment, the customer premises equipment, and there is some modification of the procedural requirements that are involved in the control of cross-subsidization between competitive and non-competitive service offerings. But I think, as Senator Bloom indicated, all of them are quite consistent with both the letter and spirit of House Bill 1814 as it was worked out by the Joint Committee on Public Utility Regulation and initially passed by the Senate. And I would strongly support our concurrence in the recommended changes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? The question is, shall the Senate accept the specific recommendations of the Governor as to House Bill 1814 in the manner and form as just stated by Senator Bloom. 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 specific recommendations of the Governor as to House Bill 1814 having...having received the required constitutional majority vote of Senators elected are declared accepted. All right. With leave of the Body, we will go to page 11...page 11, total overrides, House Bill

2108. Page 11, total overrides, House Bill 2108. (Machine cutoff)...Secretary, House Bill 2108.

SECRETARY:

I move that House Bill 2108 Do Pass, the veto of the Governor to the contrary notwithstanding. Signed, Senator Lechowicz.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Carol Fowler with WMBD-TV has requested permission to videotape. Is leave granted? Leave is granted. Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 2108 originally when it was addressed by this Body passed by a vote of 53 to 5 would require the Chicago school principals to report incidents of intimidation to local law enforcement officials. In the Governor's Veto Message he stated that it would...in his opinion it would place an excessive responsibility and an overburdened the reporting system with information. Unfortunately, the concept and the purpose and the genesis of this bill came out of public hearings...held throughout the Chicagoland area in the serious subject of gang crimes and gang intimidation. If you recall, this General Assembly had a specific gang package program that was trying to alleviate this serious problem, not only in the City of Chicago but a Statewide problem. House Bill 2108 addressed that problem and I personally believe the Governor made an error in his original veto of this bill, and I would hope that the membership of this General Assembly would recall the serious nature and basically...asking that principals report incidents of intimidation to local law enforcement officials. I know of no further objection to this bill and I ask that you vote Aye on the motion to override this veto. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall House Bill 2108 pass, the veto of the Governor to the contrary notwithstanding. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. House Bill 2108 having received the required three-fifths vote is declared passed, the veto of the Governor to the contrary notwithstanding. (Machine cutoff)...leave of the Body, we'll go to resolutions. Leave granted? Leave is granted. Resolutions, Mr. Secretary.

SECRETARY:

(Machine cutoff)...Resolution 552 offered by Senator Geo-Karis and all Senators and it's congratulatory.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President.

(Senator Geo-Karis reads SR 552)

And, Mr. President, Ladies of the Senate, Amy Bieneman has a...been a wonderful secretary for me and a good friend. I regret that she's retiring, but I just want her to know that she can always come back, and I just want to wish her and her husband well on their trip to California and her retirement this week. And let's give her the hand she deserves.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Congratulations. All right. Senator Geo-Karis moves to suspend the rules for the immediate consideration and adoption of Senate Resolution 522. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The rules are suspended. Senator Geo-Karis now moves the adoption of Senate Resolution 522. Those in favor...552...552. Those in favor indicate by saying Aye. Opposed Nay. The

Ayes have it. The...Senate Resolution 552 is adopted. All right. Resolutions. Senator D'Arco, for what purpose do you arise?

SENATOR D'ARCO:

To...discharge the Executive Committee from further consideration of Senate Joint Resolution 94...and have it placed on the Order of 2nd Reading. What?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Secretary's Desk.

SENATOR D'ARCO:

Secretary's Desk.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator D'Arco has moved to...suspend the rules and discharge Senate Joint Resolution 94 from the Committee on Executive and asked that it be moved to the Order of Secretary's Desk. Senator Weaver, for what purpose do you arise?

SENATOR WEAVER:

Could the Senator please explain the resolution then?

PRESIDING OFFICER: (SENATOR DEMUZIO)

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

SENATOR SANGMEISTER:

Just as a matter of explanation. There's probably going to be series of motions now. Senator Schuneman as the minority spokesman on that committee and myself have decided to let a number of these resolutions come without going through committee because we're not going to have a committee meeting. That in no means is to be inferred from that that we think that the content is meritorious or that the resolution should be passed. You decide that for yourself and ask what questions you want. Of course, on the other hand, we're not saying that they shouldn't be passed either. But just putting them out on the Floor doesn't mean that we approved of

these resolutions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Simply to reinforce what Senator Sangmeister has said, and I...I would suggest that those sponsors of these resolutions who have spoken to both Senator Sangmeister and me about them refer to that fact when they make their motion and I think it might save us all a lot of time.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator D'Arco, I think if you explain some of...Senator Collins, for what purpose do you arise?

SENATOR COLLINS:

I'm sorry, I thought he had finished.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. What the resolution says is that the Department of Energy and Natural Resources should monitor this energy assistance program that the Governor and the Senate and hopefully the House today will adopt in order to make a comparison of arrearages that would be incurred with the program and would be incurred without the program and to evaluate the program, because we do have a sunset provision in the program; and the program with that provision would be phased out and the department would report back to the General Assembly and give us an evaluation of the merits or demerits of the program. I don't know of any opposition.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Weaver.

SENATOR WEAVER:

Mr. President, I was just wondering if we couldn't...if you want to discharge them, that's fine, but why don't we

give us overnight to look at them, we can deal with them tomorrow.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, that's precisely the procedure I think we're going through here is that apparently there's an agreement between the majority and the minority that these resolutions would be discharged and would be put on the Order of Secretary's Desk. They, in fact, will show up on the Calendar tomorrow and as a result we'll be able to...expedite and proceed tomorrow in a...in a timely fashion. Is there any objections to that procedure? All right. Senator D'Arco...hearing none, Senator D'Arco has moved to discharge the Committee on...on Executive from further consideration of Senate Joint Resolution 94 and that it be put on the Secretary's Desk. Those in favor of the motion to discharge indicate by saying Aye. Opposed Nay. The Ayes have it. Senate Joint Resolution 94 is discharged from the Committee on Executive and will show up on the Order of Secretary's Desk tomorrow. All right. Senator Friedland.

SENATOR FRIEDLAND:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I'd ask for the same motion to discharge Executive Committee of further consideration of Senate Joint Resolution 97 which would ask the Human Resources Committee of the Secretary of State's Office to scrutinize the abuses in parking...in the handicapped parking area.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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

SENATOR GEO-KARIS:

Just waiting, sorry.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Collins, for what purpose do you arise?

SENATOR COLLINS:

Yes, has he finished with his resolution?

PRESIDING OFFICER: (SENATOR DEMUZIO)

No, he has not. All right. Senator Friedland has moved to discharge the Committee on Executive from further consideration of Senate Joint Resolution 97 and that the resolution appear on the Order of Secretary's Desk. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Senate Joint Resolution 97 is discharged from the Committee on Executive and will appear on the Calendar under Secretary's Desk tomorrow. Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. I'd like to move to discharge out of Committee of Executive Senate Resolution 551. I have talked to both majority's chairman and minority spokesman and they both have concurred with the resolution. The resolution is simply another matter in which we're trying to delve into the problems of the chop shop industry and trying to come up with more solutions in...in regard to the legislation we passed a couple of years ago. It establishes a committee to look into these problems and report back to the General Assembly.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right...any discussion? Senator...Collins, I assume your light is on for when do you get to your turn, right? All right. Senator Watson has moved to discharge the Committee on Executive from further consideration of Senate Resolution 533 and that it be placed on the Order of Secretary...533...(Machine cutoff)...some confusion as to the number, Senator Watson. All right. Senator Watson has moved to discharge the Committee on Executive from further consideration of Senate Joint...Senate Resolution 551, that it be placed on the Order of...of Secretary's Desk. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. So ordered. Senator Collins, we are there.

SENATOR COLLINS:

Yes, thank you. I...I would like to move to suspend the appropriate rule and have the Committee on Executive discharged from further...consideration of Resolution 533 and that it placed on the Order of Secretary's Desk. I have spoken with both the...Democratic majority and the Republican minority leader of the committee and have their approval for the discharge of this...for this motion to discharge.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Discussion? Senator Collins has moved to discharge the Committee on Executive from further consideration of Senate Resolution 533 and that it appear on the Order of Secretary's Desk tomorrow. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. So ordered. Senator Geo-Karis, for what purpose do you arise?

SENATOR GEO-KARIS:

Mr. President, Ladies and Gentlemen of the Senate, I would like to suspend the appropriate rules for the...immediate consideration of this resolution. I've cleared it with the President of the Senate, cleared it with the...Senator Sangmeister and Senator Schuneman.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well...Senator...Senator, what resolution are you speaking about? We haven't even read it in yet.

SENATOR GEO-KARIS:

Well, I'm waiting for the...Secretary to read it in.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Resolutions.

SECRETARY:

Senate Resolution 553 offered by Senator Geo-Karis and Lemke.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Geo-Karis.

SENATOR GEO-KARIS:

I move to suspend the appropriate rules for...immediate consideration of Senate Resolution 553.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, is...is this...this...this resolution has never been to committee.

SENATOR GEO-KARIS:

No, and I have it cleared with...Mr. Sangmeister and Mr. Schuneman...and Mr. Rock.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Rock.

SENATOR ROCK:

Thank you, Mr. President. I think the appropriate motion...I don't have any objection to any of these resolutions per se, but I think for the good of the Body the appropriate motion ought to be that the committee be discharged and the bill...or the resolution be placed on the Calendar on the Order of the Secretary's Desk and then first thing tomorrow we can get to that order. By that time everybody will have had a chance, we hope, to read the resolution and...make a judgment accordingly.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, there...Senator Rock, there are numerous others that I understand have also been cleared, and we will proceed in the same...have the same procedure with yours even though it has not been to committee. So...so, Senator Geo-Karis moves...to suspend the rules to bypass the Committee on Executive and therefore the resolution be placed on the Order of the Secretary's Desk.

SENATOR GEO-KARIS:

I'm not on it. Now I'm on, thank you, that's what I want to do. All right.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Senate Resolution 553 will appear tomorrow on

the Secretary's Desk.

SECRETARY:

Senate Resolution 554 offered by Senator Lemke.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

I would like to make a motion to discharge the Executive Committee and...and place Senate Resolution...this Senate resolution on the Calendar of 2nd reading. I've got it cleared with Senator Sangmeister and Senator Schuneman. This is a resolution we want to pass to send to the parole board in regards to preventing Mr. Crump from getting out of jail. So I ask for the...

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Discussion? All right. Senator Lemke has moved to discharge the Committee on Executive from further consideration of Senate Resolution 554 and that it appear on the Calendar on the Order of Secretary's Desk tomorrow. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. So ordered.

SECRETARY:

Senate Joint Resolution 100 offered by Senator Vadalabene.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. I have conferred with Senator Sangmeister, the chairman of the Executive Committee, and...and also with Senator...Schuneman, the minority spokesman, who have agreed to let me suspend the rules for the immediate consideration of Senate Joint Resolution 100.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well.

SENATOR VADALABENE:

You want me to explain it now?

PRESIDING OFFICER: (SENATOR DEMUZIO)

The...the procedure, Senator, is that once we discharge the resolution, that it appear on the Order of Secretary's Desk tomorrow. Senator Vadalabene has moved to discharge the Committee on Executive from further consideration of Senate Joint Resolution 100 and that it appear on the Order of Secretary's Desk tomorrow. Senator Vadalabene.

SENATOR VADALABENE:

Yes, as a point of information, this Senate joint resolution has to go over to the House, doesn't it? Then what happens if they adjourn tomorrow?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, if they...

SENATOR VADALABENE:

Why can't it be done today?

PRESIDING OFFICER: (SENATOR DEMUZIO)

...well, we are...we are operating under the procedure of...of allowing these resolutions to be discharged from committee so that they could be there overnight. I assume Senator Rock will procedurally take these Senate joint resolutions up first thing in the morning so that, in fact, that the House can have appropriate time to take the appropriate action. Senator Vadalabene.

SENATOR VADALABENE:

No...

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Vadalabene has moved that the Committee on Executive be...be discharged from further consideration of Senate Joint Resolution 100 and that the resolution be placed on the Order of Secretary's Desk. Those in...any discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. So...so moved. Secretary's

Desk. Resolutions.

SECRETARY:

Senate Joint Resolution 101 offered by Senators Rock and Philip.

And Senate Joint Resolution 102 Constitutional Amendment, by Senator Luft.

And Senate Joint Resolution 103, by Senators Kelly, Hudson and Lemke.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Executive.

SECRETARY:

Senate Resolution 555 offered by Senator Davidson and all Senators and its congratulatory.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Consent Calendar. Senator Rock, for what purpose do you arise?

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Allow me, if you will, just to tell you where we are. We have virtually completed the Calendar. There are, however, three or four matters that we are held on awaiting paper work, typically. My suggestion is, as I indicated, we would certainly conclude our business by six o'clock this evening, more likely five o'clock this evening. In the meantime, I'd ask the members to stay loose, stay here. When we get the paper, both in terms of amendments and Conference Committee reports, I'm going to ask the Secretary to prepare yet another Supplemental Calendar and we'll do as much as we can do today and conclude our business, hopefully, first thing tomorrow. So, my suggestion is we just stand at ease for twenty-five or thirty minutes and be back here at three-thirty.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The Senate will stand at ease until the hour of

*HB 1090
Recalled*

three-thirty.

SECRETARY:

Attention. The Senate will convene at five o'clock.

PRESIDENT:

The Senate will come to order. We have four items of business yet remaining before we conclude our work for this evening. So if the members would kindly join us on the Floor I think we can handle...we will be on the Order of House Bills 3rd Reading for House Bill 1090, House Bill 1263, and then on the Supplemental Calendar, which has been distributed, for the Conference Committee report on Senate Bill 1037 and House Bill 1529. All right. On the Order of House Bills 3rd Reading, the top of page 2 on the Regular Calendar...on the Order of House 3rd is House Bill 1090. Senator Joyce seeks leave of the Body to return House Bill 1090 to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading, House Bill 1090, Mr. Secretary.

SECRETARY:

Amendment No. 3 offered by Senator Joyce, Jerome Joyce.

PRESIDENT:

Senator Joyce.

SENATOR JEROME JOYCE:

Yes, thank you, Mr. President...Amendment No. 3 would provide a grant of up to two percent of the outstanding debt, not to exceed two thousand dollars for farmers with a debt to asset ratio of at least fifty-five percent. Farmers with a debt to asset ratio of between fifty-five percent and seventy percent must repay the grant within five years at no interest. Those with a debt to asset ratio of over seventy percent do not have to repay that grant. And that is the extent of that one.

PRESIDENT:

All right. Senator Joyce has moved the adoption of

Amendment No. 3 to House Bill 1090. Discussion? Senator Davidson.

SENATOR DAVIDSON:

I'm...I'm sorry, he corrected the board, 'cause we had an amendment, we had 3rd reading and we wanted to make sure we were on the amendment stage and not final passage. Thank you.

PRESIDENT:

Thank you. All right. Senator Joyce has moved the adoption of Amendment No. 3 to House Bill 1090. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

Amendment No. 4 offered by Senator Jerome Joyce.

PRESIDENT:

Senator Joyce.

SENATOR JEROME JOYCE:

All right. This amendment is the debt restructuring. Guarantees will be used to restructure the high interest rate debt and delinquent debt. The guaranteed loans will be set up for a thirty-year repayment schedule with a ten-year balloon. The guaranteed loans will be eighty-five percent guaranteed by the State of Illinois with the lender holding the first fifteen percent of the liability. If there's a loss, the banker will take on the first fifteen percent. The guarantee must be a hundred percent collateralized, the interest rates will be adjusted annually to two and a half percent over one year T-Bill rates. The lender and the IPDA shall review the collateral annually to make sure the State guarantee is collateralized, and the farmer must have a debt to asset ratio of forty percent or above to qualify for a guarantee. The IPDA shall establish the ceiling and the debt to asset ratio for the farmer. And I'd ask for its adoption.

PRESIDENT:

All right. Senator Joyce has moved the adoption of Amendment No. 4 to House Bill 1090. Any discussion? If not, all in favor of the adoption of the amendment indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

Amendment No. 5 offered by Senator Jerome Joyce.

PRESIDENT:

Senator Joyce.

SENATOR JEROME JOYCE:

Thank you. This is the legal assistance for farmers. This establishes a Farm Legal Assistance Foundation created by the Illinois State Bar...Association to use money appropriated to the Department of Agriculture to operate and a lawyer referral service for farmers and...and to fund other not-for-profit legal assistance providers to furnish legal services for farmers. And I'd ask for its adoption.

PRESIDENT:

All right. Senator Joyce has moved the adoption of Amendment No. 5 to House Bill 1090. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

Amendment No. 6 offered by Senator Jerome Joyce.

PRESIDENT:

Senator Joyce.

SENATOR JEROME JOYCE:

Yes, thank you. This one amends the Grain Dealers and Public Grain Warehouse Act to clarify what constitutes the acceptable amounts receivable when determining the debt to asset ratio.

PRESIDENT:

All right. Senator Joyce has moved the adoption of Amendment No. 6 to House Bill 1090. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. Senator, do you seek leave to get back to that bill? All right. No objection, leave is granted. 1263, Senator Marovitz. On the Order of House Bills 3rd Reading is House Bill 1263. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 1263.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. Senate...House Bill 1263 is intended to correct certain deficiencies in the present self-insurance bankruptcy laws and its self-insured companies have been good enough to come forward with this legislation to correct their own industry and to try and take care of those claims which have not been paid due to insolvency. The previous piece of legislation contained a number of problems including the ability to fund to...to pay these claims once they have been settled. To correct these problems the chairman of the Industrial Commission, organized labor and the self-insurers have agreed to the following steps: the creation of a self-insurance advisory board which will work in tandem with the commission in the settlement of workmen's compensation claims left by insolvent insurers. Secondly, the law will allow the

commission to assess the self-insurance industry itself an amount of 1.2 percent of the previous year's claims in order to meet the claim demand; and finally, allow the self-insurers a role with the Industrial Commission in the certification of employers wishing...designated as a self-insurer. By passing this legislation today the Senate will assist some twelve hundred and fifty individuals awaiting settlement of the claims against insolvent self-insurers. According to estimates of the industrial commission the total estimated value of all claims pending is 3.5 million dollars, and I would solicit your Aye vote for this good legislation.

PRESIDENT:

Any discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. I don't have any objection to the bill, I think it's something that we really have to do but I'm not sure how many members understand what it is we're doing here. It's my understanding that...that there are accumulated a large number of workers' compensation claims against employers whose self-insured plans have gone bankrupt. About how many claims are pending against those bankrupt self-insured plans?

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

The...the latest figure that I have is roughly twelve hundred and fifty claims.

PRESIDENT:

Senator Schuneman.

SENATOR SCHUNEMAN:

So there are twelve hundred and fifty employees who have been injured under workers' compensation who have made claims against self-insured plans for which there is no money available, and the total amount of those claims is estimated to be

some three and a half million dollars that employees of this State are entitled to but they can't collect because the workers' compensation fund has gone...gone belly up. Can you tell me how old some of those oldest claims are?

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

The original legislation was back in 1983, Senator Schuneman. Some of these claims do predate that 1983 legislation. I would say the vast majority if not all of them are in...are in this decade, within this...within the eighties.

PRESIDENT:

Senator Schuneman.

SENATOR SCHUNEMAN:

Well, I would assume they are within this decade because I think we only authorized...self-insureds...we...we authorize, certainly, either new self-insured program or we...we broadened it a lot in just very recent years. So I assume that most of them would be within the five-year period, something like that. I only have one other question and that is, what is being done, if anything, to prevent this sort of thing occurring in the future? Can you respond to that?

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

In...in all honesty, I can't tell you what steps are...are being taken to...to prevent this from happening in the future. But I can tell you this, that I talked today to the Illinois Self-Insurers Association and my concern in talking to Tom Nyhan who is the executive secretary of the Illinois Self-Insurers Association, one of my concerns was with the 1.2 percent limit of the previous year's claims with that percentage. And I said, how do we know that this is...this is going to be enough...is going to raise enough

money to...to pay all the claims? And he said...and this is his industry, he said, we are absolutely certain that that figure...that 1.2 percent figure will be more than enough to pay all the claims and that we are taking steps in our own industry to resolve the problem. I want to make this point very clear and I want it on the record. I asked Mr. Nyhan, who is the executive director of the Illinois Self-Insurers Association, I said, if the 1.2 percent limit doesn't raise enough money, would he support an effort which I would undertake to increase that 1.2 percent figure. And Mr. Nyhan said, if the...if the 1.2 percent figure did not raise enough money to take care of these claims, he would absolutely guarantee that he and his association would support efforts to increase that figure.

PRESIDENT:

Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. The sponsor has addressed a different question from the one I was asking. The bill seeks to correct some problems in the guarantee fund to pay those claims of companies that have gone broke...after they've gone broke, and my concern has to do with preventing...some kind of mechanism to see to it that we don't have more self-insured plans operating in this State that go broke. Part of the problem...and...and understand, I'm not opposed to your bill, I...I stand in full support of your bill but I think we ought to have an understanding of what's happened here. The Legislature rushed into this void a few years ago under the theory that by allowing free operation of self-insured plans that somehow this would correct the problem in workers' compensation. What has...what's happened is that those self-insured plans who do not want to operate...they want to be insurance plans but they don't want to be subject to the same kind of...of controls that the insurance industry is subject

to. Partly as a result of that, I believe, some of these plans have gone broke and now we see an effort to bail them out, and...and we have to do that because we have to pay those employees that have been hurt. But I simply want to point out to my colleagues that while this is a good bill, this may not solve the entire problem that's out there and I do urge your support of this bill.

PRESIDENT:

Further discussion? Senator Collins.

SENATOR COLLINS:

Yes, thank you, Mr. President and members of the Senate. I rise in support of House Bill 1263. As Senator Marovitz has indicated, this is a necessary piece of legislation and a lot of work went into putting together and drafting the provisions of this Act, and it was my understanding that we had a...a rather good agreement on the content of this Act. To Senator Schuneman's concern, while this bill may not solve all of the problems in the future but I think the fact that this bill does create a self-insurers board with specific responsibilities for tighter monitoring and control over the self-insurance companies to make sure that they are...if they are running into financial difficulties prior to any outstanding debts or claims would most certainly help us to...not to get into this...the predicament that we are...are in today. The bill also provides for the...the...the commission to have tighter control over the self-insurance companies' provisions of which they do not have an authority which they do not have now. And I think it would most certainly address the problem raised by Senator Schuneman. As I said, it may not solve all but it...it is most certainly far better than what we have today, and I would just ask for support from all of you for this...for House Bill 1263.

PRESIDENT:

Any further discussion? Further discussion? Senator

Marovitz, you wish to close?

SENATOR MAROVITZ:

Just briefly. I'm not sure how anyone can guarantee the question of insolvency, but if Senator Schuneman has some...some ideas about we can prevent this problem, I'd certainly and I'm sure the entire Body would be...would love to see that bill forthcoming so that we can prevent this kind of problem in the future. No one has any guarantees and presents anything as a panacea, but I think this will solve some problems for people who, you know, have legitimate claims and whose claims are forthcoming and the dollars aren't there and I think it's our responsibility to take care of them. I would solicit your Aye vote on this legislation.

PRESIDENT:

The question is, shall House Bill 1263 as amended pass. Those in favor will vote Aye. Those opposed vote Nay. The vote 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 59 Ayes, no Nays, none voting Present. House Bill 1263 as amended having received the required constitutional majority is declared passed. (Machine cutoff)...the Order of House Bills 3rd Reading is House Bill 1090. Read the bill, Mr. Secretary.

END OF REEL

REEL #4

SECRETARY:

House Bill 1090.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Joyce.

SENATOR JEROME JOYCE:

Thank you, members of the Senate and Mr. President. This bill is the Farm Debt Relief Act that we have been working on this Veto Session, and it is one that I feel reaches the maximum that a State Government can do in helping farmers, and I think it is one that other states will look at and try to copy. It is one that is not going to help farmers to the point that the Federal Government need not apply. We are in desperate straits in the State of Illinois and the field of agriculture. This bill will be of some small help to farmers. It may keep some farmers in existence. It will help some farmers who are going bankrupt and it is something that I believe is our obligation to do, and...we have discussed the various components of this bill in the amendments as they were being put on and I see no need to go into them again unless there are questions about them, and I would be happy to answer any of those questions.

PRESIDENT:

Any discussion? Senator Maitland.

SENATOR MAITLAND:

Thank you...thank you, very much, Mr. President, Ladies and Gentlemen of the Senate. This...this bill that is before the Chamber now is a result of...of a lot of work the last two days by Senator Joyce and...and the Democratic staff, the

Republicans and their staff, the Governor's Office and...and his staff and...and I believe that we've been able to work out the disagreements in...in most areas, and I'm satisfied that the bill is in...in the best possible condition that it could be...can be in at this particular point in time. I...I would ask, Mr. President, a question of the sponsor, if...if he would yield.

PRESIDENT:

Sponsor indicates he'll yield, Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President. Senator Joyce, it...it is my understanding that...that the language in the bill with respect to interest buy-down will be used for the operating loan for the farmer for the year of 1986. In other words, we are saying that, first of all, the farmer has to be able to qualify and be assured by the lending institution that he does qualify, in fact, for a loan and will get a loan from that institution. And I simply wanted to put into the record that we are talking about the...the year 1986, which is the year we are about to go into production for.

PRESIDENT:

Senator Joyce.

SENATOR JEROME JOYCE:

Yes, that is correct. Now, I might explain that if a farmer has a rollover or a...if he did not get his entire debt paid off the year before, that if that banker will lend him money for the 1986 crop year, that money in the rollover, the payment of that will be included in the operating loan.

PRESIDENT:

Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President. Yes, the...the payment on that rollover loan. Thank you, Senator Joyce. A...a second question, and...and I believe the language is...is clear in the

bill but you and I have had some discussion as to how the money is going to be disbursed, and I simply want to...to have it the record that when the two thousand dollar grant or less than that if the case may be, it is paid by the authority that the farmer has the option to choose the creditor to which he wants that money to go. Is...is that not correct?

PRESIDENT:

Senator Joyce.

SENATOR JEROME JOYCE:

Yes, thank you. On page 2 of the bill, it says that, "If payment made by the authority directly to one or more of the applicant's farming related creditors to be applied to the reduction of the applicant's farm related debt, the applicant shall be entitled to select the creditor or creditors to receive the grant payment."

PRESIDENT:

Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President. Then just to conclude then, that grant does not necessarily have to go to the lending institution making the loan for the crop year '86.

PRESIDENT:

Senator Joyce.

SENATOR JEROME JOYCE:

Yes, that is correct.

PRESIDENT:

Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President. As I indicated in my opening remarks, I think this is the result of a lot of work by...by a number of people. I would urge the Body's support of House Bill 1090.

PRESIDENT:

Further discussion? Senator Watson.

SENATOR WATSON:

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

PRESIDENT:

Sponsor indicates he'll yield, Senator Watson.

SENATOR WATSON:

This is in regard also to the interest buy-down program and Amendment No. 3, and I probably should have asked these questions when it was presented earlier, but I want to clear up some matters that I...I have some concerns on. Originally, when...when you brought this before the...the Senate in an amendment, the...you had passed out some material in regard to what the costs were going to be and you said that we had some fifteen thousand seven hundred and fifty farmers in Illinois that were going to qualify for this two thousand dollar grant program, and that was going to cost three...31.5 million. Now I see we've amended it further and we've expanded the language to include individuals that have a fifty-five percent debt asset ratio. Now, what...what are the costs going to be for this provision of...of the legislation?

PRESIDENT:

Senator Joyce.

SENATOR JEROME JOYCE:

As we changed the bill and as we amended it, we said in there that the farmer must qualify for a 1986...operating loan, that will eliminate some of the fifteen thousand seven hundred farmers. So we figured that the amount of farmers and the amount of money that that would leave in the fund, we could expand it down to the fifty-five percent to the seventy percent and that amount of money would cover that group. Now we don't know just how many people that is but it's...it's going to be on a first-come first-served basis in that area. They have to pay the money back, Senator. They have five

years to pay it back. So until the...we've appropriated I believe it's thirty-five million dollars for this, that...that's where that is.

PRESIDENT:

Senator Watson.

SENATOR WATSON:

I understand then that there is cap of thirty-five million and you do say it's a first-come first-served basis. It's not everybody who applies and who's eligible is going to be made available to this program then.

PRESIDENT:

Senator Joyce.

SENATOR JEROME JOYCE:

Well, I would suspect when the thirty-five million is gone, it's...it's out of business.

PRESIDENT:

Senator Watson.

SENATOR WATSON:

Thank you. What is the total cost of this...of the whole legislation? Do you have any idea with the debt restructuring and the possibility of eighty-five percent guarantees on three hundred thousand dollar loans? Do you have any idea what the possible potential cost to the State might be?

PRESIDENT:

Senator Joyce.

SENATOR JEROME JOYCE:

Yes. The legal aid is approximately seven hundred and fifty thousand, the debt restructuring is thirty-nine thousand...thirty...no...no, the debt restructuring is...excuse me,...okay. It's a...it's a thirty million dollar fund with a five million dollar trigger. Now,...in a perfect world, this gets paid back, that's the debt restructuring.

PRESIDENT:

Senator Watson.

SENATOR WATSON:

That's the legislation as a whole, then? That's what the cost of this particular legislation can...can incur to the State of Illinois then, or is that just that one provision?

PRESIDENT:

Senator Joyce.

SENATOR JEROME JOYCE:

The thirty-one million thereabouts for the operating loan, that's included also.

PRESIDENT:

Senator Watson.

SENATOR WATSON:

Well, thank you and I...I probably will vote for this. There are some provisions in here that I don't particularly like and I've...I went to...after Senator Joyce brought this up a couple of weeks ago...and...and...and I appreciate his intent and I think it's...it's sincere intent in wanting to help the agriculture community of our State, and I appreciate Senator Maitland and others, the Governor, who...who are addressing this problem, but I took this particular issue to the people of my district, the Farm Bureau types, the American Ag., I don't care what spectrum you're talking about, they all looked upon this grant program as totally ludicrous. Two thousand dollars that...the average farmer in my particular area has an indebtedness of two hundred thousand dollars. The average interest he's paying is twelve and half percent, that's twenty-five thousand dollars a year in interest, and we're talking about giving him two thousand dollars that's going to be less than one month's interest. It's not a long-term solution by any means, it's...could be just throwing money down a rat hole and throwing good money after bad, and then the agricultural community in my area doesn't support this particular provision. Now I'm just talking

about the grant program, the two thousand dollar grant program which I...that's I'm addressing at this point. I...I...as I say, I'm probably going to vote for it but I think I'd like to just vent my frustrations into the record as far as how I feel about this particular...provisions of the law. Thank you.

PRESIDENT:

Further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

I'd like to address some questions to the sponsor, Mr. President.

PRESIDENT:

Sponsor indicates he'll yield, Senator Schuneman.

SENATOR SCHUNEMAN:

I have some questions about the debt restructuring section of the bill and I'm curious to know how this is going to work on...on the guarantee. For example, is it going to work something like the Small Business Administration guarantees, in which case if a lender goes under, the bank simply notifies SBA and SBA pays out the loan, the bank takes its fifteen percent loss and the SBA then pays out the loan. Is that the...is that the concept of this bill?

PRESIDENT:

Senator Joyce.

SENATOR JEROME JOYCE:

Well, it is...it's pretty much up to the Farm Development Authority. The...the first eighty-five percent or...no, the first fifteen percent is the local banker, and then the other eighty-five percent is the Farm Development Authority.

PRESIDENT:

Senator Schuneman.

SENATOR SCHUNEMAN:

Well, I understand that, but I...I guess with the...with the farm debt situation the way it is right...today, I happen

to think that any figures that were based on debt to asset ratio of...maybe even a year ago are...are badly out of date today because of the rapid...deterioration of...of real estate values and...and machinery values; and it seems to me that...that maybe half the farm credit out there would be eligible for this and I...it seems to me maybe we're talking about billions of dollars and we're...we're seeking to establish a one hundred million dollar program here which, you know, doesn't seem to me like it would be adequate. Were there any hearings held at all, Senator, on...on this bill?

PRESIDENT:

Senator Joyce.

SENATOR JEROME JOYCE:

Well,...excuse me,...we...we've had hearings not specifically about this debt restructuring, we did talk about debt restructuring. Quite honestly, Senator, the one farmer that stuck in my mind more than anything else told us, why don't you take your thirty million dollars and go to Washington and lobby for a better farm program. And I suspect that's...that's true but...you know, and you may be right and...I hope that you're not, but it's not something that we have control over. I think that...that if we don't do something, if we don't spend some money now to stop this decline in agricultural values that we're going to pay much more dearly in the future. It'll be a price that we can't afford and can't do anything about. So I think the little bit we are doing now may stop and may help stem the tide that is going the other direction.

PRESIDENT:

Further discussion? Senator Schaffer.

SENATOR SCHAPPER:

Mr. President, I think most of us here that...that represent farm areas are aware of the problems if not...the solutions, but in the debate here, I have not heard any reference

to the position of the various agricultural organizations on this particular proposal, and I, for one, am interested in where those formal organizations that most of us look to...to represent agriculture where they are on the bill. I'd hate to vote for something...I want to do something, I want to help but I don't particularly want to get back to my district and find that the various organizations that represent the people we help are not for this bill. Where are they on...on the proposal?

PRESIDENT:

Senator Joyce.

SENATOR JEROME JOYCE:

Well, thank you. I guess...on the debt restructuring, I can tell you that when the Governor proposed this and had his press conference, in the press release, John White, the president of the Farm Bureau was mentioned as supporting this. I cannot imagine any farm group not supporting this, contrary to what Senator Watson says. Granted, it's two thousand dollars and it may be one month's interest payment but that's one month's interest payment that they don't have to make.

PRESIDENT:

Senator Schaffer.

SENATOR SCHAFFER:

Well, my guess is that since we've amended this that we may yet see it again, and I would really like to hear from some of these farm groups. I know they maintain rather extensive lobbies and I'm kind of amazed that even with the late hour that we're voting on this without some sort of guidance from them, if not in writing, certainly verbally, but I think we do have to do something.

PRESIDENT:

Is there any further discussion? Further discussion?
Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. I rise reluctantly in opposition to this bill and only from the standpoint that what we're doing to the Illinois farmer is perpetrating a hoax. Anyone who has studied the problem, and, Senator Joyce, you have studied it far more than I, know full well that the problem in agriculture is not a problem caused by the State and not a problem that can be resolved by the State. You will not save a single farmer, you will not in fact hold up land values. What we're doing is saying, as we walk out of this Body, that Illinois now has bailed out the farmer and that's grossly untrue and grossly unfair. But, in addition to that, we're going to take thirty million dollars or whatever the amount is going to be while we're struggling to improve our educational systems, while we're refusing to pass the cigarette tax and putting it into a program that admittedly will not do any good and will, in fact, further frustrate the higher expectations that the agricultural community has regarding its problem. And, you know, I really believe ultimately beyond being a hoax, it's an insult. A lot of the farmers in my area really are smarter than we give them credit for, and by passing this and coming back to our districts telling everybody how well we have done for them, I would hope that when they see you as when they saw me will tell you how little or nothing we did for them.

PRESIDENT:

Any further discussion? Is there any further discussion? Senator Joyce, you wish to close?

SENATOR JEROME JOYCE:

Yes...yes, thank you, Mr. President. Senator DeAngelis, I would be the first to say that what we are doing is not nearly enough and what...but what we are doing is all that a State could possibly do. Our problems lie in Washington, D.C., that is where the whole problem of the midwest lies,

not just agriculture, Caterpillar, everyone else who is...who is an export oriented...in that sort of business is in serious trouble because of the high dollar. That's our biggest problem and just to go back a little bit, in 1971, Richard Nixon devalued the dollar. We had grain bins full all over the...the midwest. In a year they were all gone because we could afford to trade with...with foreign countries, but that doesn't have anything to do with what we're doing right here today. We are doing something, it is not enough, but it is all we can possibly do. Maybe this will be an example to Washington to...to get them to do something, to realize what desperate straits our farmers are in. So I would ask for your support on this legislation. I think it is...it is the least we can do for a group of people who have paid taxes all of their lives, never received a handout, never complained but were good, solid citizens who are now in terrible, terrible trouble and it's not their fault. So I'd asked you to support this bill and I would also like to add Senator Maitland and Senator Rigney as hyphenated cosponsors.

PRESIDENT:

All right. The gentleman asked leave to have Senators Maitland and Rigney as hyphenated cosponsors. Is leave granted? Leave is granted. If there's no further discussion, the question is, shall House Bill 1090 as amended pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 51 Ayes, 7 Nays, 1 voting Present. House Bill 1090 as amended having received the required constitutional majority is declared passed. All right. With leave of the Body, we'll move immediately to the last two items of business for this evening and that is Supplemental Calendar No. 2. There are two Conference Committee reports that have been filed. Sponsors have indicated they wish to proceed and

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at the conclusion of those two items, we will then adjourn...we'll do a little paper work and then we'll adjourn till...all right. Supplemental Calendar No. 2, Conference...on the Order of Conference Committee Reports, the Conference Committee report on Senate Bill 1037. Mr. Secretary.

SECRETARY:

First Conference Committee report on Senate Bill 1037.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

Yes, I...just a brief explanation. The...before I turn it over to Senator...Senate Bill 1037 originally was the prior year EAV bill which we'd been trying to keep open for additional work going into next year. It became the only...available vehicle for several items, one of which was the cleanup of the telecommunications tax and, reluctantly, I gave it up for that purpose. We do still have another prior year EAV bill in committee, House Bill 900, so that we do have something available to work on that issue during the course of the rest of this year and next year. With that, I will...I think the amendment...or the Conference Committee report, I believe, is being offered by Senator Rock and I will happily defer to him.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion?...Captain Courageous, Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I rise in support of the Conference Committee report on Senate Bill 1037. The report essentially does two things. It is a technical amendment to the message tax or Telecommunications Excise Tax Section that we passed last year. The provisions...the technical changes have been agreed upon by

the telephone industry, by the retail merchants and by the Department of Revenue. There is no revenue impact, it is revenue neutral, we are advised, but it is technically necessary. The second element, however, probably is a little more controversial but one that I stand in full support of. The second element would authorize municipalities of a population of one hundred thousand or more to impose...authorizes now, not mandates, permits municipalities to impose a one cent motor fuel tax...one cent per gallon motor fuel tax. The fact of the matter, this...this provision is in direct response to a request by the Mayor of Rockford and the Rockford City Council. As you well know, in 1982 they had a referendum in that city which took away their home rule authority and, thus, took away what was then in existence a...an additional one cent motor fuel tax. They wish us to give them the permission to reimpose by city council and mayoral action. They are convinced that their retail merchants, their petroleum marketers have no objection, their citizens have no objection. It will mean to the City of Rockford approximately six hundred thousand dollars annually and the money is to be dedicated to the repair and maintenance of the roads in Rockford. This is in...response to Mayor McNamara's request. I agreed that we would try to help and that's what we're doing. I know of no opposition and I would urge the adoption of the first Conference Committee report on Senate Bill 1037.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I have two points. First, Mr. President, I would ask to...I am shown on this bill as a hyphenated cosponsor. I would ask that my name be deleted. I would ask to have my name removed as hyphenated cosponsor on Senate Bill 1037.

Then, I would like to speak against the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. You've heard the request. Senator Etheredge is...seeks leave to have his name withdrawn. Leave is granted. Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I rise in...in opposition to the bill and I want to make it clear that my opposition to the bill is based solely on the part that relates to the additional taxing authority which would be given to the...to the City of Rockford. Those parts of the bill that relate to the...the technical changes that have been worked out between AT & T and the...and DOR I think are...are valid, they're...they need to be enacted. However, the baggage that is carried along by the additional taxing power for the City of Rockford I think makes this bill too heavy to...to support. This adds a tax...a new tax without referendum; the City of Rockford just...rejected home rule not too many months ago I think in part...in part because they were interested in eliminating some of the taxing authority then held by the...by the city government. So I...I want to point out to everyone that this is a tax without a referendum and I would be very interested in...in hearing where the Senator from the city...Senator from the City of Rockford stands on this issue.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Holmberg.

SENATOR HOLMBERG:

I rise in support of this bill in both...both aspects of it. I think it's a very, very important bill to the education package that we have, the clean-up language here for the telecommunications tax. We have the cigarette tax in limbo and I think it's important that we all put our votes on this so that we have one tax that will work for education

within the State of Illinois. As far as the one-cent motor fuel tax that will be expiring in the City of Rockford, this particular bill is part of that purgatory that comes after a city loses its home rule. What do you do with laws that have been enacted that were creating existing kinds of user fees for the...the...the citizens of the community? The city council in a very prudent decision made this particular tax renewable from time to time and, unfortunately, this is the year in which it must be renewed; and our Republican city council and our Democratic mayor has asked that we give them that option, they may or may not decide to renew it. It will be on the backs of the city council. It will be permissive. All we are doing is giving them the chance to make that decision that they made before on a tax that they prudently made renewable from time to time.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield...she will yield. Senator, wait a minute...wait...wait. Senator Netsch.

SENATOR GEO-KARIS:

I think Senator Rock, I believe, is...

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator...Senator Rock will handle it...Senator Geo-Karis.

SENATOR GEO-KARIS:

Does this bill raise taxes in municipalities of under a hundred thousand people?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

No. And, as a matter of fact, it doesn't raise taxes

anywhere. It authorizes a city in excess of a hundred thousand, all other cities over a hundred thousand are in fact home rule units. It applies only to the City of Rockford and only the sales of motor fuel within the City of Rockford, and all it does is authorize the city council and the mayor to impose it if they want to. We're not imposing anything, we're giving them the permission to do it if they want to do it to themselves, just like we did for DuPage County, just like we've done for a lot of people. We're giving them the authority if they want it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Netsch, do you wish to close?

SENATOR NETSCH:

...no...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

...if I might, I didn't mean to walk away from the telecommunications part of it, but let me just make a...a...two points, that part is really quite critical. As many of you know, that bill went through without the benefit of a committee hearing and while there were several questions that were raised on the Floor about the scope of it, there was no way to clarify them at the time. What the amendment does is to make much clearer what is to be taxed under the telecommunications tax and what is not to be and...that is very important. One other point I quickly want to make is that a question that also came up in the number of the discussions in June when we were working on this was the...just where the calls had to originate and/or end in order to be covered by the telecommunications tax. This makes it clear. A tax is imposed on the actor privilege of...of originating in this State or receiving in this State, and I think that language

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also is quite important to clarifying the scope and purpose of the Telecommunications Act. So I would say those provisions are really quite essential.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall the Senate adopt the Conference Committee report on Senate Bill 1037. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 27, the Nays are 29, none voting Present. The...the Senate does not adopt the first Conference Committee report and the...the Secretary shall so inform the House. House Bill 1529. Supplemental Calendar No. 2. Senator Netsch, do you wish to request a second Conference Committee? Senator Netsch. All right. Senator Netsch...seeks to request that a second Conference Committee be appointed and the Secretary shall so inform the House. All right. Supplemental Calendar No. 2, House Bill 1529, Mr. Secretary.

SECRETARY:

First Conference Committee report on House Bill 1529.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. I would like to report at the outset, it's...it...the first Conference Committee report on House Bill 1529 was just adopted in the House by a vote of 91 to 26.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Pardon me, Senator. Could we break up the caucus behind Senator Vadalabene? Senator Vadalabene.

SENATOR VADALABENE:

The first Conference Committee report on House Bill 1529 was adopted by a vote of 91 to 26. The Conference Committee

report represents long negotiation sessions between labor and management and agreement on many...significant items. The following should be of interest to you with respect to the terms and background of this Conference Committee report. One, police collective bargaining. All parties have agreed on the police collective bargaining language originally in Senate Amendment No. 2 and that amendment is incorporated in the Conference Committee report in its entirety. Two, much of the agreed language dealing with police is tracked for firefighters as well. To resolve certain items that were in conflict, the following are contained in the Conference Committee report: the definition of a firefighter. The Conference Committee report includes verbatim the Municipal League's definition of a firefighter and specifically excludes volunteers paid on call for collective bargaining as requested in the Municipal League's letter of October 21, 1985. Arbitration of safety measures. Language that would have allowed every safety issue whether to the public or to the fire equipment or other safety considerations has been eliminated from the bill. While firefighters may collective bargain under this issue, arbitration is limited only to safety issues where the equipment considerations is a specific work assignment, involves a serious risk to the safety of the firefighter beyond that which is inherent to the normal performance of the firefighter's duties. This language is...similar to that regarding safety which is contained in the police amendment and apparently satisfies the original objections of public employers. Arbitration of manning. With respect to firefighters, manning is not specifically excluded as an item which can be subject to arbitration. This issue remains the most significant difference between firefighters and police provisions and that difference is accounted for because of the different historic concerns that firefighters and police have had with respect to

this issue. I would...would like now to yield to Senator Jeremiah Joyce for additional information in regard to House Bill 1529.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jeremiah Joyce.

SENATOR JEREMIAH JOYCE:

...thank you, Mr. President, members of the Senate. I wish that I would have the ability to stand here and speak and persuade or dissuade someone from a particular position, but I know on a matter such as this that you have pretty much made up your minds on what the issues are and what is important to your district. I would like to talk for a moment on fairness, because four months ago we had legislation very similar to this before us and we voted on it at that time and we sent it out of here, and at the time that we passed it out of here we thought that it would surely become law. In the last four months there have been a number of conferences and discussions and meetings and...mostly involving representatives of the police officers and the firefighters and the Municipal League. So what we are talking about this evening really, 'cause you know the issues, manning, supervision, size of the bargaining unit, we're talking about a question of fairness. We have tried to be fair. The unions have met and have compromised on almost every issue that was contained in the original legislation, and after each compromise they came away with the expectation that the Municipal League would be able to support this package. Unfortunately, that is not the case, so we are here this evening talking about fairness and I am here to tell you that the police officers' and the firefighters' representatives have gone as far as they can go. We have raised the unit to thirty-five; the manning question with respect to the firefighters really deals with the question...really deals with the question of equipment and we're only talking about those situations

involving ultrahazardous activities where there is great likelihood of risk. The other provisions that are in this legislation, fortunately or unfortunately for some of those who are affected deal with pensions. We have debated those, there is no question that those provisions are actuarially sound. I have nothing else to say other than I will try to respond to any questions you may have, and I ask for your support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Hudson.

SENATOR HUDSON:

Thank you, Mr. President. Ladies and Gentlemen of the Senate, it will come as no surprise, I'm sure, to my colleagues here to find me rising in opposition to this Conference Committee report. This bill it seems to me is another body blow to municipal government specifically and to the concept of local control generally. The follow-up punch is what this represents, the follow-up punch to the one we delivered last Spring when we forced the police into the bargaining process and we are now on the threshold of saying to our cities and villages, your firefighters as well as your police will be subject to the bargaining process and you will foot the bill. And, ladies and gentlemen, before too many years have passed it's going to be recognized that this is going to be an immensely costly step we're taking here today to our municipalities. I can assure you that the municipalities have not signed off on this and the Municipal League has not signed off on that, as my colleague on the other side of the...aisle has just mentioned. I would think, however, that before we push forward on this concept that we would at least bring in...well, I shouldn't say bring in, because the municipalities and the Municipal League has been brought in but I would think at least we would make one more attempt to get their acceptance or its acceptance of the provisions in

this measure. That has not been accomplished. The bill is unacceptable to them in spite of some of the concessions that have been made. Manning, for example, has been mentioned. Doesn't it seem to you, at least it does to me and many others, that our municipalities, cities and villages should have the right to say how many firefighters they are going to employ or use on a fire truck? Shouldn't questions of this kind be decided by the municipality and not an arbitrator somewhere? It's wrong I believe to force our local units of government to surrender their control over decisions that they were elected to make. And I'll close with a philosophical point that I've expressed many times before, and that is, it seems to me to be wrong to bring in the exclusive bargaining agent, in this case a union, on equal terms with your elected representatives at the municipal level and in so doing exclude in effect other people that should have some right to say as to what firefighters, police and others are going to be paid, how many men they're going to have on a truck and so forth and so on. But that's exactly what we do and I believe that philosophically it is wrong for us as legislators to designate this kind of power to the union, and I would urge you, my colleagues, before you jump too readily to accept this Conference report that you think about what it is exactly we are doing, and I would urge you not to accept this Conference Committee report.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Dudycz.

SENATOR DUDYCZ:

First of all, I'd like to disagree with my colleague, Senator Hudson, when he stated that we forced the police into the bargaining process. They, the police, or...maybe I should say, we, since I include myself as one of them, have been asking for years to be included in this process that everybody else is part of. I stand in support of Conference

Committee Report No. 1 on House Bill 1529. The contents of 1529 have eliminated most of the questionable issues brought out by the Municipal League. A compromise had been worked out with what I considered to be only very minor differences unresolved. First of all, unlike other bargaining units, the police and the fire unions have given up the right to strike. It has been...thanks, Prescott...I've been waiting for thirteen years for this. It has been agreed that paid, on-call volunteer firefighters have been excluded from this legislation on the insistence of the Municipal League. Also on the insistence of the Municipal League, the unions gave a concession from twenty-five to thirty-five employee units. Regarding the question of arbitration of manning with respect to firefighters, very clearly it states that "Nothing herein shall preclude an arbitration decision regarding equipment levels if such decision is based on a finding that the equipment considerations in a specific work assignment involve"...and I must stress this, "a serious risk to the safety of a firefighter beyond that which is inherent in the normal performance of firefighter duties." The arbitrator's decision is not binding to the city. City council can reject the arbitrator's decision by a three-fifths vote; therefore, the elected city leaders have the final say to any opinion given by an arbitrator. I believe that this Conference Committee report on House Bill 1529 is fair to both sides, the result of hard work by many and is an acceptable compromise that deserves support by all. Finally, I would like to echo Senator Vadalabene's last statement that 1529 passed out of the House this afternoon with ninety-one votes, and I'd also like to add that they included sixty percent of the Republicans voting in the House.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

All right. Further discussion? Senator Collins. Senator...Senator Lechowicz. Senator Geo-Karis, you are next.

Senator Lechowicz...turn Senator Lechowicz on.

SENATOR LECHOWICZ:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. And I, too, will be brief because I believe that Senate Bill 1529 is probably one of the most worked through pieces of legislation as far as a Conference Committee report that we have before us in this abbreviated Session. It was worked with not only the police departments and the fire departments throughout the State, but I believe the Municipal League in good faith sat down and realized that this is 1985 and whether you like it or not, and I happen to think it is right, that a person has an opportunity to join and be represented as a unit in working for local government whether it be a policeman or fireman. And whether you consider the fact that a person or persons may call in on blue flu or sick because of they have a grievance, that's a fact of life. What 1529 is trying to address is to eliminate that type of situation from occurring. It's trying to eliminate of having a grievance boil over into a walkout. 1529 is a reasonable compromise between all three units and coming in with a legislative solution on a very ticklish personnel problem. One of the most devastating things that happened to the City of Chicago was when the firemen walked out, and probably one of the most harrowing experiences of the residents of the City of Chicago was when there was a fire in the community and a small detachment of personnel arrived to put it out. That is something I or...I'm sure no one...any one of us wants to see happen to any community in this State. That's the purpose of 1529 and I believe that, as it was pointed out, this is not a partisan issue. It's an issue that has been addressed and does merit your support. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, I have been consistently opposing strikes by public employees. I opposed Senate Bill 536 which thirty-two votes put out of this House and which I think still is a horrendous bill. The firemen and policemen in House Bill 1529 have a specific prohibition against strikes. Now, I don't care what anyone says, but you talk to your constituents like I've talked to mine, they don't want their firemen, they don't want their policemen having the right to strike. This bill has been watered down and I think it's much fairer for the municipalities than it was before, and I think we're going to have to look at the realities of life. If you're going to allow your other public employees to have a free hand in strikes and put the...the people of Illinois out on a limb when they decide to have their horrible strikes, 'cause I don't believe in strikes by public employees 'cause we don't have the right to stop paying taxes when those strikes take place and they do affect our health, safety and welfare, I think you're going to have to look at reality again and say as long as your policemen and...and firemen are there to protect the people and their property without the right to strike, I think they're entitled to be considered as equal citizens and I speak in favor of this bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Vadalabene may close.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. I'll be very brief. Every other public employee has collective bargaining rights. This bill brings police and firefighters in line. House Bill 1529 is supported by the City of Chicago, the Chicago Firefighters' Union, the Fraternal Order of Police, the Illinois Firefighters' Association and the Illinois Police Association and I would ask for a favor-

able vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall the Senate adopt the Conference Committee report on House Bill 1529. 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 44, the Nays are 14, none voting Present. The Senate does adopt the Conference Committee report on House Bill 1529 and the bill having received the required constitutional majority is declared passed. Senator Rock.

SENATOR ROCK:

...thank you, Mr. President. Having voted on the prevailing side, I move to reconsider the vote by which the first Conference Committee report on House Bill 1529 has been adopted.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Rock moves to reconsider. Senator Vadalabene moves to Table. Those in favor signify by saying Aye. The motion is Tabled. All right. Senator Rock, do you have any words...Senator Rock.

SENATOR ROCK:

Yes, Senator Davidson has an announcement. There is some paper work on the Secretary's Desk and then we will stand adjourned until...Senator Lemke has some announcement. There....then we will stand adjourned until eleven o'clock tomorrow morning, eleven o'clock. If we start promptly, I hope we can end promptly. So, eleven o'clock tomorrow morning...once we get the paper work done.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

Just announcement. There's many people who have been asking me if I'm going to call the...House Bill 1268 which

repeals the Deadmen's Act and does other things. This particular bill I have discussed with many judges and judicial, they originally wanted it and now there's...numerous complications coming up. So I am not going to call my motion on this and I don't think many people are on these provisions. What we're going to do is work on these provisions over the...over these...the Session we're out to come up with solutions of the Civil Practice Act to solve the problems involved. I think they can be and I think it's a little more complex than just abolishing something. So I ask...I'm not going to call it and I...I would at this time, if I could, Table the bill and...say forget about it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right...further announcements? Senator Davidson.

SENATOR DAVIDSON:

Yes, Mr. President, this is not part of the announcement, but for your information, in case you didn't know it, since we happen to share a county, a town called Hillsboro beat Carlinville in the State football playoffs of...33 to 14, just...so you'd be informed. But a number of people have asked to be hyphenated cosponsors to Senate Joint Resolution Constitutional Amendment 22 and I've given a list to the Secretary, and if anyone else would like to join as hyphenated cosponsors, I would ask them now to give their names to the Secretary after I've read these names in the record. I'd ask leave to have the following individuals added as hyphenated cosponsors of...Senate Joint Resolution...Constitutional Amendment 22 and...do I have leave?

PRESIDING OFFICER: (SENATOR DEMUZIO)

...is...is leave granted? Yes, leave is...

SENATOR DAVIDSON:

The following individuals have asked to be added. Senators Degnan, Jeremiah Joyce, Philip, Weaver, DeAngelis, Coffey, Donahue, Dunn, Etheredge, Fawell, Friedland, Geo-

Karis, Hudson, Karpel, Keats, Kustra, Macdonald, Mahar, Maitland, Rigney, Rupp, Schuneman, Sommer, Topinka and Watson. Any other additional Senators who would like to join please now, we have leave. Please give your name to the Secretary at this time.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further announcements? Senator Kenneth Hall.

SENATOR HALL:

...I would just like to ask Senator Davidson, what does that resolution do?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

I'm sorry, Senator Hall, I should have mentioned. That's the Constitutional Amendment in relation to bail bond which was...been read in the record. This will allow that after a hearing...if this is adopted by the people next Fall, after a hearing before a judge, the judge with taking everything in consideration and if it's any threat to the individuals or life or limb or public, if the person is...charged for a felony which includes drug pushers, they can deny bail if they find cause to do that after a hearing in the court.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right...

SENATOR DAVIDSON:

...as you know, the present Constitution allows only deny of bail on a death sentence or a life imprisonment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...Senator, she's got...he's got the message. Messages...Senator...Messages from the House.

SECRETARY:

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

Mr. President - I'm directed to inform the Senate the House of Representatives has adopted the following joint

resolutions, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

House Joint Resolutions 110, 111, 112 and 113, congratulatory.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Consent Calendar. Resolutions.

SECRETARY:

Senate Resolution 556 offered by Senator Sangmeister, it's congratulatory.

Senate Resolution 557 offered by Senator Davidson and all Senators, and it's congratulatory.

And Senate Resolution 558 offered by Senator Newhouse and all Senators, and it's a death resolution.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Consent Calendar. All right. Further business to come before the Senate? Senator Rock.

SENATOR ROCK:

Eleven o'clock...I move the Senate stand adjourn till eleven o'clock tomorrow morning. I'd ask everybody to be here promptly and hopefully we will conclude our business as scheduled tomorrow as early as possible. Eleven o'clock tomorrow morning.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock has moved that the Senate stand adjourned till eleven o'clock, Thursday, October 31st. Senate stands adjourned.