

85TH GENERAL ASSEMBLY

REGULAR SESSION

May 20, 1987

PRESIDENT:

The hour of ten having arrived, the Senate will please come to order. Will the members be at their desks and will our guests in the gallery please rise. Prayer this morning by Senator Adeline Geo-Karis, Lake County, Illinois.

SENATOR GEO-KARIS:

(Prayer given by Senator Geo-Karis)

PRESIDENT:

Amen. Thank you, Senator. (Machine cutoff)...Friedland, for what purpose do you arise, sir?

SENATOR FRIEDLAND:

Thank you, Mr. President. I'd like to be shown as a hyphenated cosponsor of House Bill 16, please.

PRESIDENT:

The gentleman seeks leave to be shown as the hyphenated cosponsor on House Bill 16. Without objection, leave is granted. Reading of the Journal, Madam Secretary. Senator Jacobs,

SENATOR JACOBS:

With leave of the Body, there is a...with a point of personal privilege, if I might.

PRESIDENT:

State your point, sir.

SENATOR JACOBS:

We have on your desk...at each Senator's desk is a cup from Deere and Company in...in honor of their hundred and fiftieth anniversary and I have a little poem I'd like to read if I could...have the...the indulgence of the Senate.

(Senator Jacobs reads poem)

And we have Karen Ellert from Deere and Company up in the right. I'd like to have her recognized.

PRESIDENT:

Karen, thank you, very much. Please stand and be recognized. Welcome to Springfield. Senator Karpiel, for what

purpose do you arise?

SENATOR KARPIEL:

Thank you, Mr. President. I would like leave by the Body to be added as a hyphenated cosponsor on House Bill 16, and also...

PRESIDENT:

The lady seeks leave of the Body to be shown as the hyphenated cosponsor on HOuse Bill 16. Without objection, leave is granted.

SENATOR KARPIEL:

And also, Mr. President, if we could add Senator Etheredge on the bill.

PRESIDENT:

And add Senator Etheredge also on House Bill 16. Without objection, leave is granted. Reading of the Journal, Madam Secretary. Senator Jacobs.

SENATOR JACOBS:

I move that the reading and approval of the Journals of Tuesday, May 12th; Wednesday, May 13th; Thursday, May 14th; Monday, May 18th and Tuesday, May 19th, in the year 1987, be postponed pending arrival of the printed Journals.

PRESIDENT:

You've heard the motion as placed by Senator Jacobs. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and it is so ordered. Senator Mahar, for what purpose do you arise?

SENATOR MAHAR:

Thank you, Mr. President. I seek leave of the Body to be added as a hyphenated cosponsor of Senate Bill 1125.

PRESIDENT:

All right. The gentleman seeks leave of the Body to be added as a hyphenated cosponsor on Senate Bill 1125. Without objection, leave is granted. With leave of the Body, we'll

move to the Calendar on page 38, and I would just alert the membership, we will be starting on page 10 on Senate bills 3rd. That's Senators Jacobs, Marovitz, Keats, Woodyard, Friedland, Dunn. In the meantime, we'll move, with leave of the Body, to page 38 on the Calendar, Madam Secretary. On the Order of House Bills 1st Reading, House bills 1st reading.

SECRETARY:

House Bill 48 offered by Senator Topinka.

(Secretary reads title of bill)

House Bill 67 offered by Senator Marovitz.

(Secretary reads title of bill)

House Bill 72 offered by Senator Savickas.

(Secretary reads title of bill)

House Bill 84 offered by Senator Woodyard.

(Secretary reads title of bill)

House Bill 89 offered by Senator Savickas.

(Secretary reads title of bill)

House Bill 161 offered by Senators Luft and Rock.

(Secretary reads title of bill)

House Bill 232 offered by Senator Schaffer.

(Secretary reads title of bill)

House Bill 233 offered by Senator Poshard.

(Secretary reads title of bill)

House Bill 272 offered by Senator Netsch.

(Secretary reads title of bill)

House Bill 306 offered by Senator Newhouse.

(Secretary reads title of bill)

House Bill 310 offered by Senator Etheredge.

(Secretary reads title of bill)

House Bill 404 offered by Senator Topinka.

(Secretary reads title of bill)

House Bill 405 offered by Senator Topinka.

(Secretary reads title of bill)

House Bill 407 offered by Senator Topinka.

(Secretary reads title of bill)

House Bill 410 offered by Senator Schaffer.

(Secretary reads title of bill)

House Bill 457 offered by Senator Fawell.

(Secretary reads title of bill)

House Bill 462 offered by Senator Jacobs.

(Secretary reads title of bill)

House Bill...464 offered by Senator Karpiel.

(Secretary reads title of bill)

House Bill 523 offered by Senator Karpiel.

(Secretary reads title of bill)

House Bill 577 offered by Senator Jacobs.

(Secretary reads title of bill)

House Bill 748 offered by Senator Jacobs.

(Secretary reads title of bill)

House Bill 787 offered by Senator Barkhausen.

(Secretary reads title of bill)

House Bill 813 offered by Senator Vadalabene.

(Secretary reads title of bill)

House Bill 854 offered by Senator Kustra.

(Secretary reads title of bill)

House Bill 858 offered by Senators Alexander and  
Brookins.

(Secretary reads title of bill)

House Bill 866 offered by Senator Marovitz.

(Secretary reads title of bill)

House Bill 954 offered by Senator Schuneman.

(Secretary reads title of bill)

House Bill 1194 offered by Senators Alexander and  
Collins.

(Secretary reads title of bill)

House Bill 1198 offered by Senator Donahue.

(Secretary reads title of bill)

House Bill...1238 offered by Senator Weaver.

(Secretary reads title of bill)

House Bill 1244 offered by Senator Jones.

(Secretary reads title of bill)

House Bill 1259 offered by Senator Jacobs.

(Secretary reads title of bill)

House Bill 1265 offered by Senator O'Daniel.

(Secretary reads title of bill)

House Bill 1298 offered by Senator Demuzio.

(Secretary reads title of bill)

House Bill 1317 offered by Senator Luft.

(Secretary reads title of bill)

House Bill 1319 offered by Senator Friedland.

(Secretary reads title of bill)

House Bill 1332 offered by Senator del Valle.

(Secretary reads title of bill)

House Bill 1349 offered by Senator Mahar.

(Secretary reads title of bill)

House Bill 1500 offered by Senator Geo-Karis.

(Secretary reads title of bill)

House Bill 1504 offered by Senator Geo-Karis.

(Secretary reads title of bill)

House Bill 1508 offered by Senator Schuneman.

(Secretary reads title of bill)

House Bill...1540 offered by Senator Schuneman.

(Secretary reads title of bill)

House Bill 1548 offered by Senator Savickas.

(Secretary reads title of bill)

House Bill 1603 offered by Senators Luft and Hawkinson.

(Secretary reads title of bill)

House Bill 1736 offered by Senator Berman.

(Secretary reads title of bill)

House Bill 1742 offered by Senator Schaffer.

(Secretary reads title of bill)

House Bill 1753 offered by Senator Geo-Karis.

(Secretary reads title of bill)

House Bill 1758 offered by Senator Geo-Karis.

(Secretary reads title of bill)

House Bill 1798 offered by Senator Holmberg.

(Secretary reads title of bill)

House Bill 1811 offered by Senator Berman.

(Secretary reads title of bill)

House Bill 1832 offered by Senator Netsch.

(Secretary reads title of bill)

House Bill 1836 offered by Senator Lechowicz.

(Secretary reads title of bill)

House Bill 1859 offered by Senator Luft.

(Secretary reads title of bill)

House Bill 1904 offered by Senator Carroll.

(Secretary reads title of bill)

House Bill 1909 offered by Senator Holmberg.

(Secretary reads title of bill)

House Bill 1922 offered by Senator Holmberg.

(Secretary reads title of bill)

House Bill 1923 offered by Senator Holmberg.

(Secretary reads title of bill)

House Bill 1924 offered by Senator Berman.

(Secretary reads title of bill)

House Bill 1953 offered by Senator O'Daniel.

(Secretary reads title of bill)

House Bill 1956 offered by Senator Netsch.

(Secretary reads title of bill)

House Bill 2007 offered by Senator Degnan.

(Secretary reads title of bill)

House Bill 2011.

(Secretary reads title of bill)

House Bill 2032.

(Secretary reads title of bill)

House Bill...2033 offered by Senator Poshard.

(Secretary reads title of bill)

House Bill...2046 offered by Senator Geo-Karis.

(Secretary reads title of bill)

House Bill 2060 offered by Senator Geo-Karis.

(Secretary reads title of bill)

House Bill 2062 offered by Senator Berman.

(Secretary reads title of bill)

House Bill 2218 offered by Senator Etheredge.

(Secretary reads title of bill)

House Bill 2230 offered by Senators Watson and Topinka.

(Secretary reads title of bill)

House Bill 2236 offered by Senator Donahue.

(Secretary reads title of bill)

House Bill 2243 offered by Senator Demuzio.

(Secretary reads title of bill)

House Bill 2256 offered by Senator Kustra.

(Secretary reads title of bill)

House Bill 2258 offered by Senator Demuzio.

(Secretary reads title of bill)

House Bill 2370 offered by Senator Donahue.

(Secretary reads title of bill)

House Bill 2401 offered by Senator Jones.

(Secretary reads title of bill)

House Bill 2470 offered by Senator Kustra.

(Secretary reads title of bill)

House Bill 2492 offered by Senator Marovitz.

(Secretary reads title of bill)

House Bill 2625 offered by Senator Brookins.

(Secretary reads title of bill)

House Bill 2694 offered by Senator Zito.

(Secretary reads title of bill)

House Bill 2740 offered by Senator Berman.

(Secretary reads title of bill)

House Bill 2758 offered by Senator Donahue.

(Secretary reads title of bill)

House Bill 2766 offered by Senator Barkhausen.

(Secretary reads title of bill)

House Bill 2823 offered by Senator Barkhausen.

(Secretary reads title of bill)

House Bill 2840 offered by Senators Davidson and Geo-  
Karis.

(Secretary reads title of bill)

House Bill 2842 offered by Senators Schaffer and Carroll.

(Secretary reads title of bill)

House Bill 2843 offered by Senators Schaffer and Carroll.

(Secretary reads title of bill)

House Bill 2866 offered by Senator Woodyard.

(Secretary reads title of bill)

House Bill 2845 offered by Senators Schaffer and Carroll.

(Secretary reads title of bill)

House Bill 396 offered by Senator Jones.

(Secretary reads title of bill)

House Bill 824 offered by Senator Jones.

(Secretary reads title of bill)

House Bill 1222 offered by Senator Jones.

(Secretary reads title of bill)

House Bill 2123 offered by Senator Philip.

(Secretary reads title of bill)

House Bill 2355 offered by Senator Jones.

(Secretary reads title of bill)

PRESIDENT:

Madam Secretary, if I can just interrupt you for a moment. I...again, for the benefit of the membership, those within the sound of the voice, we're going to start on page 10 of the Calendar, page 10, that's Senate Bill 498 and go right down the list. And if you'll look at the back of the Calendar, you will see that there are four hundred plus bills

on 3rd reading. We are going to make an attempt to get to all of them. We are not, however, in a position to go backwards. We will continue to move forward. So those who do not avail themselves of their opportunity will be in the...in line on Friday late. All right, Madam Secretary, let's continue with...we're going to start Jacobs, Marovitz, Keats, Woodyard, Friedland, Dunn. Madam Secretary, House bills 1st reading.

SECRETARY:

House Bill 2530 offered by Senator Keats.

(Secretary reads title of bill)

House Bill 2590 offered by Senator Jones.

(Secretary reads title of bill)

House Bill 2643 offered by Senator Jones.

(Secretary reads title of bill)

House Bill 2789 offered by Senator Jones.

(Secretary reads title of bill)

House Bill 2834 offered by Senator DeAngelis.

(Secretary reads title of bill)

House Bill 2849 offered by Senator Maitland.

(Secretary reads title of bill)

PRESIDENT:

Committee reports.

SECRETARY:

Senator Savickas, chairman of the Committee on the Assignment of Bills, reports the assignment of the following bills to committees:

Agriculture and Conservation - House Bill 375; Elementary and Secondary Education - House Bills 27 and 2367; Energy and Environment - House Bills...318, 1854, 1856; Executive - House Bills 16, 117, 163, 301, 401, 428, 845, 970, 1087, 1146, 1284, 1370, 1730, 1737, 1841, 1966, 1988, 2164, 2250, 2372, 2406, 2802, 2812, 2813; Finance - House Bills 1306, 1307, 2268; Higher Education - House Bill 2104; Insurance,

Pensions and Licensed Activities - House Bills 351, 1173, 1223, 1455 and 1933; Judiciary - House Bills 372 and 535; Labor and Commerce - House Bill 332; Local Government - House Bill 281, 552,...953, 1454, 1629, 1945; Public Health, Welfare and Corrections - House Bills 274, 654, 881, 1333, 1464, 1465, 1507, 1646, 1934, 1992, 2012, 2021; Revenue - House Bills 226, 870, 1411, 1412, 1473, 1888; Transportation - House Bills 261, 612 and 1801.

PRESIDENT:

Messages from the House and we have a Message for them.

SECRETARY:

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

Mr. President - I am directed to inform the Senate that the House of Representatives has passed bills with the following titles, in the passage of which I am instructed to ask the concurrence of the Senate, to-wit:

House Bill 393, House Bill 143, 180, 188, 237, 320, 344, 393, 497, 513, 540, 541, 691, 692, 700, 703, 706, 708, 709, 1041,...2378, 2494 and 2837.

PRESIDENT:

Messages from the House.

SECRETARY:

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

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

House Joint Resolution 77, it's a death resolution.

And I have a...a like Message on House Joint Resolution 78.

PRESIDENT:

Consent Calendar. All right. With leave of the Body, we're moving to...the Order of Senate Bills 3rd Reading on

page 10, and I'd again call the attention of the membership to the fact that there are four hundred and forty-two bills on 3rd reading. Senator Geo-Karis, for what purpose do you arise?

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of...of the Senate, the Republican minority would like to have a caucus at this time.

PRESIDENT:

That request is in order. Republican Caucus immediately in Senator Philip's office. The Senate will stand in Recess for approximately thirty minutes.

RECESS

AFTER RECESS

PRESIDENT:

The Senate will please come to order. On the Order of Senate Bills 3rd Reading, middle of page 10, is Senate Bill 498. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 498.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President. Senate Bill 498 strictly amends the current Housing and Mobile Home Safety Act that's been in effect since 1974, and this program is currently operated by the Department of Public Health. However, the 1974 Act limits the scope of the department's authority to units designed for residential use. This bill broadens the scope of this authority to include motels, office buildings, et cetera and not to exceed two floors. This bill will allow for low cost housing and economic development in our commu-

ities. This bill, I might add, passed out of committee without any Nay...Nay votes and I ask for your favorable consent.

PRESIDENT:

Any discussion? Is there any discussion? If not, the question is, shall Senate Bill 498 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 48 Ayes, 4 Nays, none voting Present. Senate Bill 498 having received the required constitutional majority is declared passed. On the Order of Senate Bills 3rd Reading is Senate Bill 500. Senator Marovitz on the Floor? Senator Marovitz on the Floor? On the Order of Senate Bills 3rd Reading is Senate Bill 501, Senator Keats. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 501.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Keats.

SENATOR KEATS:

Thank you, Mr. President. This bill came out of committee on a 10 to 1 vote. It is supported by the Municipal League and Sheriff's Association. Very briefly what it does, right now, sheriffs serve all summonses. The problem with this is, number one, they don't have enough deputies and...to do it. Number two, they don't get reimbursed so, therefore, it's not a high priority. So they're supporting the bill that would allow local police to deliver some of these summonses. It saves them a lot of hassle and seems like a good way to both get them delivered and save the taxpayers a few bucks.

PRESIDENT:

Any discussion? Senator Hawkinson. Further discussion?

If not, the question is, shall Senate Bill 501 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 51 Ayes, 1 Nay, none voting Present. Senate Bill 501 having received the required constitutional majority is declared passed. On the Order of Senate Bills 3rd Reading, Senate Bill 500. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 500.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President, members of the Senate. Senate Bill 500 is a bill that would file the recommendations of the Surgeon General and others, health professionals across the country and provide AIDS education in our schools grades six through twelve. It is not mandatory, any parent that does not want their child to have AIDS education, which is the same in sex education today, can merely write a letter and opt his child out of AIDS education, but it would allow AIDS education in the schools. I think it's extremely important to use our educational institutions to impart the correct knowledge about this dread disease to young people while they're...at...at an early enough age while they still can change their course of conduct and help prevent the spread of this dread disease. I think this is an extremely important bill. Education bills are being introduced and passed across the country. This is a very reasonable bill, it is not a mandatory education bill but will provide education to our young people so that they do not have to suffer the dreads of...of this terribly fatal disease, and I would

urge the...your Aye votes on Senate Bill 500.

PRESIDENT:

The question is, shall Senate Bill 500 pass. Discussion?  
Senator DeAngelis.

SENATOR DeANGELIS:

Well, Mr. President, thank you. I had a question of the Chair. We had already passed 501, why did we go back to 500 if the sponsor did not ask for leave to return to that bill previously?

PRESIDENT:

Sponsor made a request, we were supposed to get to that bill at eleven o'clock when you got out of caucus; in fact, you didn't get out till twenty-five after. Further discussion? Senator Fawell.

SENATOR FAWELL:

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

PRESIDENT:

Indicates he will yield. Senator Fawell.

SENATOR FAWELL:

Senator,...I think I know what your answer is going to be, but did you include the idea of abstinence in this bill?

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

I...I am not the expert who's going to design the curriculum, that is up to our educational experts, the school boards, the State Board of Education. They will...they will design the teaching curriculum and I'm sure that the...that which they will teach to sixth graders is much different than...they will teach to twelfth graders that are ready to go to college. Certainly I think that...the most foolproof way to prevent getting AIDS is abstinence, and I think that that will be communicated and should be communicated to every

school child across the State of Illinois.

PRESIDENT:

Further discussion? Senator Topinka.

SENATOR TOPINKA:

Yes, if I may have a question of the sponsor, please.

PRESIDENT:

Sponsor indicates he'll yield, Senator Topinka.

SENATOR TOPINKA:

Would...would you have any idea if this is going to cover certain sexual behaviors? Is that going to be taught and is that going to be involved in this curriculum?

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

I think I have an idea what you're talking about and I would not think that that would be taught whatsoever. I...my intent by this bill is I think...that school children should know what AIDS is, the truth about what AIDS is, how it's communicated, not the myths that they may hear on the street corners.

PRESIDENT:

Senator Topinka.

SENATOR TOPINKA:

Yeah. If...however, AIDS can be communicated through certain types of sexual behavior as well. Would...would those types of sexual transmissions also be discussed? I mean, is it going to be the whole shtick?

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

Once again, you're asking me to tell you what the...educational professionals of our state will design as a curriculum. I nor anybody in this...in this Body are...are going to design the curriculum for this course. It is not my

intent to...to have a course designed to teach safe...to...to teach sexual practices to the kids. I want them to know what AIDS is and the fact that AIDS is and can be disseminated by sexual conduct, period, by sexual conduct.

PRESIDENT:

Senator Topinka.

SENATOR TOPINKA:

All right. Just...just from a standpoint of legislative intent then and if I might be able to have you comment since transmission is in your bill, the transmission and that transmission sexually can come in a number of ways, would it be your intent to keep it in a heterosexual context?

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

Thank you. It is my intent that the...that the school children of the state should learn what AIDS is and that it can be communicated and conducted by sexual conduct period.

PRESIDENT:

Further discussion? Senator Demuzio.

SENATOR DEMUZIO:

I...I just want to ask a very simple question. This bill was amended in committee, there was a Floor amendment that was put on. Is there still written parental approval or the...opportunity for the student to opt out, that's what I want to know.

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

Absolutely there is. As the community...as the committee requested, that amendment was put on on the Floor.

PRESIDENT:

Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. I hope I don't get cut off as quick as I did last time. First of all, Senator Marovitz, the parent has to object, it's not...it's not...does not require parental consent. Does your bill require the...and the AIDS education, does it require that they understand that AIDS can be contracted by intravenous methods also?

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

Once again, the bill itself does not design the curriculum. It leaves it up to the professionals to tell our kids what AIDS is and how it can be contracted. Certainly, one of the main ways it can be contracted is by IV drug use and I think that every child in this state with their parents' consent should know that IV drug use is one of the main ways that any child can contract AIDS, especially for young people who are prevalent drug users and...and will be as they go on and...and subjected to the ravages of drugs. I think they need to know that.

PRESIDENT:

Senator DeAngelis.

SENATOR DeANGELIS:

Well, my only concern is that if you teach them how unsafe it is, you have to teach them the safe method for using them and, therefore, I have a great concern because you may be introducing children in school to...to a method by which they can use intravenous...intravenously used drugs that they may not have discovered before. My other problem is that in how many classes would this be taught?

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

This would be available in sex classes, family classes and...sex education, family life and comprehensive health

education.

PRESIDENT:

Senator DeAngelis.

SENATOR DeANGELIS:

So it...they would be taught in the three classes?

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

It could be available in three classes. It was originally in P.E. The committee asked that it be taken out of P.E., it was taken out of P.E.

PRESIDENT:

Senator DeAngelis.

SENATOR DeANGELIS:

Okay. Well, I think education is a vital component to resolving the AIDS issue; however, I'm not so certain that this approach that's in this bill is the correct way to do it, and I would hope that if this bill does pass that we can work on it a little harder because I think it's got some real, real problems. Thank you, Mr. President, I'm all done.

PRESIDENT:

Further discussion? Senator Marovitz may close.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. Once again this is a permissive bill. It gives the opportunity for our kids to learn about this dread disease. They need to know about it, it is only permissive. I...every health professional in the country from the Surgeon General on down including the President of the United States has talked about the...the necessity for education in order to stem the spread of this epidemic. Kids need this education, they at least need to know what it is and how to keep from getting it. Certainly, they're never going to be taught how to use drugs safely and I think anybody that insinuates

that...I think that's ridiculous. I...I don't think any kid ought to be using drugs period, period, and I...but I think they need to know that if they're going to...if they're going to goof around with needles, period, that they're subjecting themselves not only to being addicted to drugs but to death via AIDS. They need to know that, they need to know what...what dangers...additional dangers there are regarding sex and sexual activity and it's no longer a question of syphilis and gonorrhea and getting...getting a...a shot of penicillin to cure that, but you're dealing with life and death every time you do that. They need to know that, they need to know what AIDS is and to be updated regularly on the new medical information regarding AIDS. Since it's permissive and it is...is only permissive, we're doing this to save the lives of young people. Please help us get education on this and to stop the spread of this disease into the schools on a permissive basis. Thank you.

PRESIDENT:

The question is, shall Senate Bill 500 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 29 Ayes, 17 Nays, 9 voting Present. Senate Bill 500 having failed to receive the required constitutional majority is declared lost. 504, Senator...Senator Marovitz requests that further consideration of Senate Bill 500 be postponed. That request is in order. On the Order of Senate Bills 3rd Reading is Senate Bill 504. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 504.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Woodyard.

SENATOR WOODYARD:

Thank you, Mr. President and...members of the Senate. This is the third and last in a series of bills proposed by the Coroner's Association, and it would require a training program be established. The bill was amended to say that that training program would be conducted by the Local Government Law Enforcement Training Board. I have had discussions with Mr. Apa in administering the program, he has no problem with it and I would encourage its passage or be glad to answer any questions.

PRESIDENT:

Any discussion? Senator Smith. Senator del Valle,...unflick her light there, will you, thank you. Senator Watson.

SENATOR WATSON:

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

PRESIDENT:

Indicates he'll yield, Senator Watson.

SENATOR WATSON:

Who pays for this?

PRESIDENT:

Senator Woodyard.

SENATOR WOODYARD:

In discussions with Mr. Apa, he indicated that he did have the money within his budget to initiate this training program.

PRESIDENT:

Senator Watson.

SENATOR WATSON:

So then the...the counties aren't going to be expected to pick up the cost? The counties will not pick up the cost.

PRESIDENT:

Senator Woodyard.

SENATOR WOODYARD:

That is correct.

PRESIDENT:

Further discussion? Senator Hawkinson.

SENATOR HAWKINSON:

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

PRESIDENT:

Indicates he'll yield, Senator Hawkinson.

SENATOR HAWKINSON:

Will this require training of all existing coroners and all their assistants or just new people coming in?

PRESIDENT:

Senator Woodyard.

SENATOR WOODYARD:

It is my understanding that the bill is structured so that it would be for the newly elected coroners coming in, but it would be a continuing program, and you might be interested to know there are no penalties for failure to participate in this training program. This is patterned after the State of Missouri in which we've found that peer pressure alone is what brings these people into the training program to upgrade their degree of professionalism in their office.

PRESIDENT:

Senator Hawkinson.

SENATOR HAWKINSON:

So our analysis is wrong where it says that they're required to participate?

PRESIDENT:

Senator Woodyard.

SENATOR WOODYARD:

There...that is a requirement, yes, but since there's no penalties in the bill...I was concerned about that...that also, Senator, and since there are no penalties in the bill

itself, it's my understanding...and this is certainly what happened in Missouri; when they started, they only had about sixty percent participation and there was...and there's no penalty so you cannot force the coroner to do this.

PRESIDENT:

Senator Hawkinson.

SENATOR HAWKINSON:

And to follow up on Senator Watson's question, although there may be enough money currently in the Law Enforcement Training Board, in the future, who's going to pay for these?

PRESIDENT:

Senator Woodyard.

SENATOR WOODYARD:

I think it would be like a...like every other program that we have in...in the State of Illinois, if there is not money appropriated for...for programs or training, then they are not conducted, not done.

PRESIDENT:

Senator Hawkinson.

SENATOR HAWKINSON:

Isn't it true...that if small towns now send their law enforcement officers down or their jailers or whatever, they're required to pay, are they not?

PRESIDENT:

Senator Woodyard. Further discussion? Senator Demuzio.

SENATOR DEMUZIO:

Well...along the same line, it just...it just seems to me that, you know, we're talking about a...a hundred thousand dollars worth of a new program. I don't know where the money is going to come from. I seriously question whether or not the Law Officer's Training Board is going to have any better program than the Illinois State Police and I'm not sure just frankly why we're doing this.

PRESIDENT:

Further discussion? Any further discussion? Senator Hall.

SENATOR HALL:

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

PRESIDENT:

Indicates he'll yield, Senator Hall.

SENATOR HALL:

Senator, my...my book says that this requires coroners in office on 1-1-88 to apply within six months of such date and to complete the program within one year of the application date. Are you aware of that?

PRESIDENT:

Senator Woodyard.

SENATOR WOODYARD:

I am sorry if I misstated that it would be after the election, you are correct.

PRESIDENT:

Senator Hall.

SENATOR HALL:

Well, the question you were just asked, you said did that apply to those who are already in and I...my understanding is you said no, it would just be to new people.

PRESIDENT:

Senator Woodyard.

SENATOR WOODYARD:

I just responded to that, Senator. I...I stand corrected, you are correct.

PRESIDENT:

Any further discussion? Senator Woodyard, you wish to close?

SENATOR WOODYARD:

Thank you, Mr. President. As I say, the intent of this bill is to upgrade the professionalism of the coroners and it

certainly is supported very strongly by them, and the Law Enforcement Training Board seems to have no problem with it and...and is also very strongly supportive and I urge your Aye vote.

PRESIDENT:

The question is, shall Senate Bill 504 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 44 Ayes, 7 Nays, 2 voting Present. Senate Bill 504 having received the required constitutional majority is declared passed.

PRESIDING OFFICER: (SENATOR SAVICKAS)

On the Order of Senate Bills 3rd Reading, Senate Bill 505, Senator Friedland. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 505.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Friedland.

SENATOR FRIEDLAND:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate Bill 505 would authorize the sale of two vacant surplus property parcels in Kane County, also the transfer of property in Kankakee County at the request of Senator Joyce. Other amendments have added a parcel in Morgan County at the request of Senator Demuzio and also in exchange of property in Perry County at the request of Senator Dunn, and it's passed committee unanimously, and I just appreciate the staff's good work on this and I commend it for your passage. Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

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

Senate Bill 505 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 51, the Nays are none, none voting Present. Senate Bill 505 having received the constitutional majority is declared passed. Senate Bill 506, Senator Dunn. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 506.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Dunn.

SENATOR TOM DUNN:

Thank you, Mr. President. This repeals an obsolete section of the School Code and is merely technical.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall Senate Bill 506 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, none voting Present. Senate Bill 506 having received the constitutional majority is declared passed. Senate Bill 516, Senator Degnan. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 516.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Degnan.

SENATOR DEGNAN:

Thank you, Mr. President. Senate Bill 516 amends the Civil Service Act of the Metropolitan Sanitary District.

Under existing law there are two methods for listing candidates for civil service positions. The first method is a numerical list based on examination scores. The second method is by categories in order of excellence such as exceptionally qualified, well-qualified, qualified. Appointments from the...numerical list must be made from the first five names, but there's some question as to whether or not this rule of five applies to the listings by category. This bill makes it clear that if there are less than five names in a higher category, the appointing officer will receive five names including some from the lower candidate...lower category for selection. Be happy to answer any questions.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall Senate Bill 516 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 51, the Nays are 1, none voting Present. Senate Bill 516 having received the constitutional majority is declared passed. Senate Bill 517, Senator Maitland. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 517.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President and Ladies and Gentlemen of the Senate. Senate Bill 517 as amended addresses some serious problems that...that we've had in Illinois with respect to the leasing of property owned by...by the railroad that has grain elevators upon it. And as it stands now...as it stands now, this...this land where

the elevators reside was...has been railroad property going clear back to the twenties and earlier, and at the time the railroads asked the elevators to build their elevators on this property in close proximity to the track so that, obviously, sidings would not have to reach too far and it would be a convenience for...for the railroads. Times have changed now and those elevators still reside on that property and reside there now with...with improvements...substantial improvements, and as those leases are negotiated every year or every three years or every five years, there really is no mechanism to force the two sides together and the railroads have...seemingly been unwilling to negotiate those leases and...it's either take it or leave it type of situation. 517, and the bill has been substantially amended since it was heard in committee and it deals only with leases now, would suggest that if an agreement can't be made, then each side would select an appraiser and then would agree on a third appraiser and a fair price would be arrived at. The Commerce Commission would then make the final determination upon that agreed-to price. I would suggest to you and I think everybody agrees that the railroads simply don't want to go to the Commerce Commission. It would obviously, I think, be...be...be...the agreement would be reached prior to that time but this does, I believe, protect farmers and...and grain elevator operators in that the deal...the lease will be a fair...a fair price. Again, we have substantially amended the bill, it does not deal with sale at all. It only deals with leases and it obviously has the support of the Illinois Farm Bureau, the Grain and Feed Association, Grow Mark Incorporated and others, and I would be happy, Mr. President, to respond to any questions.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator O'Daniel.

SENATOR O'DANIEL:

Mr. President and members of the Senate, I rise in support of this bill. I think it's...it's a very important bill to the agriculture industry in...in the State of Illinois. You know, these elevators...these facilities are located on...a lot of them are all or partially located on railroad property and...and...and a big percentage of them are of concrete construction, and I think this puts the elevator owner and operator at a very much of a disadvantage when it's time to renew the lease because, you know and I know, there's no possible way to remove a...a concrete facility from...from the location. And...I formerly managed a large grain company that had fifteen landlocked elevators, all of them were all or partially of concrete construction, and when it comes time for the renew of the lease of these facilities, it...it puts the...the owners at very much of a disadvantage. And also the elevator owners, they pay the...they pay the taxes on this...these facilities and all and I think it's very important that they have some say in...in...in the price of the lease, and I...I would support this legislation very much.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If...if not, the question is, shall Senate Bill 517 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 25, the Nays are 22, 4 voting Present. Senate Bill 517 having failed to receive a constitutional majority is declared passed...I mean...has failed. Senator Maitland moves to have Senate Bill 517 placed on the Order of Postponed Consideration. Hearing no objection, leave is granted. Senate Bill 519, Senator Berman...Senator O'Daniel, for what purpose do you arise?

SENATOR O'DANIEL:

I was busy seeing that everyone else voted and I failed

to vote...myself. I'd like to be recorded in...in the affirmative.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The record will so indicate. Senate Bill 520, Senator Brookins. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 520.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Brookins.

SENATOR BROOKINS:

Thank you, Mr. President. Senate Bill 520 is a taxpayers' bill. It provides that the taxpayers need only to show that his real estate tax bill is wrong by a preponderance of evidence. Personally, taxpayers must show that his tax bill is so excessive that it amount to constructive fraud. Real estate tax bills should be fair. If the assessor has made a mistake, a taxpayer should only have to show that the mistake was made, he should not have to show fraud. Senator Keats and I believe this is a good bill. It is also supported by the Chicago Bar Association and the Taxpayers' Federation. I'd ask for a favorable vote on Senate Bill 520.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall Senate Bill 520 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. Well, Senator, I didn't take the key out now. Senator Brookins seeks leave of the Body to be recorded Aye on his bill, Senate Bill 520. On that question, the Ayes are 53, the Nays are 2, none voting Present. Senate Bill 520 having received the constitutional majority is declared passed. Senate Bill 521. Senator, is your key in place? Are we ready to roll?

Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 521.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

(Machine cutoff)...Brookins.

SENATOR BROOKINS:

Thank you, Mr. President. Senate Bill 521 simply allows a taxpayer to present the certificate of the error to the court. Presently, the state's attorney presents the certificate of error. This bill would allow a taxpayer to present a certificate himself if he wishes to do so. I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall Senate Bill 521 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 51, the Nays are 4, none voting Present. Senate Bill 521 having received the constitutional majority is declared passed. Senate Bill 523, Senator Marovitz. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 523.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. Senate Bill 523 requires the Department of Public Aid to include in a...in a written notice whether an individual is eligible or ineligible for AFDC, Medicaid, AABD,

general assistance and AMI. If an applicant doesn't qualify for any of the programs, all the department has to do is indicate on the notice that they already give that the applicant is ineligible and a brief statement as to why they're ineligible. All this is is a due process bill. Today the way things are done, there is, in fact, a defacto denial because the individual may be given notice that he's eligible for a particular program but not told that he's ineligible for other programs and, therefore, he loses his chance to appeal and correct and...and correct information so that he may be eligible for those other programs. All we're doing by this bill is saying to the department, if you're going to tell somebody they're ineligible, let them know specifically what programs they're ineligible for so that they can appeal or correct incorrect information that the department may have to...to allow them to be eligible. That's all this bill does. The department asked me to delay the effective date of this bill to July 1, 1988. At their request, I delayed the effective date until July 1, '88 and that is what the bill does.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Topinka.

SENATOR TOPINKA:

Yes, if I might ask the sponsor some questions.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR TOPINKA:

Yes, first of all, I appreciate what you're trying to do here, Senator Marovitz. I think, you know, your...intent is honorable. Are there any complaints because the Department of Public Aid claims that there are...this has not been a problem, so why...why is this necessary? That's the first thing and the second thing is I don't know that your bill...and maybe you have some limitations in here I'm not

sure about, but if a person obviously would be ineligible for some programs, let's say a man would be ineligible for Aid to Dependent Children, would that not be obvious without having to go through what would be this increase in paper work and possibly a redoing of the whole data processing system at Public Aid?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

All right. First of all, there is a problem or the bill wouldn't have been offered. There are thousands of people throughout the state, many of whom have been brought to me by the Legal Assistance Foundation who have this problem and have been given aid...granted certain programs but denied other programs where they may be eligible where there be...may be misinformation that has been received by the Department of...of Public Aid. It's a very simple system and the reason that we...we delayed the effective date is so that they can...better able to computerize the system where they would just check off a box ineligible. If...according to your example, all you have to do is say ineligible, wrong sex, period, if it's a...if it's a female program and you've...you've got a male applicant. It's a...it's a very simple thing. All we're saying to these people is if they're going to be denied, which the department should do, let them know that they're denied, why they're denied so that they can appeal, that's all. These people never know that they have a chance to appeal.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Topinka.

SENATOR TOPINKA:

Would you happen to know offhand how many potential public aid programs there would be available? I assume that then according to your bill...and not knowing this, you'd

have to tell me, let's say there's five hundred public aid programs that are out there that one could avail themselves of; therefore, if they could qualify for one or two, they would still be have to told that four hundred and ninety-eight they did not qualify for? Because public aid said this would be a very serious change in their operation, if...if you'll recall the committee meeting.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, Mr. President. First of all, there aren't five hundred programs or anything even akin to that, okay? not even anything akin to that. When...when they make application they apply for various programs. When they're granted a particular program, they're not told that they've been denied the other ones. All they have to be told on this same form, check off that they've been denied a particular program and that's it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

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

SENATOR MAROVITZ:

Well, this...this is a bill that just would afford due process to anybody applying to the Department of Public Aid. It doesn't require the department to give any additional grants,...doesn't cost any money. It just says that if you're going to turn them down, let them know that...the specific programs they're turned down for so that they can appeal or provide the correct...information, that's all it does. Ask for your Aye vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall Senate Bill 523 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted...wish? Have

SB 524  
2nd Reading  
SB 525  
3rd Reading

all voted who wish? Take the record. On that question, the Ayes are 32, the Nays are 23...I mean, 2 voting Present. Senate Bill 523 having received the constitutional majority is declared passed. Senate Bill 524, Senator Marovitz. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 524.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President. This bill establishes powers of attorneys for financial matters. It provides statutory forms to establish those agencies and standards of care for the agent of the principal. It was proposed by the bar association. Unless otherwise specified, the power of attorney shall remain in effect notwithstanding later disability of the principal in capacity of the principal of the appointment of a guardian. If the appointed agent is the spouse of the principal, divorce or legal separation will terminate the agency. The agent is required to exercise due care in administering the property of the principal. Basically, this is a Illinois power of attorney's bill and recommended by the Chief Judge of the Probate Division of Cook County, and I would ask for your Aye vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall Senate Bill 524 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 47, the Nays are none, none voting Present. Senate Bill 524 having received the constitutional majority is declared passed. Senate Bill 525, Senator

Marovitz. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 525.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President. This bill provides a funding mechanism for a not-for-profit dispute resolution center. It authorizes the Supreme Court to establish certain rules governing the operation of these centers within their respective circuits. It authorizes a dollar surcharge on filings to go to this dispute center and any money that is left over to go back to the circuits...the local circuits where the money comes for...from. This would help...relieve a lot of the clogged caseloads in various circuits across the State of Illinois. There are certain pilot...resolution centers that have worked very well. The purpose of the proposal is the same as the informal arbitration system that has been conducted in certain counties, and allows for the judges to concentrate on a more stringent caseload and for the resolution centers to settle certain situations that would relieve judges of...of tedious caseloads and I would ask for the Aye vote. The bar associations, both the ABA, IBA and Chicago Bar are very supportive of this legislation. I would ask for your Aye vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Mr. President and members of the Senate. I think the proposal is laudable, but I voted against it in committee and I'm going to continue to vote against it today for one reason and one reason only and that's the funding

mechanism for this bill. What we're asking people to do is those who now take advantage of the small claims court and the other civil courts but particularly small claims, in order to avoid costs of discovery and attorneys' fees and everything else are going to be asked to pay another dollar...to pay a dollar of their fees to supplement this program, while the people who are taking advantage of this program regardless of how wealthy they may be are not asked to pay a nickel towards the support of the program. And I think it's an unfair cross-subsidation of this program, that we ought to put an amendment on this bill to require at least fees based on ability to pay, and if people are indigent, as they may be and others, then don't require a fee. But at least have some payment out of the people who are using this system and don't put it on the backs of the people who are using the small claims court and the other civil system entirely, and for that reason, I'll continue to oppose the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Marovitz, do you wish to close?

SENATOR MAROVITZ:

Yes, I certainly will. The purpose of this bill is to make sure that those people who need to get to the court systems, let's say, parents who need support, child custody cases, people in serious contract resolution disputes, they can get to the...to the judges and get their cases heard a lot quicker, in many jurisdictions it takes years to get your cases heard while...small disputes can be resolved through these resolution centers. We worked with the Supreme Court of the State of Illinois on this legislation. They are supportive of this concept, they think it's a very good idea. The one-dollar fee on an existing filing fee of ninety dollars in Cook County for a jury case or eighty-one dollars

SB 527  
3rd Reading

without a jury is...means very little but will...will offer tremendous benefits to people across the state who heretofore again have to wait years to get very important cases heard. A mother who needs child support and can't get her case heard for months and months and months will be able to have some of those caseloads reduced and be able to get into court quicker because some of those other disputes that can be resolved at the community level will be resolved by the not-for-profit dispute resolution center, and I solicit your Aye vote for this bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall Senate Bill 525 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 34, the Nays are 23, none voting Present. Senate Bill 525 having received the constitutional majority is declared passed. Senate Bill 527, Senator Marovitz. Read the bill, Madam Secretary.

END OF REEL

REEL #2

SECRETARY:

Senate Bill 527.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much. All Senate Bill 527 does...the condominium bill, an individual who takes ownership...title...or ownership possession after a judicial sale would owe any assessments from the date of that sale on. That's all the bill does. Everything else has been taken from the bill. The change in the standard of care for board of directors has been deleted from the bill and that's all the bill does now is tell when...when the individual who takes ownership after a judicial sale...what...what assessments he owes. I would ask for your Aye vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall Senate Bill 527 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. Senate Bill 527 having received the constitutional majority is declared passed. For what purpose Senator Kelly seek recognition? Senate...Senate Bill 532, Senator Schaffer. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 532.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schaffer.

SENATOR SCHAFFER:

Mr. President and members of the Senate, a couple of years ago we passed the bill limiting who could have a...firearms owner identification card, restricting convicted...felons and people with past criminal records. In the course of that bill we put a series of exemptions. One group that was not provided with an exemption...and let me define an exemption...an exemption means that these people have the right to go to the director of the Department of Law Enforcement or I guess it's the head of the State Police now and present their case. The group we did not give that right are those people who have been pardoned by the Governor. Now this is a very small number of people, in the course of the committee discussion, I think the...the figure of ten or fifteen people a year. Now, you have to ask who goes before the Governor for a pardon for one of these crimes? It's generally someone who wishes to get into law enforcement, and what has happened in my area is that some people who had a...and I'm aware of a couple of cases and I believe there are several others around the state, people that been involved in...in legal problems, crimes when they were quite young, later in their life had straightened out, decided they wanted to into law enforcement and had to go through the lengthy...I believe it's about a two-year procedure to get a pardon from the Governor to become law enforcement officers. Well, unfortunately, now they cannot have a gun owner identification card and technically cannot carry a weapon even though they are pardoned and some of them are career fifteen- and twenty-year employees of various law enforcement agencies. All this bill would do would...allow those people to go before the...head of the State Police, present their creden-

tials, and if he so deems, get an exemption from the law so they can have a gun owners identification card. I am unaware of any opposition.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President. Would the sponsor yield?

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will.

SENATOR VADALABENE:

Yeah,...Senator Schaffer, about two or three years ago, I sponsored a bill for...for an individual in a district who at the time was eighteen years old and broke into an establishment and stole some cigarettes and candy, and I was berated in the Judiciary Committee for trying to...after I think it was about twenty-five or thirty years he was married and had two or three children and he wanted to go hunting with his...with his family, and because of that crime, he was charged a with felony, and to this day, if I recall, he cannot yet get an...one of these firearm licenses, and I was...took to task in committee because I was trying to get a felon...felon a license. Would this...would this help him out or not?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schaffer.

SENATOR SCHAFFER:

Only if he went through the somewhat lengthy procedure of getting an official pardon from the Governor. I believe there's another bill later on the Calendar who would...that addresses your problem though, but it's not this one...sponsored by a good looking fellow from the other side of the aisle.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Vadalabene.

SENATOR VADALABENE:

I wonder who that could be, I...I...I really am serious about this because this man had never committed another crime, he has a nice family that can't go hunting with his...with his sons and...and I'm...I'm very serious about this. There is a bill here that will take care of that?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, the question is, shall Senate Bill 532 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? Would you vote me Aye, Senator Luft? Vote me Aye, Senator...thank you. On that question, the Ayes are 44...take the record, Madam Secretary. The Ayes are 43, the Nays are 6, 6 voting Present. Senate Bill 532 having received the constitutional majority is declared passed. Senate Bill 534, Senator Berman. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 534.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. Senate Bill 534 merely extends the life of the Joint Committee on...on the Oversight of Education Reform from June 30th, '87 to January 1, 1989. Ask your favorable vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall Senate Bill 534 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting

SB 536  
3rd Reading

Present. Senate Bill 534 having received the constitutional majority is declared passed. Senate Bill 535, Senator Smith. Senator Smith, 535. Senate Bill 536, Senator Poshard. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 536.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Poshard.

SENATOR POSHARD:

Yes, thank you, Mr. Chairman and Ladies and Gentlemen of the Senate. Mr. President, presently, school districts in the State of Illinois are required to develop a school term calendar of a hundred and seventy-six instructional days. If for any reason districts to not meet the one hundred and seventy-six day minimum calendar, they may elect to either add more school days or if they do not want to make up the days, they can elect to receive a 1-1-76 state aid penalty for each day short of the one hundred and seventy-six day calendar. For many school districts in the state it's often less expensive to accept the 1-1-76 penalty than to get the schools back in operation and pay the necessary expenses of running the schools. Currently, as I have said, the only penalty which may be imposed on the school districts offering less than the one hundred and seventy-six days instructional calendar is the 1-1-76 reduction in state aid. This bill would delete the exclusive state aid penalty thus allowing the state superintendent to use broader discretionary authority to help settle these issues which are keeping our children out of school for longer periods of time. Mr. President, my primary reason for sponsoring this bill is to effect a solution for getting our children back in school. One of the things that our educational system is most criticized for

is the smaller amount of days our children spend in school compared to other leading technologically oriented countries with whom we must compete. Evidence suggests that over the past few years increasing numbers of school districts are not meeting the one hundred and seventy-six days of instructional time and the loss of state aid is not enough of a disincentive to require them to get the kids back to school. This is a situation that has to be resolved and this bill is the first step in that direction, and I would ask for your...favorable support of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. I stand in support of Senate Bill 536. Let me share with you what took place at the hearing of this bill in the Senate Committee on Elementary and Secondary Education. The superintendent of education, Ted Sanders, testified...was the lead...lead witness on behalf of this bill, and I candidly said to him, why in the world would he want to get in the middle of the labor-management disputes between...the administrators, the board on one side and the teachers on the other. His answer was that he felt that maintaining a hundred and seventy-six days of education was more important than the question of whether he takes a step back and allows the two parties to resolve their own differences. This is a controversial bill. I've been contacted by a number of my friends who are school board members, they don't like the bill. Let me share with you what I've said to them. Even with the passage of this bill, at the bargaining table, the board, I think, has substantial leverage if they've got the guts to use it; and among those tools that they have is to point out that if there is a strike, for example, in the early days of the fall semester that they can determine...the board can determine that there's not going to

be a Thanksgiving holiday or that there won't be a Christmas holiday and that school will be held on those days to make up for the lost days; and if there's a strike in the spring semester that the board can say, teachers, if you go on strike, you might as well forget your summer jobs because we're going to continue school beyond the previous closing date into June, into July, whatever and you're the ones that are going to have to work to make up those school days. So, I would suggest to you that my vote today in favor of Senate Bill 536 is going to be based essentially on my confidence and hope...I hope it's...I don't think it's misplaced...in Ted Sanders that he's going to see to it that a minimum number of days or certainly less days have been lost than in the past. I have asked him and he has agreed to report back to us in about a year to see how successful he has been in this new role that Senate Bill 526 is thrusting upon him. For those reasons, I'm going to vote Aye today.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Mr. President. Will the sponsor yield for a couple of questions?

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will.

SENATOR HAWKINSON:

First question is...as I have read this bill, it...it simply deletes existing language making this the sole remedy and, therefore, the...the bill in no way would require the make up of school days but would only give that option to the state board. Is that correct?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Poshard.

SENATOR POSHARD:

That's basically correct. The bill does not require the

local...school districts to make them up, but it would give the state school superintendent other discretionary authority that he does not presently enjoy to try to get the school back in session.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hawkinson.

SENATOR HAWKINSON:

I believe you've just answered my next question, but...but that is...our analysis refers to powers of the state board and you refer to the superintendent. Is this...a power that could be exercised solely by the superintendent without the concurrence of the...the state board?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Poshard.

SENATOR POSHARD:

No, Senator Hawkinson, it is not, I...I used those interchangeably.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Keats.

SENATOR KEATS:

After serving eleven years in the Education Committee, I...I normally follow my chairman's lead on almost everything, but I want to say, he was correct in saying this is a controversial bill but I'm not sure his lead is the one I want. Simplify this very quickly. All we're saying is we are making it easier for school districts not to meet. Now if you compare our school year that's a hundred and seventy-six days to the Japanese school year that's two hundred and forty days, you begin to realize why some of their kids are ending up better educated than our kids. Now if we're already seventy days or sixty some days behind the Japanese, this now makes it easier for us to fall farther and farther behind. Now I understand that certain special interest groups like to make it easier to fall behind because

they'd just as soon not face the consequences of their actions, but the plain and simple fact is, if are a parent and if you have kids in the public schools, you just get...you're getting kicked in the teeth by this bill. We should not be going in the direction of...making it easier to shorten the school year. If we were truly being responsible what we would be doing is attempting to lengthen the school year somewhat, not only to better utilize our facilities but to make sure kids have a better chance to learn. To leave this in the lap of the state board to say, oh, well, gee, it's too bad they missed eight more days, I'm really sorry. What about the kids? What about the educational opportunity they lost? I think we should be opposed to the bill and I'm sure...I'm sure parents in your district would agree with that.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Severns...for what purpose do you arise, Senator Poshard?

SENATOR POSHARD:

Well, I'm the sponsor of the bill, Mr. President. I'd like to respond to...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Well, he just made a statement. You'll have a closing arguments to respond. Senator Severns.

SENATOR SEVERNS:

Thank you, Mr. President and members of the Senate. I spoke out in favor of Senate Bill 536 in committee because I think the real question is, what are we going to do to keep our children in the schools for the length of period that they need to be to best train them for the challenges of the future, and I think Senator Bill 536 addresses that. But after speaking out I, too, had questions raised with me and there seems to be a lot of discussion about bargaining. I would like to ask the sponsor, if he'd yield...

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will.

SENATOR SEVERNS:

...I'd like to ask the sponsor...are there more strikes now than before the bargaining bill?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Poshard.

SENATOR POSHARD:

Senator Severns, it is my understanding that there are less strikes now.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, this bill, I think, has some fallacies in it. There were more strikes after the original bill was passed than we had for a long time, let me inform my colleague whom I have...highest respect for and if you'll check, you'll find out. This bill certainly is going to circumvent collective bargaining and when the...days are all made up, well, then what's to stop strikers from continuing to strike? This is not going to solve the problem and I don't agree with the state board of...the state board superintendent. I think he's wrong about it and I can tell you this that...the instructional time is lost each year due to voluntary absences and suspensions more than it is loss with strikes, but I don't think you're going to put a curb on this at all with this kind of a bill. I think what you're going to do is lengthen strikes, and I feel that children will be deprived of their education more so and...as I said, your bargaining tool is going to go out the window; therefore, I rise in opposition to this bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. I rise in support of the bill, and, Senator Keats, if I might have your attention just a moment. I think that the speech that you made actually was one in favor of the bill rather than against it, because the whole point of the bill is to increase the penalties for going under the one hundred and seventy-six days or at least to provide discretionary authority to increase the penalties for going under the one hundred and seventy-six days and, therefore, really encourage...if not stronger than that, meeting at least that minimum number; admittedly, that still doesn't equal Japan's two hundred and forty, but at...at the very least, it would almost require that someone figure out a way to get the hundred and seventy-six days. So, I think actually it is moving very much in the direction that...that you were suggesting and that is the reason why a lot of us did support it in committee and will continue to on the Floor. I think anything that can be done to increase the number of days that our kids are in school is very much to be desired and this bill has that purpose.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Topinka.

SENATOR TOPINKA:

Yes, first off, I'd like to note that I...I just very much admire the sponsor and I like the majority of this bill, and having voted for collective bargaining in the past for this...for schools and...and I think this one is good, I have one question. If, indeed, we do...we do extend the...the hundred and seventy-six days so we know that somewhere along the line the power now would rest with the superintendent...the state superintendent to extend it and get that full one hundred and seventy-six days, if, indeed, there had been a strike somewhere along the line, would we not, in fact, be paying someone to strike and...and basically making up monies

that would have been lost during the strike? Because I think if you're going to strike, you take that risk, it's a crapshoot and that's fair, and this...that's troublesome to me in this bill, it's the one part I have trouble with. Could you respond to that?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Poshard.

SENATOR POSHARD:

Thank you, Mr. President. Suppose the only way I can respond, Senator Topinka, is in a philosophical way. If we're talking about people striking in a factory where a product is being made that's of a mechanical nature or otherwise, sometimes I guess we can...we...we tolerate that and we have to understand that because of employee rights and so on, we have less production. But schools are different. In schools we're not dealing with an inanimate object or a mechanical product at the end of the assembly line, we're dealing with a child, a child's life, and we're talking about a hundred and seventy-six days of the school year. I don't know how to respond to your question other than that, that's been the standard and I don't think we can shortchange the children on the basis of whether we're paying the teachers or anyone else a few days pay while they're out. They're going to have to make that time up also, whether it's in July or, as Senator Berman had indicated, over Christmas vacation or Thanksgiving or Easter or whatever. They're not getting paid for any days that they do not work, period.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Holmberg.

SENATOR HOLMBERG:

Thank you, Mr. President. I rise in support of this bill as well, but I also would like to clarify something that I think is not understood in some cases by some of the school districts that are calling us on this particular piece of

legislation. I think the check and balance that we put back into the system by allowing the state superintendent to review the recognition status is a very, very important component and there seems to be a certain misunderstanding about when the state superintendent of education could use that power that we...establish in this bill, and I would ask of the sponsor, if the state superintendent reviews recognition status, when does it occur?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Poshard.

SENATOR POSHARD:

Senator Holmberg, I'm quite sure that that occurs very early in July each year.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Holmberg.

SENATOR HOLMBERG:

I think that's critical 'cause that's a...another component that gives you the end of the fiscal year, it gives you a...resolution date on when dates have to be made up or when you might lose your recognition status, and I think it's important that we do everything within our power to ensure that school children are given the opportunity to learn and that this is an important safeguard that has been built into this piece of legislation.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I rise in opposition to this bill. If, and I say, if we are truly interested in increasing the number of days that students spend in the classroom, then I would ask why doesn't the state board direct some of its considerable resources toward other reasons? Reasons...that...that result in the loss of classroom instructional time, reasons that

create a far greater loss than lost time due to strikes and I'm thinking about volunteer...voluntary absenteeism, I'm talking about the rising number of suspensions and other similar reasons. Those reasons account for far more lost instructional time than days lost by strikes. I would say, too, in opposing this bill, one of the things it does is to create an unlevel, uneven playing field. There are those on the Floor of the Senate today that...supported the collective bargaining bill for teachers because it included a provision that would...make possible...possible lost pay as a consequence of entering a strike. What this bill does is to eliminate that possibility and create a level...an uneven, unlevel playing field. I think that is a reason to oppose the bill. One of my colleagues who sits with me on the Elementary and Secondary Education Committee who happens to be an attorney made a...a very famous remark during this...during the testimony. She said, if I were a school attorney and this bill were to become law, I would blow my brains out. I repeat that here because I think it underlines the seriousness of this bill. This is a very bad bill and I would urge you to vote No.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? There are three additional speakers and...and one for a second time. We're going to be here all night. Further discussion? Senator Keats, you've had your opportunity. Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. I'll be very brief. We've heard a lot of rather high sounding rhetoric about education of children and we're all interested in that, but it seems to me that what this really does is insulate union members from any risk of...any risk when they decide to strike. Now in the private sector, if union members vote to strike, they know there's a possibility of losing that strike, they know

also that there's a possibility of...of losing income, and it seems to me that what this bill is designed to do rather than helping kids, it's really designed to make sure that union members are running no risk of loss of pay if, in fact, they do strike.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Watson.

SENATOR WATSON:

Well, thank you, Mr. President. I hate to follow my good friend over here, which usually I follow philosophically in regard to issues such as this, and I'm...I am going to support this which is contrary generally to my...my beliefs and my following, but...at least as far as the labor-management issues go, and we...we get caught up in the labor-management situation here in...in regard to education and I...and I think that's wrong. I think that's wrong and I think this is an issue that really...if we're going to have quality education, the way to bring about quality education is have those kids in the classroom, and I understand how this weights in favor of the unions and I understand where everybody is coming from, but I think those kids need to be in the classroom, and I think with that thought in mind, I'm going to be supporting this legislation and urge...others to do so. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Lechowicz.

SENATOR LECHOWICZ:

Mr. President, I move the previous question.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, we...we have...we have only one additional speaker who wishes to speak. Senator...Senator Ralph Dunn.

SENATOR RALPH DUNN:

Thank you, Mr. President and members of the Senate. I...I always follow...or try to follow Senator Keats, but

this time he's absolutely wrong, he had it exactly backwards. This bill would require that you go to school...that children go school for a hundred and seventy-six days and it does not...do anything to lessen the school days, it would require more school days, as I understand it. It does not amend the Illinois Educational Labor Relations Act that we...talk about the School Act. It's a bill that gives the state superintendent a tool to deal with people who don't go a hundred and seventy-six days, and I move for its passage and think it's a fine bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Keats for a second time...to be brief.

SENATOR KEATS:

I would not have risen...and I appreciate what Senator Dunn and Senator Netsch said, but you listened to the rhetoric and forgot to read the bill. What it says, right now, the penalty is these guys lose money. What this bill switches it to is it allows the superintendent to review their certification. Now...let me remind you what certification means, that recognition status for the district fails to meet adequate standards, et cetera, they can...the superintendent can come down on them and there would be a reduction of recognition could affect the district's ability to levy taxes and to receive and expend funds. The superintendent said in committee this has never been done. So, what he basically said in answer to the questions was, the only penalty I can offer is a penalty that's never been done and is so heavy can't be done because you essentially shut down a school district which is what the superintendent said. So, in reality, you go to a limited penalty or you go to what the superintendent says, a penalty never done, and let me stress the words the superintendent said, never done. So, to say that this lengthens the school day, you simply haven't read

the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Now...we're going to be here till midnight if...if...if we keep this up. Senator Poshard to close.

SENATOR POSHARD:

Thank you...

PRESIDING OFFICER: (SENATOR DEMUZIO)

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

SENATOR DAVIDSON:

Well, under our temporary rules, we have a time limit. Would you please start the clock from now on in so we can keep this debate to a...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson, we have attempted to...to...afford everyone the opportunity to speak. It just seems to me that we are all reasonable people here. It's not necessary for the clock. If it becomes necessary in the future, we will...we will do so, but it's a good point. Senator Poshard to close.

SENATOR POSHARD:

Well, thank you, Mr. President. Mr. President, we have discussed many issues here in regard to this bill, but the most important issue is not whether the teachers get paid for a hundred and sixty-five days or a hundred and seventy-six days, most important issue is not whether the school board gets reimbursed for a hundred and sixty-five days or a hundred and seventy-six days. The most important issue is not even whether or not we are increasing or diminishing the authority of the State Board of Education. The most important issue is whether or not we want to say to the parents of every school child in this state that we believe your child should be in school the minimum one hundred and seventy-six instructional days per year. If we want to say that to the children of this state, then we should vote for this bill,

and I would ask for your favorable consideration.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall Senate Bill 536 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 41, the Nays are 18, none voting Present. Senate Bill 536 having received the required constitutional majority is declared passed. I...I think we were like forty...forty-five minutes on this last bill. We have five hundred to go. Bottom of page 11, Senate Bill...3rd reading is Senate Bill 537, Madam Secretary.

SECRETARY:

Senate Bill 537.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

Yes, sir, thank you, Mr. President. This is the Illinois Optometric Practice Act and after lengthy discussions and meetings and all between the Department of Registration and Education, the only optometrists and the ophthalmologists we've come up with what we think is an agreed piece of legislation. This...this is a...sunsets, of course, in ten years and I know of no objection and would be glad to answer any questions; otherwise...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Discussion on this bill? If not, the question is, shall Senate Bill 537 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. Senate Bill

537 having received the required constitutional majority is declared passed. Senator Severns, for what purpose do you arise?

SENATOR SEVERNS:

Thank you, Mr. President. I'd like to rise for a point of personal privilege.

PRESIDING OFFICER: (SENATOR DEMUZIO)

State your point.

SENATOR SEVERNS:

Today we have in the President's Gallery, Mike Ross, along with his friends, Chris and Cory Thompson and I'd...from Decatur. I'd like them to...

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, will our guests in the gallery please rise and be welcomed to Springfield. Congratulations. Top of page 12, Senate bills 3rd reading, Senate Bill 539, Madam Secretary. Read the bill.

SECRETARY:

Senate Bill 539.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator O'Daniel.

SENATOR O'DANIEL:

Mr. President and members of the Senate, Senate Bill 539 is a bill that came out of the JCAR Committee and as...as amended it...it just simply states that a foreign manufactured vehicle that doesn't meet our safety and emission standards must be brought into compliance before being titled and registered, and I don't know of any opposition and I'd appreciate your favorable...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Discussion? If not, the question is, shall Senate Bill 539 pass. Those in favor will vote Aye. Those

opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. Senate Bill 539 having received the required constitutional majority is declared passed. 542, Senator DeAngelis. On the Order of Senate Bills 3rd Reading is Senate Bill 542, Madam Secretary. Read the bill, please.

SECRETARY:

Senate Bill 542.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. Senate Bill 542 does exactly what the caption says. Currently, we allow people who are in industries in which their products are taxed to maintain a small portion for administrative costs. The hotel industry, to my knowledge, is the only one at this point which has not been having that small recompense for their efforts; and what this bill does, it allows them to keep 2.1 percent of the amount of monies collected or twenty-five dollars annually whichever amount be greater, and I would urge your support for this bill. I'll be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Lechowicz.

SENATOR LECHOWICZ:

One question, Mr. President, if I may?

PRESIDING OFFICER: (SENATOR DEMUZIO)

...sponsor indicates he will yield. Senator Lechowicz.

SENATOR LECHOWICZ:

What's the fiscal impact to the state on this bill?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

Annually it would be about 1.2 million dollars, Senator Lechowicz.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz.

SENATOR LECHOWICZ:

1.2 million statewide?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

Yes, sir, on an annualized basis. For this fiscal year it would be less because it's going into effect later, but on an annual basis, it'll be 1.2 million.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...Senator Lechowicz.

SENATOR LECHOWICZ:

Answers my question, thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Further discussion? Senator DeAngelis, you wish to close? Question is, shall Senate Bill 542 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Senator Savickas, can you vote me Aye? Take the record. On that question, the Ayes are 57, Nays are none, none voting Present. Senate Bill 542 having received the required constitutional majority is declared passed. Senate bills 3rd reading, Senate Bill 547, ...Madam Secretary, read the bill.

SECRETARY:

Senate Bill 547.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Woodyard.

SENATOR WOODYARD:

Thank you, Mr. President and members of the Senate. This is a Department of Agriculture bill. It amends the Insect, Pest and Plant Disease Act. It clarifies language...updates language. It authorizes the department to levy and collect administrative penalties. It's a rather technical, lengthy bill. The net revenue generation of the bill is...is about two hundred and forty dollars. It only affects the twenty-four nurserymen in the state at this time and they are in support of the bill. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Hawkinson.

SENATOR HAWKINSON:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield. Senator Hawkinson.

SENATOR HAWKINSON:

When you...when you say nurserymen are in support and there's only twenty-four of them, this bill does not affect the folks in all of our towns who...who sell flowers and trees and evergreens and...and other plants?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Woodyard.

SENATOR WOODYARD:

That...that's correct, it's just the...the licensed nurserymen that this affects.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further...further discussion? Senator Woodyard, you wish to close? If not, the question is, shall Senate Bill 547 pass. Those in favor 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. Senate

Bill 547 having received the required constitutional majority is declared passed. Next bill, 550 is on the recall list. 551. On the Order of Senate Bills 3rd Reading, Senate Bill 551, Madam Secretary.

SECRETARY:

Senate Bill 551.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

Mr. President and members of the Senate, does what it says on the Calendar. This is a Department of Transportation bill to make one section of law consistent with the other section, and I don't know of any opposition to it. Appreciate a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President. I'd like to ask the sponsor if there's a limitation lift being...being lifted on axle weights? Does it have anything to do with that?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

There's no limitation on the overall weight. This is letting the triaxial people travel on the other thing. Actually, it's a better thing for the highways 'cause it spreads the load over a further area and does not do as much damage. There is no increase in the gross amount of weight.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kelly.

SENATOR KELLY:

That's my question. I wanted to know if there was any

increase and there isn't. Okay.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Further discussion? If not, the question is, shall Senate Bill 551 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting present. Senate Bill 551 having received the required constitutional majority is declared passed. Senate bills 3rd reading, Senate Bill 556, Madam Secretary. Read the bill, please.

SECRETARY:

Senate Bill 556.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. Senate Bill 556 is a vehicle bill that I call "The Rights of Spring." As you know, each year a nursing home and Department of Public Aid tried to negotiate a rate, and as you know, they probably don't get it done till about the last two weeks. So, I would just like to have permission of the Body to move this bill forward to the House, leave it open, we'll see it again...pardon...and we'll see it back again somewhere at the close of the Session in...in some type of form.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall Senate Bill 556 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are 1, 1 voting Present. Senate Bill 556 having received the required con-

stitutional majority is declared passed. Senate Bill 559, Senator Jerome Joyce. On the Order of...Senate Bills 3rd Reading is Senate Bill 559, Madam Secretary.

SECRETARY:

Senate Bill 559.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEROME JOYCE:

Thank you, Mr. President. What this bill does is...it allows wheeling electricity in enterprise zones. This would allow a business that's located in an enterprise zone to seek competitive bids for the provision of electrical service. In our part of Illinois and the northern part of Illinois, the...the rates are...are extremely high. I've had businesses who were very willing to come into that part of Illinois who suddenly found out what the utility rates were and have gone on to another state. In fact, one of the...a large company was going to lay...locate two plants, one in Kankakee and one in DeKalb, and instead they located in Iowa. So, what this would do on a trial basis is...is let those businesses in an enterprise zone deal with the utility companies to try and...and get the best price for their business. Now that...it doesn't necessarily mean that they would use a utility from out of their area, they could use the same utility that's in their area and probably would, but it would be competitive bidding and I...I think that that would...would help attract industry to this state as much as anything we could possibly do in this General Assembly. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, WCIA-TV has requested permission to tape the Senate proceedings. Is leave granted? Leave is granted. Is

there discussion? Senator Ralph Dunn.

SENATOR RALPH DUNN:

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield. Senator Ralph Dunn.

SENATOR RALPH DUNN:

Mr...Senator Joyce, I don't quite understand why the bill would be an advantage to...for an enterprise zone. It sounds to me like it's an...at least it's an anticoal bill and I'm going to vote against it and urge that you would because there's a possibility that we'd be buying...utilities could be...or enterprise zones could be buying coal from Allis Fate or even out of the nation, from Canada. Is that not right?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEROME JOYCE:

Well, it doesn't have anything to do with coal. It...what it does, it...it lets them buy from a utility who has the cheapest rate. Now, I...I don't know that...how that would affect Illinois coal. The utilities still have to follow the same guidelines that they do burning Illinois coal with or without this bill and...and I...quite honestly, I don't know how many enterprise zones would be, you know, affected by this.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, I just...I just want to point out there's at least seven or eight speakers on this. Senator Ralph Dunn.

SENATOR RALPH DUNN:

I...I...I'd just like to point out to the sponsor that electricity is generated throughout Illinois by several different means, one of which is coal; and, of course, we in the southern part of the state, and particularly in an area that generates a lot of coal, we would like to see more Illinois coal burnt and this, we are afraid and the coal industry

is afraid...both the operators and the United Mine Workers have spoke to me about the possibility that this would cause utility to buy...you could buy electricity from out of...even out of the country and particularly out of the state, and maybe that sometime or other that even nuclear powered plants would be cheaper and this would knock coal out altogether. We're...that's not the case at present, but...I...we think it's a bad precedent and I would urge a No vote. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? I'm going to point out there are three, four, five, six, seven, eight, nine speakers on this bill. Senator Weaver.

SENATOR WEAVER:

Mr...question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Weaver.

SENATOR WEAVER:

Senator...Senator Joyce, does this just apply to new industry in the enterprise zone or all existing industry?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEROME JOYCE:

Yes, it would be applicable to any...any business, new and old.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Weaver.

SENATOR WEAVER:

Well, it would appear to me that as an existing utility who had made an investment to serve the existing industry in an enterprise zone has quite an investment then...and I don't think it's quite fair just to cut off...now if you've made this apply only to new industry locating in an enterprise zone, why that'd be a different story, but there is quite an investment made to serve existing industry by the utility

company no matter where it is.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Jeremiah Joyce.

SENATOR JEREMIAH JOYCE:

I move the previous question.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, we have Senators Mahar, Donahue, Davidson, Woodyard, Maitland, Hall, Zito and Lechowicz. Senator Macdonald....Macdonald.

SENATOR MACDONALD:

Well, I have to rise to oppose this particular piece of legislation. Traditionally, this state has granted utilities an exclusive geographic franchise and expected in return a utility's obligation to serve all of the customers. For instance, let's take the case of CILCO in central Illinois. Currently, I guess, there are seven enterprise zones in that particular service area and they contain probably...I think an estimated twenty-six hundred commercial accounts...and...account for fifty-eight million dollars in electrical revenues. Now, should that particular situation change, I think that there is no doubt but what it would trigger a rate increase...of...of a substantial amount and I think we should be very careful about what we're doing in this particular bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President and Ladies and Gentlemen of the Senate. I, too, rise in opposition to Senate Bill 559 and, yet, I know that Senator Joyce has a particular problem in his part of the state and introduces this piece of legislation with an attempt...in an attempt to help that...that problem, but as Senator Macdonald has already indicated, this creates a very serious, serious prob-

lem for...for homes that would be on...and with the same company. If you take a very major user of that utility away from that rate base, it can do nothing more than to raise the cost to those homeowners who are with that same company, be it investor-owned company or cooperative and you have to be concerned about that. Free enterprise is great if everybody could do it, but it doesn't work that way and you're going to force some of these people into some very high utility rates. In addition to that...and, farmers, listen to this, those of us who are in close proximity to an enterprise zone and yet are with that same company, we're out on the end of the line and would never, ever be able to take advantage of this. Our rates are already high and this would do nothing more than to raise those rates once again, and I would urge opposition to Senate Bill 559.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Woodyard.

SENATOR WOODYARD:

Thank you, Mr. President, and I do apologize for taking the time of the Body. A question, Senator...a hypothetical question. What...what is preventing these companies from doing this right now?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEROME JOYCE:

Well, there's no provision in the law for...for them to...to deal with competitive bidding. Now, there is with natural gas, they can wheel natural gas but you cannot do it with electricity.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Woodyard.

SENATOR WOODYARD:

It is my understanding some companies are already doing this, out of state...in...in some other utility companies.

The second part of that...if that premise is correct, your bill...would it possibly limit only to the enterprise zones and what about those companies that are wheeling from out of state?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEROME JOYCE:

Yes. Right now, they cannot wheel into Illinois. The ICC won't let them do it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Davidson.

SENATOR DAVIDSON:

Mr. President and members of the Senate, I rise in opposition to this bill 'cause you forget two big people...two big groups of people. It's great maybe for those people within that enterprise zone, but all the rest of the people, be they private homes, be there other businesses going to have to shoulder the cost, 'cause when you drop a major group of customers from a utility...and we all know that the utility rates are based in relation to the flat overhead or the amount to generate is divided among the customers, and when you drop out a major number of those customers, consequently, the rate goes up for the rest of us. This is a bill that should be defeated unless you want to go back home and tell your people, both the private home and the businesses that, oh, we gave a break to those few people in enterprise zone, but we just passed the cost on to you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Mahar.

SENATOR MAHAR:

Thank you, Mr. President and members. I rise in support of this bill. Wheeling electric power in the State of Illinois is competition and, unfortunately, the word competition is not in the vocabulary of some of the utilities in our

state. My experience...as a businessman in support of the business issue as before the General Assembly the last two years is, is to support wherever I can competition because the consumer, in the final analysis, is the beneficiary of competition. It forces companies to control their costs. It forces them to be lean and mean in the marketplace. If they're not, some of the stockholders have every opportunity to restructure their board. Wheeling might have and probably would have an adverse effect if it was statewide...a utility who would be a significant loser in their marketplace would obviously...have some adverse...financing in...in...in structuring their debt and whatnot, but in this particular case, we're only talking enterprise zones. I think this is perfect pilot study for us to measure...statistically measure the effects of wheeling in the State of Illinois; certainly all the large manufacturers are in support of it, and I urge your support of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I...rise in strong opposition to this, and on the point that Senator Mahar just made, if you have fixed cost to the utility and you take...everybody bears that cost. You take a major employer out of that, a major user, and it raises the cost to every other individual on that line, and...and this is a rate increase, and to sit here and see on our analysis talks about small businessmen have supported this legislation, if you are a part of that enterprise zone, it might affect your cost but it's going to raise the cost to other small businesses located outside that enterprise zone, it's going to raise the cost to our individual users and it's going to raise the cost to our farmers. I think this is a bad piece of legislation and I oppose it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...further discussion? Senator Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield. Senator Hall.

SENATOR HALL:

Senator Joyce, I share your concerns and I'm sure that you...that I feel...certainly feel that the utility rates are too doggoned high now, and...what I want to know is this, I have two suppliers in my district, one is Union Electric which has electricity only and it's in Missouri; the other is Illinois Power which has both gas and electric. Now, my concern is this, that they're saying that this will raise the rates, but do you feel that this bill would raise the rates?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...Senator...Jerome Joyce.

SENATOR JEROME JOYCE:

No, Senator, I don't think it'll raise the rates. I think that the arguments made around here are...are...are not very well thought out. Number one, competition generally brings the price down and as far as the people out on the fringe areas, the...the homeowner and what have you, those have to go before the Commerce Commission...before any rates can be raised it has to go before the Commerce Commission. So, I don't...I don't particularly believe that because a utility company...one utility company might lose a business to another utility company, why is that going to raise the rates to an individual homeowner? I don't think it is. You know, they generate so much electricity...we've...we've talked about that in here about limiting excess capacity and we couldn't do that. Most of these utility companies have twenty-five, thirty, forty percent excess capacity. So, let

them bid on this...this situation and...and it'll bring the price down. For those particular industries that are thinking about leaving the state or that are thinking about coming into this state, it'll provide jobs. So, I...I think the overall benefit is that we are going to let our industries have some...some jobs and...and get a little break on their electricity and also our homeowners...that utility company would have to go to the Commerce Commission to raise their rates and I don't think the Commerce Commission is going to let that happen. So, I think what will happen is that the competition will bring the price down.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? All right, the last speaker is Senator Zito. Senator Zito.

SENATOR ZITO:

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield. Senator Zito.

SENATOR ZITO:

Senator Joyce, I have no problem supporting the concept of this legislation, but as many of the previous speakers have indicated, some of us do not have enterprise zones in our districts and we're worried about the adverse effect. Would you be willing to entertain an amendment...rather than...containing this legislation only to enterprise zones, would you be willing to open this up statewide in an amendment process either in the House or...or some other place? I realize it's too late for this Session, but can we have your feelings and comments on that question?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEROME JOYCE:

Yes, I...I would be...I...I think that before this bill

gets through the House that there will be many amendments tried on it. There are negotiations going on right now. I would just as soon had not called the bill at the present time but I was afraid we would not get back to it. So, there are...there are a lot of negotiations, I feel, that will...will go on with this bill before...before it ever gets to the Governor, if, indeed, it does.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Zito.

SENATOR ZITO:

Well, thank you. If...if we have your commitment that at least we will attempt in the House to open it up statewide, I'd like to see now some of us that would otherwise have to oppose this legislation could support it. Again, I believe in the concept but it certainly is not going to help my district in light of the fact that we have no enterprise zones. With your commitment and proviso, I...I will support the legislation and hope the others that raised that point of opposition do as well.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, Senator Joyce may close.

SENATOR JEROME JOYCE:

Well, I think the bottom line that we talk about in this General Assembly is...is the economy and bringing jobs into the State of Illinois. We on this side of the aisle sometimes say that, you know, we can't touch the workmen's comp. and unemployment compensation because that's near and dear to...to our heart, and on the other side of the aisle I hear arguments about competition and so on and, well, this...this is a...a truly...a competitive process and I think that it will, indeed, bring the price down. It will show the Commerce Commission and it will show everyone else that the utilities can live with a cheaper price, and let them have the opportunity to...to go out there and have these busi-

nesses have the opportunity to go there and try and get a lower price. It doesn't necessarily mean that...there will be a foreign utility company coming into your area...chances are it'll be the same one but they'll have to meet the...the bids of...of the other utility companies. So, with that, I...I would just ask that you give business a hand in the State of Illinois and support this piece of legislation. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Question is, shall Senate Bill 559 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 28, the Nays are 25, 4 voting Present. Senate Bill 559 having failed to receive the required constitutional majority is declared lost. Senator Joyce requests postponed consideration. Postponed consideration on 559. Can I have your attention, please. Senator Carroll has some honored guests that he would like to introduce.

SENATOR CARROLL:

Senator Poshard, Weaver, Senator Watson would join me. Ladies and Gentlemen of the Senate, we are honored to have with us the winners...four winners of the statewide Nutrition Poster Contest where over seven thousand students throughout the state participated in...presenting posters on nutrition that was cosponsored by our Illinois Department of Public Health in addition to the regional superintendents of schools, the Illinois Home Economics Association, Illinois Nutrition Association, the Illinois Dietetic Association and the Illinois...Pediatric Association. These people, who I'll ask you to recognize in a second, are here with their parents. They received not only a plaque but a bicycle which I think they all felt was the better part of the award, and it

was for giving a poster that would teach their fellow students what to choose to eat. So if those of you who are nibbling on popcorn will stop for a second, we have the nutrition group instead who have indicated that there are better things to eat than what most of eat all day on the Floor. The kindergarten student, Mark Allen Fitch and his parents. Where's Mark? Mark. Can you see him? Glad you're going to pick him up. The posters are in the building so that you can all later see them. First and second grade, Rusty Parker, a second grade student at St. John Newman School in Collinsville. Right here. His poster, "Wheel of Nutrition - Good Nutrition Keeps You Spinning." And he's got a new bike. Right? Jana Hart, fourth grade student at Buckley Loda School in Loda. "Good Nutrition - A Personal Choice - Dancin' to the Beat of Good Nutrition." Jana, over this way. Okay. Wave. And last but not least, an eighth grade student at St. Lambert's School in Skokie, Jean Robinson, whose poster entitled "Good Nutrition - A Personal Choice" shows a boy making a decision between junk food and nutrition food groups. Jean...behind me. Here we are...Jean, wave...and her parents. The Senate thanks you for your efforts on behalf of good nutrition for all of Illinois. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Okay, on the Order of Senate Bills 3rd Reading, Senate Bill 561. Mr. Secretary, read the bill, please.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 561.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas.

SENATOR SAVICKAS:

Yes, Mr. President and members of the Senate, House

Bill...or Senate Bill 561 amends the Nursing Home Care Reform Act to authorize the Department of Public Aid to increase the reimbursement to nursing home facilities for beds being held for residents who are hospitalized for ten days or less or who require home visits to ninety-five percent of the resident's per diem. At the present time, the Department of Public Aid reimburses a facility at the rate of seventy-five percent of the resident's per diem if and only if the facility has an occupancy rate of ninety-three percent or higher. The rationale for these changes is twofold. First, when a resident leaves a facility for a short period of time, the facility's costs do not decrease capital costs, administrative costs or personnel costs in equipment supplies and commodities. These costs remain the same; therefore, the facility would be reimbursed at or very near the resident's per diem. And second, the bed-hold reimbursement mythology is tied to a facility's occupancy rate, and the ninety-three percent rate is unreasonably high in view of the fact that the 1985 statewide occupancy rates range from 93.8 percent to 88.2 percent with an average of 90.7 percent. Senate Bill 561 would become effective on July 1st, 1988. It was introduced at the request of the Illinois Health Care Association and I would appreciate a favorable vote.

PRESIDING OFFICER: (SENATOR DEHUZIO)

All right, discussion? Senator Topinka.

SENATOR TOPINKA:

Yes, would the sponsor answer one question, please?

PRESIDING OFFICER: (SENATOR DEHUZIO)

Sponsor indicates he will yield. Senator Topinka.

SENATOR TOPINKA:

Yeah, we're...we're showing that the cost of this would be 11.2 million. Is that correct, sir?

PRESIDING OFFICER: (SENATOR DEHUZIO)

Senator Savickas.

SENATOR SAVICKAS:

Well, that cost is a proposed estimate...estimated cost that would kick in in 1989 if...if all the facilities eligible for bed-hold reimbursement apply for such reimbursement...no, at...today...if this bill went in effect today...July 1st, no, that would not be the cost, but it's the projected cost if...if everybody wants...everybody applies for it and everybody takes advantage of it, but...I don't see that happening.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Savickas may close.

SENATOR SAVICKAS:

I would move its favorable...roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall Senate Bill 561 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 40, the Nays are 17, 1 voting Present. Senate Bill 561 having received the required constitutional majority is declared passed. Senate bills 3rd reading, Senate Bill 564. Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 564.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you...thank you, very much, Mr. President and members of the Senate. Senate Bill 564 increases the maximum monthly replacement service loss from seven hundred and fifty dollars to a thousand dollars and the maximum funeral loss from two thousand to three thousand. Replacement services

are those which expenses occurred in obtaining services in lieu of those that the...the victim would have performed if it had not been for the injury...but they benefit his family and they were required because of the injury of the individual. The program is administered by the Attorney General and the Court of Claims. A maximum final award is still the same, it only increases the replacement services and the funeral costs and I solicit your Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall Senate Bill 564 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are 1, none voting Present. Senate Bill 564 having received the required constitutional majority is declared passed. On the Order of Senate Bills 3rd Reading is Senate Bill 566, Mr. Secretary. Read the bill, please.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 566.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Brookins.

SENATOR BROOKINS:

Thank you, Mr. President. Technology in the field of health care is rapidly changing. Bills such as 566 will provide safeguards for both hospital settings but more important in the expanding field of home care. Individuals who are in need of respiratory service will be assured that competent personnel will deliver them. It is also important to note that this bill will not increase the cost of health care. Beginning in 1988, physician's assistants, occupation therapist and the X-ray technician have been registered with

no...increase in the rate of health care costs. I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. Ladies and Gentlemen of the Senate, here we have another request to license another group. This is usually Senator Schaffer's speech and I don't know where he is right now...but I...I'd like to make some of the points that he makes. Normally and often around here when we are asked to license a group, what we're really being asked to do is insulate that group from competition or set them out in some way so that other people can't do the particular work that they think only they can do. This bill has been before this Body in other years. It's always lost somewhere along the line. I understand that the bill has been kept in committee in the House, so it's unlikely that the bill is going to pass the General Assembly. At some point, we need to draw the line and...and this work, I think, based upon the...the testimony that we had in...in the committee, this kind of work is being done by nurses now, it...there is a registration procedure for people engaged in this occupation. We really don't need to set up another category of state licensing. The idea of increasing the costs, contrary to what the sponsor tells us, other groups, the hospitals and others, tell us that this will increase the cost. So, I think we have a disagreement there and...and I, for one, am going to be voting against this bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Jones.

SENATOR JONES:

Thank you, Mr. President and members of the Senate. I rise in support of Senate Bill 566. Senate Bill 566...was heard in the Insurance, License and Pension Committee. As we

talk about health care, this is the only life...only profession that deals with lifesaving is that is not licensed by the state. I see Senator Schaffer was over here. I thought perhaps he has seen the light, but he...I see...back over on the other side of the aisle; however,...this area is a area that we must really concern ourselves with. Persons working in hospitals who are trained along these lines must know what they are doing. Sure, some nurses may know, but they're not trained specifically in...in respiratory care. So, we...this bill should receive a strong affirmative vote because we're talking about lifesaving techniques that...that the respiratory therapists are trained and know about...from time to time...one of us may be in the hospital ourselves and we want that person there dealing with our respiratory care who know what they are doing and will be regulated by the State of Illinois. So, I ask for a strong Yes vote on Senate Bill 566.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Well, further discussion? Senator Jones, your speech has brought on some more lights. Senator Schaffer.

SENATOR SCHAFFER:

I just wanted to be consistent. This is another one of these God awful licensure bills. We're going to...if it moves, we're going to license it in this state. Why don't we license legislators and just grandfather ourselves in and make sure nobody else can ever run for office. See if the press would buy that.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

All right. Further discussion? Senator Raica.

SENATOR RAICA:

Thank you, Mr. President. I rise in support of this bill. What...we have these classes taught by community colleges and other various programs. If we vote against this bill, what we're saying is that we don't recognize that these

SB 569  
2nd Reading

people are trained and needed in the hospital facilities and, therefore, these people have a problem. I mean, it's a source of income for all the community colleges and everything that have programs like this. We have other people that are doing this job now and not the people that we sent to school to train in this. So, I stand in support of Senator Brookins and Senator Jones.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? If not, Senator Brookins may close.

SENATOR BROOKINS:

This is a good bill. It does...it...it raises no additional cost to the state. There's over seven thousand respiratory therapists in Illinois and the fees would...set the cost. I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall Senate Bill 566 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 45, the Nays are 10, 1 voting Present. Senate Bill 566 having received the required constitutional majority is declared passed. 569. On the Order of Senate Bills 3rd Reading is Senate Bill 569.

Mr. Secretary, read the bill, please.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 569.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. Senate Bill 569 and Senate Bill 570, the one that follows, were the results of

a...series of public hearings that were held by the Illinois Coalition Against Sexual Assault to review how the bill that we passed a couple of years ago which totally rewrote the sexual offenses for the State of Illinois was working in practice. These hearings were held in November 1986, and out of them came several proposals for some modifications in the laws that relate to two sex offenses. I would like to say, by the way, for the...initially that the testimony which came from state's attorneys, those who counsel sex offense victims and a number of others who are involved in this area of the law indicated that the Criminal Sexual Assault Law of 1984 had greatly improved the handling of sexual assault cases. So, I think the Legislature can feel very good about what it did in that respect, but there were several suggestions for improvement and Senate Bill 569 is one of them. Probably the...I...I passed out yesterday, by the way, a chart which indicates to you the four basic sexual offense crimes that are now part of the Illinois law and the components thereof and also charts the changes that 569 would make...I think it's probably fair to say that basically the changes, which are not major, involve two things, or maybe one basic thing. The evidence that was given...the experience that was given to those who heard the hearing was that the age of consent which went through fifteen really should include sixteen-year-olds, that there were just too many who have experience, whether from the law enforcement or the crime victim counseling side with people who had...been victims who are in the sixteen-year-old category and the offense was not of...of the higher magnitude because of the way the law was then structured. That is particularly true where the offender is one who is an authority figure, and that means a teacher, someone who runs an institution, if it happens to be someone who is institutionalized or whatever, that is probably the single, major component. In addition, there was a

feeling that...with respect to sixteen-year-olds generally, there needed to be some adjustment in the ages involved in the more serious of the crimes involving criminal sexual abuse, that is the Class II category which is aggravated criminal sexual abuse which, in fact, is a Class II felony and if you find this chart, which I'd put your desks yesterday, you will see essentially the adjustments that were made to reflect these basic findings and principles that the...hearings developed. I'll be happy to answer any questions, and if not, I would certainly solicit your support.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Barkhausen.

END OF REEL

REEL #3

SENATOR BARKHAUSEN:

Senator Netsch, I'm going to support your bill certainly as I did in committee, but I do think a couple of concerns ought to be brought to light and I would...and I would also ask...or urge that the bill be considered for further amendment when it...when it reaches the House. My basic concern is...are those situations that...that do not...either do not involve force in which case we're...we're going all the way up to a Class II felony and those situations that...that involve some sort of sexual conduct other than sexual intercourse in...in which case we're also going all the way up to a Class II felony. I agree that the penalties ought to be strengthened where we have...sexual assault between one who is a...should be performing the role of in loco parentis such as a teacher. But I think rather than talking in terms of...simply of age differentials, we...we might better get at the problem by specifically directing legislation to those who were...who are in those roles such as teachers and who take advantage of children in this way. But I...I do think overall the...that the bill merits support at least at this stage of the game, but I...I would ask you to consider for further amendments as the bill works its way through the legislative process.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, the question is, shall Senate Bill 569 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present...1 voting Present. Senate Bill 569 having

*SB 570  
3rd Reading*

received the constitutional majority is declared passed. Senate Bill 570, Senator Netsch. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 570.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. Senate Bill 570 which is another of the package of four bills that arose from the findings of the Illinois Coalition Against Sexual Assault has to do with the hearsay exception involving a child's testimony. Basically what it does is to expand somewhat the...that which may be testified to by the witness who has heard a child testify that he or she has been sexually assaulted. The way the courts have been interpreting the exception which was already a matter of law, as a matter of fact, was that the outcry witness, which is what that witness is called, could testify only to the fact that the child said, yes, I was assaulted but none of the surrounding circumstances. This bill would broaden that to allow the...all...the testimony of that witness to include the fact that a complaint was made to the person and testimony about the alleged acts constituting the offense and statements made by the child in response to questions asked by that person about the alleged acts. That is the extent to which it is broadened but, again, the experience of the state's attorneys and others who have been involved in prosecuting crimes involving children was that the exception was not sufficiently broad particularly as being interpreted by the judges to be able to accomplish its purpose. I should emphasize one other thing that this is available, this hearsay exception,

only when the child has been present to testify. So that it is not a completely out of court matter. Be happy to answer questions.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall Senate Bill 570 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. Senate Bill 570 having received the constitutional majority is declared passed. Senate Bill 573, Senator Etheredge. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 573.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. The bill does just exactly what the Calendar states. It does create an Illinois Alternative Energy Loan Repayment Fund and does empower the Department of Energy and Natural Resources to make loans as well as grants for the purpose of developing alternative energy technologies. And it also does include in...a five million dollar increase in the General Obligation Bond Fund in order to make monies available for this program. I'd be happy to respond to any questions.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall Senate Bill 573 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are 1, 2 voting Present.

Senate Bill 573 having received the constitutional majority is declared passed. Senate Bill 574, Senator...Senate Bill 576, Senator Brookins. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 576.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Brookins.

SENATOR BROOKINS:

Yes, thank you, Mr. President. This would allow that...the action would...provide that the appeal should be taken in the appellate court in the jurisdiction where the...offense occurred...where the action is and it's a nice labor bill. Ask for a favorable vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Hudson.

SENATOR HUDSON:

Thank you, Mr. President. This bill was heard in our Senate Labor and Commerce Committee and I think the reservations there expressed by some, at least, centered around the fact that we wondered really if...with all of the workload that the Chicago courts now have in their system whether they really needed this additional burden and whether that would be in the long-run the most...the most efficient way to go. As it is now, these appeals are heard in Springfield, the principal city, and we...that question was raised in committee and I would just...thought I would bring it to the attention of the Body that's all.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, the question is, shall Senate Bill 576 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On

that question, the Ayes are 45, the Nays are 9, none voting Present. Senate Bill 5-7-6 having received the constitutional majority is declared passed. Senate Bill 579, Senator Smith. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 579.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Smith.

SENATOR SMITH:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate Bill 579...this legislation provides that if one party requests the use of Federal mediation and conciliation service, the other party shall join in that request or pay the entire cost of mediation. With this procedure the collective bargaining process in the public schools will be improved significantly. This legislation was recommended by the Illinois Federation of Teachers and also the State AFL-CIO.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Hudson.

SENATOR HUDSON:

Thank you, Mr. President. This was another bill that was before our Senate Labor and Commerce Committee and I think this one deserves a little more perhaps scrutiny, and with all due respect to Senator Smith, a very...a very sincere and forthright proponent of her legislation, I...I think there are some serious questions here. What we're doing really is changing some ground rules that to many of us don't seem fair. Now to move from a position where we have shared costs on these...on these matters that involve disputes to saying that if both parties do not agree on this...do not agree to accept the Federal mediational...mediation and...conciliation

service, if they both do not agree, then the party who does not agree to this bears the total cost of the...of the court cost, the total assessment, seems to be tantamountly unfair on its...on its surface. And I don't think it's going to do a...a thing to improve the educational system or service of the young people in our state, and I would like for all of you to consider this very, very seriously before you place a green vote on this particular measure. As a matter of fact, I would recommend that you vote...that you vote No on this one.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, Mr. President and Ladies and Gentlemen of the Senate, I have the highest regard for the sponsor of the bill, but at the present time, the Federal...mediation...the Federal mediation and...and conciliation service is free and will not agree to mediate a dispute unless both parties request the services. And if you're going to penalize one party who's willing to go to that service, and according to the way this bill is written, if I'm not wrong, it's the other party not...if...if...if a one party does not want to join the request of going to the service, it would have to...bear the burden of paying the mediation services of another. I don't know...I don't know, why do we have to get involved like that? When we got a free mediation service with the Federal mediation and...conciliation service, why do we want to add more expense? We've got enough expense in the state budget and you know we haven't passed any taxes to supplement any additions that we need. So I think we're going a little too far and I rise to speak against the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

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

SENATOR SMITH:

Thank you, Mr. President. I merely want to say to my colleagues on the other side that this is what we are seeking to do, that currently...it's sometimes they have to wait three weeks for a private sector mediator and with the Federal mediation conciliation service, we can get it without pay and get it free. This is all we're trying to do is to save the money and meet the needs of the...people involved. I merely ask for your favorable vote on this. This is something that will help them rather than to hinder them.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall Senate Bill 579 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 33, the Nays are 24, 1 voting Present. Senate Bill 5-7-9 having received the constitutional majority is declared passed. Senate Bill 586, Senator Degnan. Read the bill, Mr...Senator Poshard, for what purpose do you arise?

SENATOR POSHARD:

Yes, thank you, Mr. President. A point of personal privilege.

PRESIDING OFFICER: (SENATOR SAVICKAS)

State your point.

SENATOR POSHARD:

Mr. President, Ladies and Gentlemen of the Senate, today we have here in the Senate Chambers some of the very outstanding students from my district in the Eldorado school system joined with their teachers, Maryann Allen, Rhonda Hamilton, Marie Miller and Joanna Lane and I'd like to welcome them to the Senate.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Would they please rise and be recognized. On the Order of Senate Bills 3rd Reading, Senate Bill 586. Read the bill,

*SB 588  
3rd Reading*

Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 586.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Degnan.

SENATOR DEGNAN:

Thank you,...thank you, Mr. President. Senate Bill 586 as amended establishes residency requirements for new employees or former employees returning to work after December 31st, 1987 and requires those metropolitan sanitary district employees to live within the territorial boundaries of the sanitary district. I'd be happy to answer any question.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall Senate Bill 586 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. Senate Bill 5-8-6 having received the constitutional majority is declared passed. Senate Bill 588, Senator Topinka. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 588.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Topinka.

SENATOR TOPINKA:

Yes, Mr. President and Ladies and Gentlemen of the Senate, Senate Bill 588 amends the Hospital Licensing Act and the Nursing Home Care Reform Act of 1979, and it eliminates the exemption for hospitals who provide long-term care

services within their facilities from the regulations under the Nursing Home Care Reform Act. I would submit to you that it's hardly reasonable to allow a difference in care because of the place the care is being rendered. Each recipient of care should be assured at least the same minimum standards set out by the Nursing Home Care Reform Act of 1979, which was put together here in the Legislature, and which currently applies to nine hundred nursing homes, ninety...nine hundred plus nursing homes in the state including those which are owned by hospitals but are not in the hospital setting. I do not cast aspersions at hospitals' attempts at long-term care. This is not any kind of an attempt to discourage hospitals from getting into the long-term care field. We think it's a good idea, but at the same time, I think whatever the entity, if it looks like a nursing home and it acts like one and it seeks to be one, well, the chances are pretty likely it is a nursing home. I...basically, I have more I could probably say but I think if we open this up for questions it will probably go a lot faster.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Demuzio. Is there further discussion? Senator Smith.

SENATOR SMITH:

Thank you, Mr. President. I want to make a statement first. I want to state that for the record, Senate Bill 588 passed out of the committee by 6 to 4 and there was a great deal of discussion and confusion concerning the bill in the committee. I'd like to ask the sponsor if she would yield for a question, okay?

PRESIDING OFFICER: (SENATOR SAVICKAS)

She indicates she will.

SENATOR SMITH:

Thank you, darling. I wanted to find out from you why was there...the hospitals excluded from the Nursing Home Care

Reform Act when the law was created in 1979?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Topinka.

SENATOR TOPINKA:

It is my understanding as I do my homework that the hospitals were excluded from the Nursing Home Reform Act in 1979 for purely political considerations in attempting to pass the Nursing Home Reform Act in 1979.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Smith.

SENATOR SMITH:

Can you tell me, how will 588 improve the health care of residents of the facilities...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Topinka.

SENATOR TOPINKA:

It will improve the health care because, for one thing, it will now put everybody on a level playing field so that the public is assured of one basic type of service that is available with enforcement powers which currently do not exist. It is also supported by some sixteen agencies including most senior citizens' groups and...community...religious groups that are involved and, you know, it...it is felt that in general, if you have a...a common ground that you can touch, you're guaranteeing the public that health care they deserve.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I rise in opposition to this bill not because I believe...or disagree with the principle of a level playing field but to get at what Senator Topinka was just referring to and that's the quality of care issue. I don't think we

can legislate the quality of care. We have tried through the Nursing Home Reform Act, and as I travel around my district, I hear from my nursing homes on how they are frustrated and harassed by the Nursing Home Reform Act and we are going to add that to our hospitals. We're going to add another regulatory agency, more rules and regulations, and from their...their propaganda, it's about five thousand rules and regulations and I don't see how we can regulate or control the quality of care. We've got substandard nursing homes today under this Act and we're going to have substandard hospital nursing home care with this Act. I wish that we would put our energies behind the reform of that rules and regulations we have on the books right now and really try to do the right thing. I think this is not a good bill and I would hope we could oppose it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis. Senator DeAngelis.

SENATOR DeANGELIS:

Could I follow Senator Carroll, please?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Well, Senator Carroll was way on the bottom of the list. We have Senator Etheredge, Watson, Weaver, Macdonald, Demuzio and then Carroll.

SENATOR DeANGELIS:

Well, I will...I will speak, I may be forced to speak a second time. First of all, for some of the newer members of this Body that were not here, you'll...let me remind you that this bill was attempted two years ago by two of our better qualified and known Senators, Senator Carroll and the late Prescott Bloom. They got the resounding support of nine votes; in fact, I think that was the record for the Session and I'm pointing that out because I don't think this bill has gotten better in two years. It is not like wine when it gets better; in fact, this time...and I told Senator Topinka I

might be gentle, but there's been such a campaign on this bill that I think I have to perhaps be a little less gentle than I thought I would be. Let me tell you, we talk about a level playing field. There is no issue about a level playing field in this at all. This situation has existed for a long, long time and, Senator Topinka, I really believe that your insinuation that the reason the hospitals were left out was for political reasons, I've got to correct the record. The reasons they were left out... 'cause they were not the culprits. The reason the nursing homes were in that bill is because they were, in fact, the violators, not the hospitals, and I have some feelings that there might be a sinister attempt here to include the hospitals in and then force them into a position of protesting against the current Nursing Home Act so as to come back next year and change that Act that had been worked on for quite a long period of time. Let me point out to you, hospitals are not in the nursing home business and for anybody to say that they are, it's erroneous, because those hospitals that are in nursing home businesses have their own nursing homes and are licensed under the Nursing Home Act. Hospitals fill a way different need in terms of the long-care field with the DRGs today, and most of you I'm sure have had the same experience, where people are being forced out of their hospital bed into something else and there isn't a week that doesn't go by that I don't get that call, and in many instances the hospitals are taking care of that because many of those same people that are forced out of that bed come back again within thirty days to get back into it. And I want to tell you, for those of you who are from downstate, this bill will abolish the swing bed situation, and for those of you who may not know what that is, hospitals are allowed today to keep a certain percentage of their beds in this situation. It is the lifeblood of some of those hospitals. It is also the lifeblood of some of the

urban hospitals and I'm going to tell you what we're doing right here is trying to fix something that ain't broke and anybody who is trying to tell me that they're doing this to improve health care in Illinois, they better find somebody else to tell it to.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I rise in opposition to this bill and I would direct your attention to the fiscal note which has been submitted on the bill which says that the fiscal impact of this bill is zero or will be zero. Now this is what the Department of Public Health is telling us. They...what they are saying is that they don't propose to add any more staff or do any more traveling or do anything more...what...even if this bill is passed. Now, either that means that the Department of Public Health have staff members that are sitting around doing nothing, which I really don't believe or it means that they will not do any...any additional work, any additional inspection as a consequence of the passage of the bill; that I think is, in fact, true. What that fiscal note really is telling us is something that we already know. The hospitals in this state are already among the most highly regulated institutions in this state. I don't believe that there is any demonstrated need for additional regulation that would be...required under this bill. I think it is a bad bill and I think it should be defeated.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

Well, thank you, very much, Mr. President and Ladies and Gentlemen of the Senate. I want to echo some of the comments that have been made but I certainly won't...don't want to go

over the ground that's already been covered. I don't know what we're doing here; you know, in the last twelve months we've lost ten hospitals...eleven hospitals in Illinois. We've lost seven of those I think in the last six months. We're probably...if Congress doesn't change its ways, we're probably going to lose another thirty-four in the next four...three to four to five years and this is just another...another thing that we certainly don't need. We don't need this in our small, rural community hospitals in downstate and I, frankly, would urge...complete opposition. I can remember when the Nursing Home Reform Act passed here, we...we explicitly excluded the...the...the hospitals and that was part of the agreement and now here we are back again now trying to put them back in. I think that this is a ill-conceived piece of legislation that comes at the wrong time in the General Assembly and I would urge opposition to Senate Bill 588.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Watson.

SENATOR WATSON:

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

PRESIDING OFFICER: (SENATOR SAVICKAS)

She indicates she'll yield.

SENATOR WATSON:

The topic was brought up about swing beds. How does this affect swing beds in rural hospitals?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Topinka.

SENATOR TOPINKA:

It's my understanding that Federal law covers hospitals of fifty beds or under in dealing with that issue. And I might suggest that in discussions that went on in which the Hospital Association was, indeed, involved, we did suggest

the possibility of a swing bed amendment and that was refused.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Watson.

SENATOR WATSON:

Well, will you accept that amendment?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Topinka.

SENATOR TOPINKA:

If the bill goes to the House, I'm sure we could once again...reopen negotiations on that possibility.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Watson.

SENATOR WATSON:

Well, I appreciate that because that is a...a major issue in all the rural hospitals in my area is the swing bed situation, and if...if we think we're going to do anything in regard to health care cost by passing something like this, I...I think we're...we're gravely mistaken. And I understand the nursing home industry's problems, I was on a board for several years and I...and that's an industry that's in trouble in Illinois, but I don't think by passing legislation like this we're going to be really helping the nursing home industries. I think we're going to be hurting the hospitals and especially rural hospitals and I urge a No vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. As Senator DeAngelis so well identified, when we had this idea, it might have been a little before its time. The late Senator Bloom and I offered this as an amendment to closing day, if I recall, it was on a House bill and were uniquely less than successful. The issue, however, has now

ripened in my opinion, and I think many of you are casting this in terms very different than what I think the issue is and should be. When, in fact, the Nursing Home Reform Act passed there were very, very few hospitals in Illinois that had any beds within the hospitals that they were using or sections within the hospitals that they were using as a nursing component. Some of them subsequently and maybe even then own nursing homes and those homes, of course, were licensed and regulated. Even a couple of years ago when we offered the bill there were almost no beds that nursing home patients were in that were in hospitals. That is no longer the case. We all know the problems hospitals are also having and we are, in fact, concerned about those; in fact, we've encouraged them. You've got surplus beds, turn them into nursing home beds and, understand, the vast majority of nursing home patients in Illinois are referred by hospitals in Illinois. I would assume that their accounting offices refer them to their own beds, if at all possible, and there may be nothing wrong in that. The issue is the patient, not the nursing home and not the hospital. Why should a patient be denied rehabilitation services? Why should a patient be denied access to social activities merely because the hospital has said, I'll keep that patient in a bed in my building? Why should it be right to have a corridor size determine the number of licensed nurses if that person is sent to a home and not determine it if that person stayed in what was once a hospital setting but is no more...is no more? The issue should be security, safety and rehabilitation for patients, not the hospitals and not the homes. If the hospitals want to keep these people in beds that they have deconverted to nursing beds, so be it, but protect the patient so that we have the appropriate oversight, the appropriate regulation, the appropriate services that is not being guaranteed today if they happen to keep them; and, remember, they're the ones who

decide, their social workers usually tell you, it's time for a nursing bed and they may decide to stay in the building or in the wing or in the adjoining building. That's the real issue. Why should your or my constituents be denied social programs, rehabilitation and proper monitoring merely because the hospital needed some income correctly and turned the bed into a nursing bed? There has to be some regulation and there has to be some patient's rights and that's what this is truly all about. I think this is a good bill, as I did years ago. I think it is time we preserve the rights of citizens of Illinois who need nursing care regardless of the setting of that care.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Macdonald.

SENATOR MACDONALD:

Thank you, Mr. President. I rise in strong support as a chief cosponsor of this legislation, and I want to make it very clear that in my particular district probably one of the finest facilities in my district is a hospital facility, it's Northwest Community Hospital Continuing Care Center. It leaves nothing to be desired and certainly this and...my cosponsorship of this bill...is in no way derogatory to any of the facilities in my area. I do look down the road, however, and I realize that...more increasingly the median age of this society is changing and we are going to have more and more need of nursing home facilities. There will be more and more hospitals that will be going into this area of care and I certainly do see the great need for uniform care and for facilities as good as Northwest Community Continuing Care Center. And I don't think that good hospitals have anything to fear in just simply being brought into a uniform situation with care of the elderly. So I strongly support this particular piece of legislation and I hope my colleagues listened very carefully to what Senator Carroll said.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Dunn.

SENATOR TOM DUNN:

Will the sponsor yield?

PRESIDING OFFICER: (SENATOR SAVICKAS)

She indicates she will.

SENATOR TOM DUNN:

Senator Carroll brought up the question of patients, and I'm wondering in the two-year interim period when the bill was brought up last time if there has been any record of patient complaints in hospitals dealing with long-term care? Are there any statistics?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Topinka.

SENATOR TOPINKA:

It's very difficult to develop statistics because there is no...because the hospital based nursing homes do not fall under the Act, you do not have the reporting process nor the enforcement process that the Department of Public Health provides under the Nursing Home Care Reform Act. Yes, there have been incidents but, no, there is no enforcement power on the...on the part of the Department of Public Health to be able to do anything in terms of these hospitals for the simple reason they are licensed under one license, that is as a hospital; and as we've all discussed today, we don't want to take down any hospitals and I think the Department of Public Health has the same problem. To be able to try and ameliorate a problem, you'd have to go at the entire licensure and take down the entire hospital, and I don't think anybody is willing to do that, so it kind of rides.

PRESIDING OFFICER: (SENATOR SAVICKAS)

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

SENATOR TOPINKA:

SB 591  
2nd Reading

Well, if all things are equal, as they are, we're dealing...and this comes out of long meetings with all the potential players who are involved here...including the hospitals. Senator DeAngelis mentioned that hospitals are not in the nursing home business. In our meetings, they sure as heck said that they were in the nursing home business and they've got two thousand beds in play in eighty some hospitals that say they are in the nursing home business. There is nothing sinister in the intent of this bill but to develop one standard of health care that people can depend on when either they are seeking access to a nursing home themselves or for their families so that they can be ensured that they are getting safe and good care, so that they know that there is somebody monitoring that safe and good care, they know there are enforcement provisions to make sure that that good care is provided; and also I think the basic difference between the current voluntary accreditation that hospitals now get in terms of nursing home as opposed to the mandated care is...that we get under the Nursing Home Reform Act is the difference in philosophy. One is of suggestion and encouragement, the other says, you know, we are demanding that some standard be set, and on that basis, what's fair is fair. I'd ask for a positive vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall Senate Bill 588 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 29, the Nays are 26, none voting Present. Senate Bill 5-8-8...Senator Topinka seeks leave of the Body to put it on postponed consideration. Is leave granted? Hearing no objection, leave is granted. (Machine cutoff)...Bill 591, Senator Zito. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 591.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Zito.

SENATOR ZITO:

Thank you, Mr. President and members. Senate Bill 591 was introduced to eliminate the duplication in government as it regards to the Open Space Land Act. The thrust of the bill states that if a municipality, park district or forest preserve district exists in the area, townships must leave the open space acquisition to those established governmental units. However, if no government serves the area, then the township may proceed. The bill was conceived because of the confusion in halting the traditional planning and zoning procedures by municipalities. The threat of future abuses has endangered planning and approved commercial, industrial and residential developments. I would...respectfully request support of Senate Bill 591 and would ask that we restrict this expensive duplication of government. Be happy to respond to any questions.

PRESIDING OFFICER: (SENATOR SAVICKAS)

...is there discussion? Senator Barkhausen.

SENATOR BARKHAUSEN:

Will the sponsor yield?

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will.

SENATOR BARKHAUSEN:

Senator Zito, I'm...rising because the...the bill is...addresses an issue that...that stems from my district in...in the Township of Libertyville where one of these...I...I guess perhaps the only township open space district is in effect. And I'm simply concerned about the possibility that it would...might apply...I have been told that

it doesn't but I'm not entirely sure that it doesn't, that it might apply to an existing township open space district. Can you address that?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Before we address that, the State Journal-Register seeks leave of the Body to photograph the proceedings. Is leave granted? Hearing no objection, leave is granted. Senator Zito.

SENATOR ZITO:

...yes, Mr. President, thank you. Senator Barkhausen, that was, in fact, addressed in committee. I don't if you happened to be in the Senate Local Government Committee, this bill passed out 10 to nothing. Representatives from the Township of Libertyville did testify, I had talked to them privately in my office and in committee. We are both assured, their attorneys and...and our staff has assured them, that this would not be retroactive; hence, it would not interfere with any of their ongoing plans.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Barkhausen.

SENATOR BARKHAUSEN:

I...I had been told that it would not affect bonds that had already been authorized and...and I guess my question is whether that is true or whether it will simply not...whether it will not affect...well, let me...let me restate that. The...I am wondering whether it...it affects only bonds that have...have not been...that have not been authorized or whether, in fact, it might affect bonds that have already been authorized but have not yet been...the proceeds have not yet been spent because, in...in...in Libertyville all the bonds, of course, have been authorized when the referendum was approved but most of the proceeds have not been spent and...and if it affected bond proceeds that have not been spent, then it would cripple the operation of the...of the

district; and my...my feeling is that in my area that even though I, frankly, have some misgivings about the district, I don't...I don't live in Libertyville but my feeling is that the people have spoken in Libertyville Township not only when they created a referendum but in several other election campaigns where this has been made an issue, and that having...having spoken in favor of the creation of this district, that...at least there it ought to be given a chance to work. But if you could answer my question about whether it affects all bonds authorized or...or bonds authorized that haven't yet been spent?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Zito. I would just like to inform the membership in the last two hours we've passed eleven bills. There are five hundred bills on the Calendar and at this rate it should last till Sunday afternoon sometime. Senator Zito.

SENATOR ZITO:

I'll be brief in my response, Mr. President. Dave, to the best of my knowledge, and I am not an attorney but I've been assured by legal counsel on both sides of the issue, that it will have no affect on Libertyville Township or the bonds that they are now engaged in.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Fawell.

SENATOR FAWELL:

Thank you, very much. I am the minority spokesman on this committee and I think...it would behoove my side to realize that this bill did go out unanimously. We did...feel after the testimony it was an excellent bill and I would ask for your Aye vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Holmberg.

SENATOR HOLMBERG:

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

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR HOLMBERG:

Senator Zito, one of the things that did come up in...in committee is that there might be a possible amendment proposed on the bill that maybe not all parties were quite at a point of...agreement. Are you of the opinion that something like that is still needed?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Zito.

SENATOR ZITO:

Well, Senator, we've worked diligently to try to get all parties that had interest in this legislation together. My commitment to...to this Body was such. We did not develop any amendments, I know that the Senate...the House sponsor has a same commitment and if this bill needs any cleanup or any technical addressings, we can do that in the House and both sponsors are agreed to that process.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, I speak in favor of the bill because I have a philosophical distaste when a township can go in and take land within a municipality for a so-called open space purposes without the consent of the municipality. I think this bill addresses it very carefully. I might tell you that in Libertyville before this open space referendum went into effect last year, Libertyville had...over twenty-six hundred acres of open space. I think we...we instituted the Forest Preserve District, let them do the job, that's the way to be done and I'm...I speak in favor of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Zito may

close.

SENATOR ZITO:

Well, thank you, Mr. President, I'll be brief. This is obviously an attempt not to stop the acquisition of open land. Certainly as...as one of the supporters and sponsors of that legislation, I can assure you that's not the intent. What it is to do is allow municipalities and other units of local government that have interest in that open land to participate equally with townships and...any other form of local government. That's our intent of Senate Bill 591. I strongly believe that that addresses that need and would appreciate your support.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall Senate Bill 591 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 52, the Nays are 5, none voting Present. Senate Bill 5-9-1 having received the constitutional majority is declared passed. Senate Bill 597, Senator Schuneman. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 597.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President, members of the Senate. Senate Bill 597 is offered as an alternative to school consolidation. The bill would allow two or more school districts in Illinois to form a cooperative high school. The school would be formed by referendum and would be managed by an advisory board made up of the boards of directors, boards of

education members of the individual schools that are participating. The cost for operating such a school would be borne on a per capita basis by the participating schools. I mentioned that it could only be done by referendum. This idea was presented primarily because of a great reluctance that we were all aware of particularly in downstate rural areas to consolidate schools, and I think that reluctance stems primarily from two sources, one is that the people in those communities want to maintain some kind of local control over their schools. Secondly, they're very concerned about the possible loss of elementary attendance centers. I do think there is, however, a growing willingness on the part of many of those communities to do something about their high schools, but they cannot under the present law do anything about changing the structure of their high schools without dismantling their unit districts. This would allow them to...to leave their unit districts in place and simply form a cooperative high school. The bill is supported by the State Board of Education. It came out of the Education Committee on the Agreed Bill List. I know of no opposition to the bill. I would urge your support.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

Question of the sponsor, Mr. President.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR WELCH:

For purposes of legislative intent, Senator Schuneman, could you tell me when existing high schools are merged what is the employment status of the employees of those two schools?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman.

SENATOR SCHUNEMAN:

Yes, there were negotiations between the representatives of the State Board of Education and the Illinois Education Association in an attempt to try to work out the answers to all these questions. The employment status of the employees, it is intended that they will continue to be employed by the originating school districts; that is, those districts with whom they are presently employed, they will continue to be employed by those same districts.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

The...who determines the assignment of employees to an attendance center?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman.

SENATOR SCHUNEMAN:

The employing district.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

The bill provides for participating districts to assign or hire a principal to manage the cooperative high schools. What powers or responsibilities does the principal have?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman.

SENATOR SCHUNEMAN:

Well, the responsibility of the principal would be that normally assigned to a principal; however, the agreement specifically requires that that principal would not have the right to hire, fire or discipline employees. That would have to be...such matters would have to be referred back to the originating district.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

One last question, Senator. If the cooperative high school needs additional employees, who hires those new employees?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman.

SENATOR SCHUNEMAN:

They would have to be hired by one of the participating districts.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Poshard.

SENATOR POSHARD:

Yes, thank you, Mr. President. Senator Schuneman, just one question. This will be accomplished by referendum, is that correct? Could you...could you specify for me, will this be accomplished by referendum by a majority vote of the voters in each respective district or by a majority of the voters in the conglomerate area which may be intending to consolidate?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman.

SENATOR SCHUNEMAN:

In order for a district to be formed, it must be approved by the voters in each participating district.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rigney. Is there...is there further discussion? If not, Senator Schuneman may close.

SENATOR SCHUNEMAN:

Just ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall Senate Bill 597 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Would you vote me Aye, Sena-

SB 600  
3rd Reading

tor? Take the record. On that question, the Ayes are 55, the Nays are 3, 1 voting Present. Senate Bill 5-9-7 having received the constitutional majority is declared passed. Channel 20 requests permission to tape the proceedings. Is there any objection? Hearing no objection, leave is granted. On the Order of Senate Bills 3rd Reading, Senate Bill 600, Senator Rock. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 600.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 600 is an amendment to the Park District Code and to the Illinois Municipal Code. Pursuant to the new Constitution back in 1972, over one hundred park districts and municipalities got together by virtue of an agreement...intergovernmental agreement and started to provide recreational programs for people with disabilities, the handicapped. In 1973, there were three hundred and ninety-five people in this state who participated in these programs. In 1986, there were fifty-four thousand who participated. There are, we were told in committee seventeen joint programs across the state which...which comprise over a hundred or a hundred twenty-five municipalities and park districts that provide recreation programs for the developmentally disabled, the disabled and the handicapped in terms of arts and crafts and social programs. This would authorize...authorize, it is permissive, it would authorize an increase in the levy from .02 to .04. Right now, the levy statewide across these seventeen districts raises approximately three and a half million dollars. This would, if the respective boards vote

on it, double it and the bill also takes out the backdoor referendum. So it is a tax increase...authorization for a tax increase without referendum either front or backdoor. The purpose is...is laudable and worthy, and because of the unique nature of these recreation associations, they are comprised of both park districts and of municipalities, it...it requires joint action. There was a question in committee, what if the village and the park district both at the same time raised taxes, you'd have a double tax increase. We put an amendment on to say you can't do that, that was not the intent of the associations. All they want is the opportunity to go if the...if the respective park districts and municipalities, in fact, want to raise more money, they are authorized to...to double, in effect, their levy. I would solicit your favorable support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. I would rise in support of Senate Bill 600. One of the points that I wanted to make I think Senator Rock did make in his...at the close of his remarks and that is a concern that there would be a duplicate tax for these joint programs, one by the park district and one by the municipality. That was taken care of and that possibility eliminated by amendment. I would point out that while it is a tax increase without referendum, a very modest one but nevertheless one, the bill was approved in the Revenue Committee 10 to nothing, and it also is on the list of bills to which the Taxpayers' Federation has no objection. I think the reason is that it is a long established program, it is an exceedingly modest amount of money involved, and it is a fairly unique set of circumstances.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Macdonald.

SENATOR MACDONALD:

Thank you, Mr. President. I am a chief cosponsor of this legislation and while...I have not been involved in too many tax increases, this is one of the most important programs in terms of the handicapped in Illinois. I was approached to cosponsor this legislation by Kevin Kendregan who was one of the people who started this program in 1972, and he did come to me telling me that the Taxpayers' Federation had consulted with them and, actually, they were the ones who had suggested that we might even be able to do with...without the backdoor referendum. So I strongly urge your support of this program.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, Senator Rock may close.

SENATOR ROCK:

Thank you. I think it's all been said. The average cost to the taxpayer at this moment to provide recreational services through these fourteen or seventeen associations is three dollars a year. If this is fully implemented, the cost will be somewhere in the neighborhood of five dollars a year for our handicapped fellow residents. I urge an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall Senate Bill 600 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 41, the Nays are 16, 2 voting Present. Senate Bill 600 having received the required constitutional majority is declared passed. Page 14, 601 is on the recall list. 602...613, Senator...Senator Donahue.

SENATOR DONAHUE:

(Machine cutoff)...thank you, Mr. President. 601 shouldn't be on the recall list.

PRESIDING OFFICER: (SENATOR DEMUZIO)

We have it on the recall list. There is an apparent amendment that's been filed with...with your name on it. We might...why don't we just drop to the next bill and we...if there's...there is no amendment filed? All right. Apparently, it's...it's on the recall list...I'm sorry, the amendment, the...the clerk tells me has been withdrawn. Okay. On the Order of Senate Bills 3rd Reading, page 14, Senate Bill 601. Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 601.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 601 is a JCAR bill and it amends the Carnival Amusement Ride Safety Act, and the confusion over the amendment...the committee amendment with...deleted the provision that this other amendment was supposed to amend. So it's...it's moot really. All this bill does is allow for a mechanism by which the fees that are...that come from our carnival rides can be paid to the department and not to the inspector. We're trying to keep the inspector from collecting monies and it can go...directly to the department and that's all this bill does and I would move for its adoption...or its passage.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Discussion? If not, the question is, shall Senate Bill 601 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. Senate Bill

601 having received the required constitutional majority is declared passed. Senate bills 3rd reading, 602. 613, Senator Degnan. 634, Senator Topinka. Senate bills 3rd reading is Senate Bill 634, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 634.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka.

SENATOR TOPINKA:

...excuse me, Mr...Mr. President, did the Secretary say certain fire protection districts or did you say park districts or...or forest preserve districts? One way or another, it's forest preserve districts, whatever it is. Okay. Senate Bill 634 allows for forest preserve districts to have first right of refusal over the sale of golf courses. It applies only to Cook and DuPage Counties. It has been supported by both the DuPage County and Cook County Boards. I know of no opposition.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall Senate Bill 634 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. Senate Bill 634 having received the required constitutional majority is declared passed. 645 is on the recall list. 647, Senator Alexander. Senate bills 3rd reading, Senate Bill 647. Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 647.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Alexander.

SENATOR ALEXANDER:

Thank you, Mr. President. House Bill...not House bill...Senate Bill 647 provides that the Department of Correction shall establish postincarceration follow-up and after-care services to all single parents and their minor children, include the employment or training counsel placement and job assistance, public assistance advocacy and other social service...matters. I'm going to be addressing the Senate from the memorandum I received from the Illinois Department of Correction dated May 12, 1987, prepared by Mrs. Stutler who's their intergovernmental relation person. In the bill analysis as presented to me by the Department of Correction, they raise the question or ask the question what would happen to parolees or releasees who are single parent. My answer to that is, these individuals, much to my sorrow, would not be involved if this bill were to become law or it is adopted. As to the fiscal year impact, the documentation recites that the cost of implementing this program would cost three hundred and forty-four thousand seven hundred dollars. They also state in this documentation that their records reveal that there are some sixty-six percent, women in particular, who are single, married, separated, divorced parents who may have had the custody of their children. The point of this...piece of legislation is trying to renite families back together. When an inmate leaves the institution, they run into the problem of lack of job, lack of training, they're coming back into a foreign society and this piece of legislation not only would it unite parents, it would also be a savings to you, you and you and to the citizens of this State...using their configurations presented to me by the Department of Correction that there are sixty-six percent single parents...and I just called momentarily to the depart-

ment to find out, and one of the institutions mainly Dwight, how many inmates presently today is lodged there? Their total was that there are five hundred and thirty inmates in Dwight today when there should be only four hundred and forty, meaning there is a ninety inmate over population. Using simple and basic arithmetic, if sixty-six percent of the persons are single parents of that five hundred and thirty incarcerated today, in order to maintain an inmate in our institutions, we know it runs about twenty-two to twenty-four thousand dollars a year; and taking the same configurations that they use, we're talking about eight million four hundred thousand dollars a year to house these inmates right now. If the cost of implementing this program using the same configuration comes to three...I mean three hundred and forty-four thousand seven hundred, as a cost factor, this bill, in fact, would be saving the state eight million four hundred thousand dollars a year and it also would be reuniting, as I say, restabilizing families and it would also possibly reduce our public aid budget when these persons are able to find jobs and know how to present themselves again into society. I answer questions if there are any present and I'd sincerely ask for the passage of this piece of legislation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Topinka.

SENATOR TOPINKA:

Yes, a question of the sponsor, please.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The sponsor indicates she will yield, Senator Topinka.

SENATOR TOPINKA:

I'm sorry, could you once again tell me what the cost of this would be?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Alexander.

SENATOR ALEXANDER:

The cost as presented to me was three hundred and forty-four thousand seven hundred dollars yearly.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka.

SENATOR TOPINKA:

Yes, to the bill, the cost as presented to our committee by the Department of Corrections was six hundred and forty thousand dollars annually. I would put forward that, you know, we do have a problem with single parents out in the public, not even incarcerated at this point, for whom, you know, there are very few programs if any, and I think that it's a little unfair to work with a...an incarcerated group of single parents who at this point are serving time and, obviously, have problems but to a great extent they've created a lot of their own problems, when we have people on the outside who are having some difficulty and with this unbudgeted cost. So I think it reflects the negative vote that came out of committee.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Watson.

SENATOR WATSON:

Yes, sir, Mr. President and thank you. I'd like to ask the sponsor a question.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates she will yield. Senator Watson.

SENATOR WATSON:

Okay, we...we've heard what the costs are, now, is this in the budget?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Alexander.

SENATOR ALEXANDER:

To my...to my knowledge, Senator, this amount of money is not in the budget.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

Well, I appreciate what you're trying to do and I think it's...it's...you're to be commended for this, but if we simply don't have the money and it's not in the budget, this isn't any time to be talking about new revenues...or increased revenues to the Department of Corrections. They've got enough problems in dealing with what they've got. I think if we pass legislation such as this, we're just going to be creating more problems for them. So I think a No vote is appropriate. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Alexander may close.

SENATOR ALEXANDER:

I thank you for your comments but this bill is a cost saving bill. And, Senator Topinka, I'm...appreciate your...documentation that you have, my memorandum is dated May 12th and you're welcome to see it where the cost show to be three hundred and forty-four thousand dollars and not the six as stated. Those of you who are here to help the people of this state to rehabilitate themselves and with regards to those who are on the outside trying to make them, we're passing legislation every day to try to help them, but what about those that we can prevent from coming into that kind of a situation where they would require help, such as proper job counseling and job training. And more than all that I've said here on this Floor this morning, I'm thinking about the reuniting of families of bringing them back together to stabilize the home. I would appreciate an Aye vote on this matter.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall Senate Bill 647 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open.

Have all voted who wish? Take the record. On that question, the Ayes are 30, the Nays are 27, 1 voting Present. Senate Bill 647 having received the required constitutional majority is declared passed. Senator Karpriel, for what purpose do you arise?

SENATOR KARPIEL:

Verification of the Aye vote, please.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Karpriel has requested a verification of those who voted in the affirmative. Will all members be in their seats. The Secretary will read slowly the members who voted in the affirmative. Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

The following voted in the affirmative: Alexander, Berman, Brookins, Carroll, Collins, D'Arco, Degnan, del Valle, Demuzio, Thomas Dunn, Fawell, Hall, Holmberg, Jacobs, Jones, Jerome Joyce, Kelly, Lechowicz, Luft, Marovitz, Netsch, Newhouse, O'Daniel, Poshard, Savickas, Severns, Smith, Vadalabene, Zito, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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

SENATOR KARPIEL:

Yes, Mr. President, Senator Zito.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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

SENATOR KARPIEL:

That's all, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. On the...Mr. Secretary, could you give me the...okay. On a...on a verified roll call, there are 29

Yeas, 27 Nays, 1 voting Present. Senate Bill 647 having failed to receive the required constitutional majority is declared lost. Senator Alexander, you wish to request postponed consideration?

SENATOR ALEXANDER:

Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, postponed consideration. All right. On the Order of Senate Bills 3rd Reading is Senate Bill 650, Senator Smith. (Machine cutoff)...Senator Smith. On the Order of Senate Bills 3rd Reading is Senate Bill 6-5-0. Mr. Secretary, read the...read the bill.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 650.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Smith.

SENATOR SMITH:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This bill is inspired by the Citizens' Council on Women that was appointed by our Governor and the...our heads. It simply establishes a civil rights subcommittee of the Illinois Job Training Coordinating Council. Since its inception, criticism of the Job Training Program in Illinois has focused in part on civil rights' compliance issues. Throughout this period, the state, the chief administrator of the program has assumed only menial responsibility for civil rights enforcement; yet, clearly, problems do exist. It has been found that the civil rights enforcement has been plagued on the state level by inadequate staffing, resource and commitment. In general, the state has assumed little leadership and has given local job training programs little direction in this area. Senate Bill 650 seeks to respond to

these concerns by establishing a civil rights subcommittee which will assume oversight responsibility for all compliance issues relating to equal opportunity affirmative action. Creation of a subcommittee on civil rights compliance will acknowledge the state's commitment and enhance its enforcement ever...efforts. I will be willing to answer any questions, but I hope that you will give this your favorable consideration in voting for this piece of legislation that's been given to us by our Women's Council.

PRESIDING OFFICER: {SENATOR DEMUZIO}

Discussion? Senator Karpziel.

SENATOR KARPIEL:

Thank you, Mr. President. Well, I am...have to rise in opposition to this bill. It...I don't know whether it went out on the Agreed Bill List or whether we were all asleep letting this get out of committee, but I really don't see the point to have this...a nine-member subcommittee to...for...for a single purpose such as just studying the civil rights violations or something, but I would like to ask the sponsor a question. I'd like to know exactly what are...is this council supposed to study and what kind of violations or whatever are we talking about?

PRESIDING OFFICER: {SENATOR DEMUZIO}

Senator Smith.

SENATOR SMITH:

Senator Karpziel, this council was appointed by our presidents on either side, the minority and the Senate President from both the House and the Senate. When they discontinued a lot of the commissions, they set up these councils and there is a Council on Women of which Senator Virginia Macdonald is the cochairperson for this. These are the findings that we had as a result of our meetings here at the Capitol in...in our State Capitol in Chicago...I mean, at the Statehouse. And this is something that they are trying to put some teeth

in. This has been...was passed by the women, it has been slightly ignored and so they are merely trying to put some teeth in it so that we can be active and be effective as a council.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Karpel.

SENATOR KARPIEL:

But, Senator, that's not what I asked. I didn't ask who appointed the present council or who made the suggestion to...for this bill. What I'm asking is, what is this subcommittee specifically going to study and what are these...civil rights' violations are they going to study or...or exactly what is it that they're supposed to be doing?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Smith.

SENATOR SMITH:

Thank you, Mr. President. They will review and make recommendations to the council with regards to the civil rights' compliance component of the Governor's coordination and special service plan. Two, they will review and make recommendations to the council with regards to the civil rights compliance component of each local entity job training plan.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Karpel.

SENATOR KARPIEL:

Well, I don't want to take any more time of this House, I just suggest that we have a Human Rights Commission, we have all kinds of commissions that do these type of things, I really don't see that we need an ongoing...there's no date for when this committee is going to go out of existence. I don't see the need for a nine-member subcommittee of a council to do duplicative work and I would ask for a No vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further...further discussion? Senator Macdonald.

SENATOR MACDONALD:

Thank you, Mr. President. This, in deed, is a recommendation by the Citizens' Council on Women. I would say that when we had our hearing and the...DCCA representatives came to talk to us over a year ago, there were a number of questions that were not answered. We were in the process and DCCA now is certainly working on some of the objections that...that were put forward by the public members of the council. I believe that there is a need at this particular time. This was voted upon by all of the public and private legislative members of the council...and this, indeed, is one of the...package of bills that we agreed to sponsor in this legislative Session. I don't think that it imposes any great hardship on the department and...and I think that the...the council will continue to press forward with some inconsistencies that we found during the testimony that came before us. So I urge your support of this particular bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Newhouse.

SENATOR NEWHOUSE:

Thank you, Mr. President. I...I rise in support of this bill and this concept. One of the problems is that the oversight responsibility for these compliance issues has not been what it should be, and if we're going to do the job, if we're going to have the Statutes on the books, we ought to have the machinery to make certain that it works and that's what this bill does and I would urge an Aye vote on this bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Alexander.

*SB 651  
3rd Reading*

REEL #4

SENATOR ALEXANDER:

Thank you...thank you, Mr. President. One of the first bills that I have the pleasure of working with when I was in the House was Senate Bill 1377. And some of you old-timers around here, like myself, might remember what it detailed. It formed the Department of Human Rights and merged into it by Executive Order all of the civil rights groups or activist groups at that time. At the time of the...creation of the Department of Human Rights, it was agreed by the Governors and many of you sitting here that to properly and accurately fund it would be impossible at that time and that as time went on it would be properly funded and staffed. That has not happened to date. And the citizenry of this state now want to know what is happening, and for us to sit here hypocritically and say nothing is happening is very, very, very bad. I stand in support of Senate Bill 650.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, Senator Smith may close.

SENATOR SMITH:

Thank you, Mr. President and Ladies and...Gentlemen of the Senate, I merely ask for your favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall Senate Bill 650 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 35, the Nays are 23, none voting Present. Senate Bill 650 having received the required constitutional majority is declared passed. Senate bills 3rd reading, Senate Bill 651, Senator DeAngelis. Mr. Secretary, on the Order of Senate Bills 3rd Reading is Senate

Bill 651.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 651.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

Well, first, Mr. President, I would like to rise on a point of personal privilege. In the balcony on the left are the children from Cottage Grove School, my alma mater. Would they please stand and be recognized.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Will our guests in the gallery please rise. All right.  
Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. Senate Bill 651 is the Illinois Sexually Transmissible Disease Control Act. It is a new Act and it is designed to provide a comprehensive blueprint for the Illinois Department of Public Health to deal with sexually transmissible diseases. The bill is rather extensive, let me just point out a few of the points and I'll be most pleased to answer any questions. First thing is it does define sexually transmissible diseases and they are bacterial, viral, fungal or parasitic diseases determined by a rule of the department to be sexually transmissible and to be a threat to the public health and welfare and to be a disease for which a legitimate public interest will be served by providing for regulation and treatment. Under this new Act, it will require reporting to the Illinois Department of Public Health by a physician when any one is diagnosed as having any one of those diseases, it is a mandatory reporting system. The bill also provides for a contact tracing system to be run by the Illinois Department of Public Health cur-

rently similar to the one for syphilis, gonorrhea and PID, which, by the way, is not in statutory language, it is in rules and regulation. The department is further authorized to examine or cause to be examined people or persons suspected of being exposed or infected with an STD. The department does have to show when they want to exercise that power by a preponderance of evidence that a real and present danger of the public health exists when they have a need to do so. The bill also permits the department to order a person to be quarantined under three conditions. One is with the consent of a person, one with the consent of an owner of an establishment that represents a high risk or, three, when the department can prove preponderance in evidence that the person willfully and knowingly is transmitting an STD and is a clear danger to public health. The bill extensively goes into the confidentiality provisions, and I might point out, there's been a lot of discussion regarding confidentiality, and I can tell you, after some rather serious interrogation of the director, never once in Illinois' history has there been a breach of confidentiality under current tracing, and the director further emphasized that if mandated to trace, he would not only use the same procedure he is using now but he would, in fact, better educate the people that are doing it. The department is also given authority to enter any state, county or municipal detention center for the purpose of interviewing, examining or treating any prisoners. Further, it gives the department the authority to adopt rules and regulations to carry out the provisions of this Act. I think we all know what this bill is about, it's designed primarily as our response...or at least my response and some other people's response to this serious problem we are currently having with AIDS. I'll be very happy to answer any questions, if I might.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr...President. I'd like...want to know if the sponsor will yield.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...sponsor indicates he will yield, Senator Marovitz.

SENATOR MAROVITZ:

Senator DeAngelis, this is your response to the AIDS problem. Tell me how this bill does anything to better able the Department of Public Health to respond to this terrible...epidemic.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

You mean based on what they're currently doing?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Based on what the Department of Public Health has right now in their authority to do, I want to know how this improves their ability to act. For instance, the issue of quarantine is in your bill. The Department of Public Health has it within their power today to quarantine; this bill does not give any added power to do that. I want to know what added power this has. You're sending out a signal that people will be better educated, this is our...our answer to AIDS, I want to know what answer this gives to the department and to people out there that we are dealing with the AIDS problem.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

Well, I'm not so certain that I...I really am understanding your question, because if I follow it long enough, I

guess I would have to assume that you consider this bill inoffensive enough that you're in strong support since it really doesn't do anything. But I won't editorialize on your question, I'll mainly attempt to respond by saying that if, in fact, the department has this authority, I don't see them using much of it that's in this bill. And I think this bill will put into Statute what right now might be in rules and regulations, and I think it will create some impetus behind either their lack of desire in implementing some of the things that are in this bill or else perhaps provide some motivation to get them away from where they're being influenced so they will, in fact, use it. I might point out, Senator Marovitz, I'm not an attorney but I've read through the Statute and I don't see where...you're right, the right of quarantine is in there, it's one line in there, he has the supreme authority; but it really doesn't have a...procedure for quarantine, it doesn't indicate when it ought to be instituted, it really doesn't indicate when it ought not to be instituted. I think this bill does a lot of clearing up. I think it sends a signal, and you have to know, Senator Marovitz, there are two kinds of bills around here, one are those that perhaps tend to codify some things, the other ones send messages. I'm sure this is not the first bill that ever came to this General Assembly that's sending a fairly strong message.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

So, basically we have a bill that's calculated to send a message to the Department of Public Health but really do nothing for the AIDS epidemic and the people out there who are fearful of the...epidemic and need the kind of education and counseling that all the health professionals across this county say is...is necessary. One of the things in this bill

that is...concerns me greatly, and there are several things that concern me greatly, is the confidentiality questions. In Chapter 126 of our Statute, Section...Section 21, the Supreme Court has ruled constitutional the following language, "Whenever any Statute of the state or an ordinance or resolution of a municipal corporation or political subdivision enacted pursuant to Statute or any rule of an administrative agency adopted pursuant to Statute requires medical practitioners or other persons to report cases of communicable diseases including venereal diseases to any governmental agency or officer, such reports shall be confidential and any medical practitioner or other persons making such report in good faith shall be immune from suit." It further goes on to say that "The identity of any individual contained in a report of a communicable disease, venereal disease or food borne illness or an investigation conducted pursuant to a report of a communicable disease,...venereal disease or food borne illness shall be confidential and the identity of any person named therein shall not be disclosed publicly or in any action of any kind in any court." Your legislation allows disclosure of this confidential information to...to the court in direct conflict with Chapter 126 of our revised Statutes, that's number one. Number two, the people that need the help most of all for this dread disease, those in the high risk category who would come in under voluntary testing and at the same time get education and counseling about the disease and about the possible consequences of a positive test result will be scared off by the language in this legislation dealing with the nebulous ability of a department under the physical examination portion that says the department may examine or cause to be examined persons reasonably believed to be infected...reasonably believed to be infected, what the heck is that? Reasonably believed to be infected? I don't have any idea what that is, and if

you're talking about a tightly drafted piece of...of legislation that is going to directly infringe upon an individual's rights, people that can be physically examined, I don't know what reasonable belief is, it doesn't say about people who have been diagnosed as having AIDS, that's one thing but that's not what this legislation speaks about, it doesn't talk about people who have been diagnosed as having AIDS or diagnosed as having ARC, neither one of those, just people who are reasonably believed to be infected or exposed to a sexually transmissible disease. Then we go on to say that...regarding mandatory contact tracing...or it's really not mandatory but contact tracing itself, that it is permissive and you have two conflicting paragraphs here. Under the contact tracing section, Section 5, you say that "all persons infected with sexually transmissible disease and all persons who the department reasonably believes may be infected with the disease." And then in Section B you talk about "who the department reasonably believes shall cooperate with the department and they shall submit a contact list as the department shall require." Then in the next section, Section C, you say, "All information gathered pursuant to the section shall be considered confidential," and nobody has to give this information without a court order. Now do they have to give it or do they only have to give it pursuant to a court order?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

You know, Senator Marovitz, for a bill that doesn't do anything, you sure can find a lot wrong with it. Apparently it's changing a lot of things that we're doing right now or else you wouldn't be asking these kinds of questions. First of all, reasonably infected. Let me point out to you, let's assume that in the course of contact tracing twelve people

report they got it from the same person. Now, the department has the right to bring that person in and determine if they, in fact, do have AIDS. You don't know whether somebody has it till they've been diagnosed and you and I both know that in some of the testing it takes more than one test to do it. You can't turn around and say ahead of time, that person's got it, okay. You've got to have...but you've also got to go to the court to do that and you've got to present some evidence as to why you want to do this. You can't very frivolously send a van down the street and pick somebody off and say, we're going to give you an AIDS test, this is not a LaRouche bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Okay.

SENATOR DeANGELIS:

Now, let's talk a little bit about the at-risk provision. You say that these people that are at risk might not come forward who normally would because I am not mandating it but yet I am mandating, I...I'm really confused on that, 'cause one...one breath you say I'm mandating, the next breath you say I'm not. Now I would agree with you that a lot of mandated contact tracing is going to have to be voluntary 'cause they can lie to you, they can deny it, they can do some other things. But I cannot...and, frankly, I would like to be enlightened on this, I can't for the life of me ever determine why someone who would normally volunteer refuse to volunteer because you have mandatory testing, I can't understand that logic, except for one thing...except for one thing. The department, in my estimation, and the people who have conjured up other legislation up to this point have listened...have listened to the concerns, and we ought to listen to those concerns, of what the high...risk group is saying. And let me tell you, Senator Marovitz, the at-risk group is a lot larger than the high risk group and we ought

to be paying attention to some other people out there who today are transmitting unknowingly, 'cause they're not...under any type of information you have given out or the department consider themselves at risk, and I could point out to some in my own area. And I don't think that as a matter of public policy we ought to base it on a group that's well informed about the consequences, that basically knows what they're doing, and based on what I've been reading in many instances is very reluctant to change what they're doing and that's where the quarantine provision may have to come in. So, I mean, I...I don't know where you're coming from; I'm only telling you where I'm coming from 'cause I really don't understand your question.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator Marovitz, your time has expired, I'd be glad to come back and pick you up the second time. Senator Poshard, for what purpose do you arise?

SENATOR POSHARD:

Yes, thank you, Mr. President. A point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

State your point.

SENATOR POSHARD:

Mr. President, I have up in the gallery Denning Elementary School and their principal Mr. Ron Smith visiting here today, and I'd like for the Senate...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Will our guests in the gallery please rise and be recognized by the Senate. Welcome to Springfield. All right. Further discussion? Senator Newhouse.

SENATOR NEWHOUSE:

Thank you, Mr. President. I...I rise in opposition to this bill. As I read from our poop sheet, the Department of Public Health maintains that this bill is unnecessary because

with the exception of allowing the courts access to information, its provisions duplicate the authority currently granted the department, that is the...conditions of the bill. So that if that...if these mandates are already in place, we're talking then about the department not doing the job that it's supposed to do and I think I heard the Senator say that this is pretty much what the situation is. If this bill then is intended, Senator, to send a message rather than to...to send a message rather than to...rather than to mandate certain kinds of policy, then I would suggest to you that if the speaker is on down on the second floor that message has already been delivered. On the second floor resides the person who makes the kind of policy to which the Department of Public Health reacts and that might be the simplest way to do this. Now given the time span that we have in this Legislature and our own life spans, it might be more helpful to us all if you just took this bill out of the record.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, we're sitting here arguing about semantics and about stuff that doesn't even apply, what we better talk about is life and death. AIDS causes death. Let me tell you, the Illinois Sexually Transmissible Disease Control Act is created to establish a reporting mechanism to mandate the Department of Public Health to adopt rules authorizing interviews for the purpose of contact tracing, which I think is very important, to provide a procedure for the purpose of examining and treating persons with sexually transmissible disease, to authorize the Department of Public Health to utilize its power of isolation and quarantine and to protect the...confidentiality of records concerning persons with it. Now, although the department currently requires the reporting

of certain sexually transmissible diseases, this new Act specifically provides for the reporting of AIDS by a physician and...only in instances of the...the physician diagnosed cases of AIDS and AIDS Related Complex based upon diagnostic criteria from the Centers for...Disease Control, the United States Public Health Service. This is a mandatory provision and well it should be. Contact tracing is currently executed through the Department of Public Health and county health departments for syphilis, gonorrhea and pelvic...inflammatory disease. The new Act expands the tracing mechanism to include persons infected with the...the transmissible disease or persons whom the Department of Public Health reasonably believes may be infected with such disease including AIDS. This is a mandatory tracing program. Now, all information and records held by the Department of Public Health relating to known or suspected cases shall be strictly confidential and they are exempt from the Freedom of Information Act. In case you haven't read about it or studied this bill, the exceptions to this policy are as follows; one, all persons to which the information applies...consent to release; two, the information is released for...statistical, medical,...epidemiological purposes and all identification...identifying information stricken.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well...

SENATOR GEO-KARIS:

Three, medical personnel, appropriate state agencies or courts are in receipt of the information in order to enforce this Act or related rules or for a medical emergency. Let me tell you something, even when disclosure is made pursuant to a subpoena, such information shall be sealed by the court from further disclosure. The employees of the Illinois Department of Public Health cannot be examined in a civil, criminal, special or other proceeding as to the existence or

contents of pertinent...records of persons examined or treated. I think we better start waking up around here instead of wondering who's bill is going to be first.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well...

SENATOR GEO-KARIS:

I think this is a good bill, it's a necessary bill and if you're going to want to start saving lives, you better take the active position of tracking down this disease, tracking down the people who are exposed to it, tracking down the people the exposer has exposed; because if we don't do it, we're going to lose a lot more lives and there's a prediction by 2000...the year 2000, that the greatest number of deaths will be caused by AIDS. So, ladies and gentlemen, I think this is a good bill, I think it's a necessary bill and I speak in favor of it and urge all of you to vote for it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator Davidson, the Chair accepts your admonishment from this morning and, in fact, have turned the clock on. Further discussion? Senator Raica.

SENATOR RAICA:

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Raica.

SENATOR RAICA:

Senator DeAngelis, I have a concern regarding public servants who now enter people's homes and are unaware that that patient or the victim that they're going to treat has the possibility or does, in fact, have the disease of AIDS. My question to you as the sponsor of this legislation, would this...it is my understanding that what this would do is put a trace on that patient to...in other words, follow that patient along...either he...whether he gets better or

deteriorates as far as condition goes. Would that same...or would the person who treated that patient receive knowledge of that patient's condition?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS.

No, confidentiality will prevail; however, I...I believe under the current confidentiality provisions...in this bill that in the event of emergency in the hospital you can't get to those records for the purpose of just treating that person but not to disclose it to somebody else who might be either transporting them or just casually treating them. No, it would not do that.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Raica.

SENATOR RAICA:

The reason for my concern is I...actually there's three ways of contacting the disease of AIDS. And the people that are in public service are probably in the...in the service which is most...prevalent to...to receive...the disease and that's in blood contact. The people that...take the paramedics, for instance, they've responded to a hundred and seventy thousand calls in the City of Chicago alone. The northwest side, which is my area, has the highest percentage of AIDS that there was, we usually picked up one or two victims every other day with that disease. Since they are in the public health service and they start IV's, the problem of acquiring AIDS is...is there every day. And my concern is that we have to keep tabs on these individuals and have to get back to the people who treated these individuals, 'cause in the public service they go home to their families every day and if they have a cut on their finger and they go home and they had the blood spilled on their hand, they can acquire the...the disease of AIDS. And...and my concern,

and...is that we...we keep tabs on these people and get back to the people who treated these individuals and keep them abreast of the patient's condition.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Smith.

SENATOR SMITH:

Will the sponsor yield to a question, please?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Smith.

SENATOR SMITH:

Thank you. Senator DeAngelis, could you tell me, how does your bill address the problem of AIDS being contracted through intravenous drugs or blood transfusion?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

Well, if the person is diagnosed as having AIDS, it will be done through the contact tracing method.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Smith.

SENATOR SMITH:

I'm not quite clear, would you please...if it...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

If a person is diagnosed as having AIDS, the contact tracing mechanism starts from that point. We...this bill cannot do anything about anybody who is infected already or anybody who currently has AIDS. This bill is for the future for...to stop the spread of it. And we start by finding those people who, in fact, have...diagnosed...who have been diagnosed as having AIDS and then start the contact tracing with that person.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Smith.

SENATOR SMITH:

But it's known that many of the people who are infected by AIDS is infected because of intravenous, you know, use and by blood transfusion. Even young people have been affected by that and so I wanted to know if your bill address that, because that's very important.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

I don't know how to respond to that any better than I have. If a person, for instance, let's say has AIDS and they got it from a blood transfusion. I mean, we can't go out and destroy the transfusion they had already, but what we can do is to find out who they've had sexual contact with that they may have transmitted the disease to so that perhaps those people who have either become infected or exposed can then either alter their habits or just stop doing what they're doing so other people don't get infected.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Collins.

SENATOR COLLINS:

...Senator...question of the sponsor, please.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, he indicates he will yield. Senator Collins.

SENATOR COLLINS:

Senator, in your definition of...on page 2...line 5, sexually transmitted disease, your definition and on down to...line 15 it has pelvic inflammatory disease...pelvic...okay...and then when you go over to page 5, you talk about quarantine and isolation. Given that definition for any pelvic inflammatory condition, one could be quarantined or isolated. I really don't think you know what you're talking about there.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator Collins, was that a question?

SENATOR COLLINS:

He can't answer. Well, do you know what you're talking about? Let's...let's put it that way, then.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator DeAngelis, that...that was a question. Senator...Senator DeAngelis.

SENATOR DeANGELIS:

I hope so, Senator Collins, and I know that PID is rather prevalent but it is curable, it's curable rather fast; and I am certain that by the time you went through the whole process to get to the quarantine, it would have corrected itself already.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Collins.

SENATOR COLLINS:

You're too intelligent for that. Either...either it's the law or it's not the law. If you put it in the law, that's what it means that you can be quarantined. You may not...you may or you may not have a...have an opportunity to be cured or...or the condition to cure itself before you go through the tests, and I just suggest that...that either you take it out or, you know, this...this just...it's ridiculous.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? All right. For a second time, Senator Marovitz.

SENATOR MAROVITZ:

I apologize for rising a second time. Just to point out a couple more things. In the confidentiality section which is terribly drafted, I must say, on page 3 and on page 4, you talk about any person who knowingly or maliciously disseminates any false information will be guilty of a Class A Misdemeanor, that's on line 9; you do it again on line 10

on page 4, "Any person who knowingly or maliciously disseminates false information is guilty of a Class A Misdemeanor." So what about if that person knowingly disseminates true information. Okay, I know this person has got AIDS or I know they tested positive, so I'm going to disseminate this true information. There's your confidentiality section right out the window. And what this bill is doing, it's driving all these people who are very fearful right now, it's going to drive all of them underground. They're going to see the passage of this law which in reality does not give the Department of Public Aid any additional power, it doesn't do anything more but they're going to see a law put in the books regarding no confidentiality, regarding quarantine, regarding the possibility of mandatory contact tracing, and the...these people who are scared now and we want them to come in and be tested and be counseled, these people are going to be scared out of their minds further and be driven underground. The Illinois Catholic Conference is against this bill, and I think it's important to note that. The language in this bill regarding confidentiality is extremely loose. Right now we have confidentiality regarding these records, you are loosening up those confidentiality requirements and allowing the courts and court personnel to have these records, further scaring people, driving them underground. This bill is poorly drafted. I understand what you're trying to get at but you're going to send a message out that's going to scare the daylights out of people and take and scare them away from coming in and being tested knowing that if they come in and they're tested, the results of those tests are going to be disseminated, additional people are going to have that information, they're going to be discriminated on, even if they just get a positive test result. And, Senator DeAngelis, the fact is, there is no test for AIDS today, there is not a test for AIDS, anybody

will tell you that, there is not a test for AIDS, and the majority of people who...who...who get a positive test result will never get AIDS. The majority of people who get a positive test result, that's just for the presence of the antibody, not for whether you have AIDS, just for the presence of the antibody, the majority of those people will never contract AIDS. This is a bad bill, it's poorly drafted, it's going to scare the people that we want to come in and get tested and get educated. If you have to vote, vote Present.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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

SENATOR DeANGELIS:

Well, Senator Marovitz, up to this time I would have been hopeful that I'd ever been indicted for any crime that you would avail yourself...I could avail myself of your service, but after listening to your explanation on the confidentiality provision, I think I'm going to change my mind on that. You forgot to read down two lines. You talked about the person who knowingly disseminates false information then you said, well, what if somebody tells the truth. Read the next line. It says,...no, it's not the different section, it's part F, you read part E, and you didn't put it in context of what preceded it. And, you know, I don't mind you being in opposition to the bill and I know that you have good cause to be so, and I know that you've got a different direction you want to head in, but let's not misexplain the bill, okay? Because the confidentiality provisions in here are quite tight and I don't know of anybody who at this point up till today has come out and attacked it. Now, let's deal with the...the AIDS diagnoses. You are correct, you can check for the virus, all right? And those checks are 99.5 accurate on a positive, hundred percent accurate on a false; yes, they are, Senator Marovitz. Now, if you build a triangle of

people who have AIDS and then take in a population of fifty, you are correct, one person out of that fifty might have AIDS, the next thirty-nine will have...the next...ten will have ARC and the other forty will not show anything. But you know what? We don't know...we don't know, 'cause we're far too early into this game, what's going to happen to those people. And I'm not suggesting or nor would I wish that more would contract AIDS. But you can't stand up there as an authority and tell me that they won't get it, because I can tell you right now, you don't know any better than I do that they will or they won't. Now, in conclusion, and I could respond to some of the other things, we talked about sending a message and perhaps I didn't send the right message when I talked about the message. But we in this General Assembly have an obligation to send out a public policy statement as to what we intend to do about this epidemic, and up to now the department, which by the way, has removed its opposition, Senator Newhouse, and they did talk to downstairs...essentially what we have to do with this Body is we make public policy, that's our job, and what this bill says is what the public policy of the State of Illinois should be regarding combating deadly diseases and those that are transmitted sexually. The public policy that this bill maintains...is that it is the obligation...the obligation of the State of Illinois and those of us that represent that state that having weighed the various...the various effective groups to structure a public policy that protects to the best degree possible the general public, and that's what we're attempting to do with this bill. And I urge its passage, Mr. President.

PRESIDENT:

The question is, shall Senate Bill 651 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all

voted who wish? Take the record. On that question, there are 40 Ayes, 15 Nays, 2 voting Present. Senate Bill 651 having received the required constitutional majority is declared passed. 652 is on the recall, I'm told, Senator D'Arco. 655, Senator D'Arco. On the Order of Senate Bills 3rd Reading, Senate Bill 655. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 655.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. Senate Bill 655 provides that in construction contracts with public agencies which limit the public agency's liability to an extension of time for delay for which the public agency is responsible and which delay is unreasonable under the circumstances involved and not within the contemplation of the parties, the contractor shall not be precluded from recovery of damages. There was an amendment to exclude subcontractors because the agencies do not contract with subcontractors and that was at the request of DOT. And to my knowledge, I know of no opposition, and I would ask for a favorable vote.

PRESIDENT:

Any discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

I was...I...I wanted the Floor to move reconsider the vote by which Senate Bill 651 was passed.

PRESIDENT:

All right. We can do that I suppose after this one. On 655. Any discussion? If not, the question is, shall Senate Bill 655 pass. Those in favor will vote Aye. Opposed vote nay. The voting is open. Have all voted who wish? Have all

voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, 2 Nays, none voting Present. Senate Bill 655 having received the required constitutional majority is declared passed. Senator Geo-Karis has moved to reconsider the vote by which Senate Bill 651 has passed. Senator Davidson moves to lie that motion on the Table. All in favor of the motion to Table indicate by saying Aye. All opposed. The Ayes have it. The motion prevails. The motion is Tabled. 662, Senator Davidson. No. On the Order of Senate Bills 3rd Reading is Senate Bill 662. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 662.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Davidson.

SENATOR DAVIDSON:

Mr. President...Mr. President and members of the Senate, this does exactly what it says on the Calendar and I have no knowledge of any opposition to the bill...appreciate a favorable vote.

PRESIDENT:

Any discussion? Is there any discussion? If not, the question is, shall Senate Bill 662 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 Ayes, no Nays, none voting Present. Senate Bill 662 having received the required constitutional majority is declared passed. Senator Marovitz on 669. On the Order of Senate Bills 3rd Reading, bottom of page 14, Senate Bill 669. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 669.

(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 Bill 669, the purpose of this legislation is to amend the Illinois Pension Code to permit a state regulated pension to invest in mortgages backed by a letter of credit or other obligation issued by an A rated institution and the rating would have to be by Standard and Poors or Moody's, that was requested by the committee, we added that. And I would ask for affirmative roll call.

PRESIDENT:

Any discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

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

PRESIDENT:

Indicates he'll yield, Senator Schuneman.

SENATOR SCHUNEMAN:

Senator, I think you've tried to respond to the objections that we raised in committee which were basically along the lines that we felt that letters of credit issued by banks who are large enough would be acceptable but not letters of credits issued by small banks, basically. Can you tell me what banks in Illinois would be allowed to issue...such letters of credit under the A rating of Standard and Poors?

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

Well, I can't tell you all the banks but I can tell you that the First National Bank of Chicago is an A rated bank.

There are only three banks in the country with triple A rating and that is the Mellon Bank, the Chase Bank and the City Bank. Those are the only three in the country. But I know the First National Bank of Chicago is an A rated.

PRESIDENT:

Senator Schuneman.

SENATOR SCHUNEMAN:

Well, I'm sorry to do this, Senator, I...I thought that your reaction was going to be to me that there was only one bank in Illinois because I thought that's what you told me the other day. I think it's important that we know what banks are going to be allowed to issue letters of credit pertaining to...to pension funds. Now, the fact that Standard and Poors issues...or has an A credit rating, I don't know what that means for a bank. I know that in bonds, for example, if you get an A rated bond, it may not be such a hot bond, you got to have triple A plus or something like that. And I'm not sure and I think the members of the Senate ought to know what kinds of banks are going to be eligible for this.

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

Well, when...when I was in committee, Senator Schuneman asked me to put an amendment on here saying...who this A rated...who this...who gives this A rating. And is it by some small service, by anybody? And I said, well, I would be happy to amend it to put Standard and Poors and...Moody on it if that's what you'd like; and he said, that sounds fine with me. Then when I put the amendment on, Senator Schuneman came over to me and he asked me for an example of an A rated, and I said, First National Bank of Chicago I know is A rated. I don't know of anybody who would...who could give you, I...I'm sure it's...we could get it. But I certainly wouldn't know

off the top of my head every...every bank in the State of...of Illinois that Standard and Poors or Moody gives an A rating. Perhaps if I'd been asked that several weeks ago when you and I spoke, I would have been able to get that list. Now I'm asked it at this moment, I gave you an example of one that's an A rating. I don't know every bank that's an A rating but I...I gave you the...the most prominent rating institution so that it wouldn't be some fly-by-night institution issuing some fly-by-night letter of credit or rating for an institution.

PRESIDENT:

Senator Schuneman.

SENATOR SCHUNEMAN:

Well, okay, Senator, I...apparently, you and I had a misunderstanding because I...I thought that I had raised my question correctly but perhaps I didn't. But I think that this is...is a source of concern not only to me but other members of the Senate, and I...I would ask you this. I'll support the bill, would you get me a list of those banks in Illinois that have such a credit rating? Thank you, very much.

PRESIDENT:

Further discussion? If not, the question is, shall Senate Bill 669 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Ayes, 1 Nay, none voting Present. Senate Bill 669 having received the required constitutional majority is declared passed. 681, top of page 15, is on the recall list, I'm told. 683, Senator Topinka. On the Order of Senate Bills 3rd Reading, top of page 15, is Senate Bill 683. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 683.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Topinka.

SENATOR TOPINKA:

Yes, Mr. President and Ladies and Gentlemen of the Senate, this would require Illinois students between the ages of eighteen and twenty-six attending Illinois institutions of higher education who have not filed a statement of selective service status to pay the equivalent of nonresident tuition. And, as we all know, you know, signing up for selective service at age eighteen is the law. This is a continual problem and anything we can do, I think to encourage it, that's the substance of the bill.

PRESIDENT:

Any discussion? Senator Demuzio.

SENATOR DEMUZIO:

Well, I...I'm just intrigued by this one. It says that this bill will require females as well as males to file a selective service statement with the college or university upon admission. Women currently are not required to become involved with the selective service and this bill requires them now to become involved with selective services? Is that correct? I don't know the answer to that.

PRESIDENT:

Senator Topinka.

SENATOR TOPINKA:

It's my understanding that it just requires any student between the age of twenty-six who has not filed a statement of selective service...status with such institutions shall regardless of...well, it goes on, but it's any student and, obviously, since women are...are not covered by selective service and not by law required to do so, there would be no need for them to...this...this would not apply to them. But

we, you know, with...we want to keep the equality in the bill.

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

I...I...I only have a honorary law degree with Senator Vadalabene. It just seems to me that if...if...all students must register but we can ignore that because the...selective service doesn't apply to women, I find that somewhat confusing. That wasn't covered in my honorary docturate that I got from Lewis and Clark. Senator Vadalabene, was...was that in your's?

PRESIDENT:

Further discussion? Senator Hall.

SENATOR HALL:

Will the sponsor yield for a question?

PRESIDENT:

Sponsor indicates she will yield.

SENATOR HALL:

I simply want to understand the question...I mean, your answer. Are women required to...to submit this or are they not?

PRESIDENT:

Senator Topinka.

SENATOR TOPINKA:

Yes, in the State of Ohio where there is a similar law, it does not create a...problem, it does not apply. By Federal law, women do not participate or sign up in any way in selective service.

PRESIDENT:

Senator Hall.

SENATOR HALL:

Well, I'm reading here the bill, as...as Senator Demuzio said, will require females as well as males to

file...selective service state. Why would that be in the bill if it's not required?

PRESIDENT:

Senator Topinka.

SENATOR TOPINKA:

Yes, you may be reading your analysis. Let me read you what the bill says. The actual bill says, after it gets through with its preamble, "which enrolls in any course, class or program, any student between the ages of eighteen and twenty-six who has not filed a statement of selective service status." Since Federal law has determined that women are not in selective service or covered by them, they...it does not apply to them.

PRESIDENT:

Further discussion? Senator Demuzio for a second time.

SENATOR DEMUZIO:

Well, why don't we just say, it only applies to...to men rather than to women, I mean, I don't understand. In...in you bill...in the law it will say that all students...all students...any student between the ages of eighteen and twenty-six. Rather...why don't you just make it...male students and...and forget about the female students. Why are we complicating the process? I...it just doesn't make any sense to me.

PRESIDENT:

Senator Topinka.

SENATOR TOPINKA:

I would agree and, you know, your law degree serves you well and if...if that will make this...this much better, I will make sure that in the House that we put the word "male" in and that will clarify your problem.

PRESIDENT:

Further discussion? Further discussion? Senator Topinka, you wish to close?

S.B. 687  
3rd Reading

SENATOR TOPINKA:

You know,...judging by what we've said to Senator Demuzio, if that is a problem for anyone, as I said, at this point, the bill, even as it is written, and it copies almost exactly the Ohio bill...the Ohio law which is in effect, has no problem because it does not apply to women, we will be happy to put that amendment on in the House; however, I would ask for your favorable vote because I think it...it does the job right now.

PRESIDENT:

The question is, shall Senate Bill 683 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 44 Ayes, 10 Nays, 1 voting Present. Senate Bill 683 having received the required constitutional majority is declared passed. On the Order of Senate Bills 3rd Reading, Senate Bill 687. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 687.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President and members of the Illinois Senate. Senate Bill 687 creates the Illinois Institute for Entrepreneurship Education which will be housed at Northern Illinois University. There's been a long continuing discussion on this topic and the purpose of that institute is to develop entrepreneurship education, turn around and improve instructional materials and prepare personnel to teach entrepreneurship education. Most of us know that the largest number of jobs created in the State of Illinois are created

by small companies. As amended, the bill has a board of thirteen members, we did add a minority member at the request of some people. The institute shall be funded by the State of Illinois for two hundred and fifty thousand dollars the first year but shall be self-funding thereafter. It's a bipartisan effort, I know of no opposition.

PRESIDENT:

Any discussion? Senator Poshard.

SENATOR POSHARD:

Yes, thank you, Mr. President. Will the sponsor yield to some questions?

PRESIDENT:

Indicates he will yield. Senator Poshard.

SENATOR POSHARD:

Senator DeAngelis, I expressed opposition to this bill in committee and I'd like to ask you a couple of questions, if I may. What will the five-year cost of the program from the state's perspective be?

PRESIDENT:

Senator DeAngelis.

SENATOR DeANGELIS:

Well, the bill as currently written only provides for the State to fund the first year. It states that the next...after the first year...there was a requirement for matching funds rising progressively from one-fifth to two-fifths, three-fifths, four-fifths, five-fifths.

PRESIDENT:

Senator Poshard.

SENATOR POSHARD:

So the state's obligation the first year out will be two hundred and fifty thousand and then four-fifths share the next year and three-fifths the next and so on, and the offsetting shares will be made up by the business community whom you would expect to give private donations for this.

May I ask you a question then in regard to that? Since the original bill the...the NFIB, the Illinois State Chamber of Commerce, the Friends of Small Business and independent businesses, the groups that...you originally incorporated into the board or on to the board of...of this bill, they've been eliminated, why? Wouldn't those be the groups that you'd expect to fund this with the private share eventually, why have we eliminated them from the board?

PRESIDENT:

Senator DeAngelis.

SENATOR DeANGELIS:

Well, we made a bad trade, we traded them off for members of the General Assembly but no cash involved.

PRESIDENT:

Senator Poshard.

SENATOR POSHARD:

Well, I don't know that members of the General Assembly will create a lot of private donations for this but, nevertheless, I'll accept your...just...just let me express my concerns to the...to the membership about this. One of the concerns that I have is that increasingly today we hear teachers as well as administrators talk about the lack of time that students have in the classroom to study the basics, the essentials of education, reading, writing, arithmetic, history, those kinds of things. Now we're creating another program, it's going to be voluntary, the schools don't have to implement it unless they want to, but for five years we're going to be financing a group of people who are going to develop a curriculum for teaching entrepreneurial education whose purpose will be to eventually implement this in the schools at some point or another. I just have a real concern that we may already have too many varied things that we're trying to teach kids and we're loading one more thing on here for us to have to deal with. I don't personally know how you

would teach entrepreneurial education to a first grader or a second grader or a third grader. If it were limited to high school, I might be able to understand that, but why are we developing another program even at the elementary level to put upon the backs of teachers? I just don't understand it and I stand in opposition to it.

PRESIDENT:

Further discussion? Senator Hall.

SENATOR HALL:

Will the sponsor yield for a question?

PRESIDENT:

Indicates he will yield, Senator Hall.

SENATOR HALL:

Senator, I have to apologize, I came back to my desk and I heard you...now you...I heard you say you're going to have to put a minority on what? What were you talking about? And if you're talking about minorities, I mean, what constitutes a minority in your mind?

PRESIDENT:

Senator DeAngelis.

SENATOR DeANGELIS:

No, I...I put an amendment on, I changed the composition of the board at the request of Senator Smith and some other people. Now what constitutes a minority, well, I think an Italian-Republican Senator is probably the smallest minority in Springfield.

PRESIDENT:

Further discussion? Senator Severns.

SENATOR SEVERNS:

Thank you, Mr. President and members of this Chamber. I rise in support of this bill. As one who recognizes that eight out of ten current new jobs are with the small business sector, I think it's an important bill. The Small Business Council of the State and of the nation recommended this kind

of effort throughout the United States. The bulk of the responsibility is with the universities. While we tire of looking to Japan as an example, in that country they've used this very successfully. In short, I think it would help this state meet the new challenges and I would urge support for this bill.

PRESIDENT:

Further discussion? Senator Degnan.

SENATOR DEGNAN:

On a point of personal privilege.

PRESIDENT:

State your point, sir.

SENATOR DEGNAN:

I'd like the Senate to welcome the students from the Seward School in Chicago sitting on the Democratic side of the gallery.

PRESIDENT:

Will our guests in the gallery please rise and be recognized. Welcome to Springfield. Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President, Ladies and Gentlemen of the Senate, briefly, what's wrong with teaching some business sense and common sense to young people? I think it's a good bill, it's about time that we teach them that they got to earn their way and not just expect to get it. So I'm all in favor of this bill.

PRESIDENT:

Any further discussion? If not, the question is, shall Senate Bill 687 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 50 Ayes, 4 Nays, none voting Present. Senate Bill 687 having received the required

constitutional majority is declared passed. 688, Senator Poshard. On the Order of Senate Bills 3rd Reading, Senate Bill 688. Read the bill, Madam...Madam Secretary.

SECRETARY:

Senate Bill 688.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Poshard.

SENATOR POSHARD:

Yes, thank you, Mr. President, Ladies and Gentlemen of the Senate. This is the shell bill that we had developed, frankly, for the sunseting provisions for the Workmen's Compensation Act. That's what it is and that's all it's intended to be. And I would appreciate your support.

PRESIDENT:

Discussion? Senator Hudson.

SENATOR HUDSON:

Thank you, Mr. President. As I recall...well, let me ask, will the...will the sponsor yield to a question?

PRESIDENT:

Sponsor indicates he will yield, certainly, Senator Hudson.

SENATOR HUDSON:

Senator Poshard, it's my recollection that...we had a little agreement in committee on this bill and that was that it would be used only as a...as a shell bill and...it would be used as to contain...to carry the contents of an agreed bill if such an agreement occurred. Now, I'm not aware of any...any agreement as yet before you move this thing.

PRESIDENT:

Senator Poshard.

SENATOR POSHARD:

Thank you, Senator Hudson. The agreed bill process is

SB 696  
3rd Reading

going along as...as you and I know, the next meeting is June 3rd. Unfortunately, an agreement could not have been consummated by the time we had to cross bills here between the House and the Senate, and that's the reason we're having to go ahead and pass the bills over. The House shell bills are already over here, and we're trying to move the Senate bills over there.

PRESIDENT:

Senator Hudson.

SENATOR HUDSON:

Well, I think, Mr. Sponsor, my only...I appreciate your candid answer, Glenn. But to the bill, now, I...I think that my posture has to be one of voting Present on your measure. I hesitate to...to vote Yes, put a green light on it until we have some idea of what the agreement, if it, in fact, becomes reality is. So that would be...that is what I intend to do is to vote Present and would...would encourage perhaps members on this side of the aisle to do likewise.

PRESIDENT:

Question is, shall Senate Bill 688 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 32 Ayes, 1 Nay, 24 voting Present. Senate Bill 688 having received the required constitutional majority is declared passed. Senator Berman. On the Order of Senate Bills 3rd Reading, Senate Bill 696. Read the bill...Madam Secretary.

SECRETARY:

Senate Bill 696.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 696 provides that after July 1, 1987, teachers employed by special education joint agreement districts will have tenure and accumulate...seniority only in that joint agreement district. I'd be glad to respond to any questions and solicit your Aye vote.

PRESIDENT:

Any discussion? If not, the question is, shall Senate Bill 696 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. Senate Bill 696 having received the required constitutional majority is declared passed. 97 is on the recall, I'm told, Senator Berman. 698, Senator Carroll. On the Order of Senate Bills 3rd Reading, the middle of page 15, is Senate Bill 698. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 698.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 698 and followed by 699 are two different approaches to the same problem and same topic. Probably the commentary should be the one commentary on both. I had distributed today a commentary that came out of the Chicago Sun Times discussing in broad detail the problem of education in the City of Chicago and the need for a more localized system, a smaller system, a system in which parents, community people can be involved in providing a quality education. I believe we all have recognized that a system of

four hundred thirty-five thousand students does not truly give equal educational opportunities to those students and especially as you compare it to all of the other schools in Illinois and throughout the nation. What 698 attempts to do for those not yet willing to take the full step forward and say, in effect, it is time to recognize that the product of education is a testable product and they have failed that test, that the people of Chicago have been moving to alternative systems, be they private, parochial or whatever because of the failure of the system to educate the students of Chicago. That failure is an indictment of us all; that failure is something we can no longer afford. If we are going to be in the world market, if we are going to be in a state market, in a city market, if we are going to have an opportunity to educate children, to avoid the drop-out rate, to provide for the future of this state, it will only be if we start at home. The current system does not encourage and, in fact, discourages that type of in-home participation. This Chamber and our colleagues across the Rotunda decided last year that there should be a committee to review education reform and to discuss decentralization in the Chicago school system. It was made up of a member of the Governor's staff, it was made up of the president of National Teachers College, it was made up of Senator Fawell and myself, a House Republican and a House Democrat, and as a result of those hearings, we again determined that the students, the people of Chicago would be better served by smaller community based school systems; smaller, twenty-one thousand, twenty-two thousand students, second largest in the State of Illinois. Each of those twenty would still be the second or third largest in the State of Illinois and that's still large, maybe even too large. But in Chicago right now in the elementary system there are twenty districts, each with a district superintendent, each with an engineering superintendent. So

the idea was, why create another level of bureaucracy? You got twenty now, let's try that. We don't have to create new offices, we don't have to build new bureaucracies; what we have is twenty now, use what you got, it's economical, it's efficient, it's sound, and for once let's educate children, let's make that the true prime concern of the system. What Senate Bill 698 would do is to those not yet willing to take the full step, it would say let's try two...two semiautonomous systems for a period of time to prove that it works. When we get to the next bill, 699, that would take it the full bluish way and I'll discuss that when we get to it. I would like to see both bills continue through the Chambers. Last year we passed the equivalent of 699 out of the Senate by a very overwhelming vote only to find in the House there was less than unanimous support. Maybe now they will see the wisdom of their mistake...of their ways, they will see the mistake they made; maybe they won't. 698 will give them the opportunity to at least test it. I would like to see both approaches arrive at the House and pass. I think if we are going to spend tax dollars wisely, you got to begin at home. 698 is a test to do that and, again, I'll go through the other detail later. I would ask for a favorable roll call and answer any questions.

PRESIDENT:

Discussion? Senator Fawell.

SENATOR FAWELL:

Thank you, very much, Mr. President. Indeed, I was a member of this committee and we did travel around Chicago and listen to the testimony of the various groups and...and people and parents. What I have discovered in the past when I went down to Chicago was the frustration of the parents. For instance, I went to Pilsen and the parents there informed me that they are so frustrated by the bureaucracy that they try and mire through every time they...they perceive a prob-

lem that they finally just give up in desperation and will no longer accept the system and quite frequently will allow their children to drop out. Right now we spend thirty-three percent of the...of the state money for twenty-six percent of the children and we are, frankly, not getting a very good return as far as the education of these children are concerned. Chicago has got a big problem. We in the other parts of the state are allowed to have smaller districts and allowed as parents and as teachers to have an input into the system. Chicago would like to try and do the same thing. Frankly, I don't see how it can get any worse, and I would suggest to my colleagues on this side of the aisle, we ought to give them a chance. Sure as heck the other system with the big bureaucracy doesn't work and maybe this might. I would suggest an Aye vote on both bills.

PRESIDENT:

Further discussion? Senator Collins.

SENATOR COLLINS:

Question of the sponsor, please.

PRESIDENT:

Indicates he'll yield, Senator Collins.

SENATOR COLLINS:

Senator, on...looking at the two boards you're talking about creating...two separate boards, so we would have the Chicago Board of Education and then we would have two subboards...I mean, two other separate boards. Now, for what period of time is there on this, how long?

PRESIDENT:

Senator Carroll.

SENATOR CARROLL:

Senator, this would, in fact, create in two of...subdistricts that currently exist in Chicago separate school boards. They would...it would continue until the Legislature changed it.

PRESIDENT:

Senator Collins.

SENATOR COLLINS:

Okay. Now, will these...Will this board have the power to levy tax? I see that you say that they can fix salaries, make promotions, negotiate contracts, adopt budgets, establish...curriculums and so forth, then will they have the power to levy the taxes to do that?

PRESIDENT:

Senator Carroll.

SENATOR CARROLL:

Course, as you know, the school board in Chicago does not have that power now, these subboards would not either. Those are levied by the city council.

PRESIDENT:

Senator Collins.

SENATOR COLLINS:

Where would they get the money from to run their districts?

PRESIDENT:

Senator Carroll.

SENATOR CARROLL:

From the...under 698, from the school board of the school...of the Chicago School Board. In other words, what would happen is these two districts would then get from the major board their budget to operate their districts the same amounts of money they are currently getting under the other system except for administration which they would now get directly. So the Chicago School Board would give to these test districts an allocation which they would then budget.

PRESIDENT:

Senator Collins.

SENATOR COLLINS:

But where will the additional money come from for

the...for the administration costs? Where would that come from, for the two boards now? We're talking about two separate boards which is not now in the allocation, where would that additional money come from? And...and once we pass this legislation, will the state then give them the extra money or will the extra money come out of the Chicago portion of money that will be coming from the state? Or would they be leveraging additional taxes to make up for the administrative costs and then how much are you talking about for the two boards?

PRESIDENT:

Senator Carroll.

SENATOR CARROLL:

Neither of the above, Senator Collins. You have seven members unsalaried who would function as the current superintendent does now. They would, in fact, choose the superintendent and the principals, they would not have the power to assess additional taxes, they would not be eligible for additional funds from the state. They would receive their allocation for their subdistrict, one-twentieth of what's going into the school system, to operate that district. There would be, in effect, a lesser cost overall, not a greater cost. You have already the...built in the offices of each of these districts, they exist, there is no added expense. That's why we used the currently operating subdistricts as the basis upon which to do a test.

PRESIDENT:

Further discussion? Senator Jones. I beg your pardon, Senator Collins.

SENATOR COLLINS:

Senator Carroll, I understand what you're trying to do and...and heaven knows that we have problems across the state and there is need for improvement in...in all of the school districts probably across the state. But you really haven't

answered my question satisfactory in terms of where the additional money is coming from for...but...but to say that...you've got two additional boards that...that who is responsible...who are responsible for the administrative functions of those two districts now that will be operating basically independent of the Chicago Board of Education and to say that there would be no need for additional monies, that's impossible. And I know that you're...you know, Mr. Chief Appropriation person here with all the money expertise, but...but you can't tell me that we're not talking about additional monies. Now I know what you're saying that with the allocation that it's going to come prorated from the board...I guess the downtown board operation, district...overall board operation, a portion would go out there. It costs money to administer those boards, and you can't say it can't, Senator Fawell.

PRESIDENT:

Senator Carroll.

SENATOR CARROLL:

Assuming that was a question, I understand the problem. The problem Senator Collins is having is you're referring to Pershing Road. You're referring to the thousands of people who sit there and gobble up such a large portion of the monies that are supposed to go to educate kids. This doesn't do that and I understand your problem. You see that huge monstrosity on Pershing as what it takes to run a system. Go look around the state, it does not take that to truly run a system. What this would take is one-twentieth of the money which would then allow each of these districts to operate on a test basis to prove or disprove that if you get the educational opportunity down to a level where you can have meaningful parental involvement, meaningful curriculum control, meaningful educational opportunities, you will get a meaningful product out of it. And I believe, firmly, once this is

done, it will be a cheaper and better product because you won't have those thousands of people who do not educate kids but sit there and figure out ways to keep their jobs going.

PRESIDENT:

Further discussion? Senator Schaffer.

SENATOR SCHAFFER:

Senator Collins, perhaps in answer to some of your comments of a moment ago, we sat over here,...least I have, for a number of years and every year there's another crisis and more money for the Chicago school system, business as usual. Rightly or wrongly, I've come to conclude that the Chicago...school system is a black hole for Illinois taxpayers' funds. And I keep hearing the little whispered rumors around here that they need a hundred or a hundred and fifty million new dollars or they won't open the doors next fall and we'll have a big crisis. And I've been through those crises before so I have to take those rumors somewhat seriously. Let me suggest to you, at the risk of shedding my normal suburban parochialism, some of us are interested in some new approaches in that swamp. You're going to come to us shortly and...and shake us down for another hundred or a hundred and fifty million dollars or we're going to have a crisis. Show us some new ideas, show us something that will work, the current system is a disgrace. We're interested in some new ideas. Senator Carroll, I don't know if your idea is perfect, it's a new idea, I'm glad somebody in Chicago is willing to try it.

PRESIDENT:

Further discussion? Senator Jones.

END OF REEL

REEL #5

SENATOR JONES:

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

PRESIDENT:

Indicates he will yield, Senator Jones, and I hope briefly.

SENATOR JONES:

Briefly.

PRESIDENT:

No, on...on the sponsor's side. He tends to...editorialize.

SENATOR JONES:

Oh, Senator...

PRESIDENT:

Yeses and Noes will be fine. Thank you. Senator Jones.

SENATOR JONES:

Senator Carroll, you indicated that the two subdistricts would...would receive one-twentieth each of the current school budget.

PRESIDENT:

Senator Carroll.

SENATOR CARROLL:

If I talk,...Mr. President, it'll take longer than that, so I'll shake my head. Yes, approximately, as allocated by the board.

PRESIDENT:

Senator Jones.

SENATOR JONES:

Well...well, you know as you deal with the ADA and the WADA, some...some districts currently receive more funding than other districts. Some districts has more students in the district than...other districts, so their allocation

would be way out of line in most instances, am I correct?

PRESIDENT:

Senator Carroll.

SENATOR CARROLL:

No, and that's why I said as allocated by the board. If you look at page 6, it goes through...the board retains those jurisdictions, the citywide board, so that there won't be that disparage and you won't lose the title...the Federal title funds, the city board will still do it. If these districts do not warrant that money, it won't flow to them.

PRESIDENT:

Senator Jones.

SENATOR JONES:

Who would determine the two subdistricts and where they would be? Who...who will make that determination?

PRESIDENT:

Senator Carroll.

SENATOR CARROLL:

Right now, it's the two members in the Legislature who came up with the idea, Representative Huff and myself, we've identified them in the bill. You want it for your district, we can make it three and add you.

PRESIDENT:

Senator Jones.

SENATOR JONES:

Well, my analysis didn't indicate it as such,...a matter of fact, I wish it had...could be amended to include my district. I rise up in support of 698 and I'll tell you the reason why. As one who has dealt with the education in Chicago public schools for the past ten years, we work...we work diligently, I do not consider it a black hole as such but when you're dealing with such a large bureaucracy at...at the central office, it's very difficult to even get the meaningful programs down to the children from whom the programs

are intended for. The trickle down effect of education reform down to the...to the child in the classroom in many instances have not even reached there. As one who has worked and worked hard not only in the General Assembly but back in my district with the schools, it is a most difficult task not only for a legislator but I imagine the problems that the parents have. If we pass this legislation, if this can work for two districts, then, perhaps, we can move on and to...and expand it even further, but when you continue to butt your head against a bureaucracy that seems to me at times doesn't really concern itself with the education of children, then it's a problem and I have become very, very discouraged over the past year and a half. So, I'm going to vote for this pilot-type program more or less and maybe those persons in...in the central office downtown will wake up and see that their job is to educate children, that's what they are there for. So, I...I would give you a Yes vote on this bill, Senator Carroll, and hope that this bill will bring some sense into that bureaucracy and let them realize that they are there for the children and not for their own personal being. So, I encourage a Yes vote on 698.

PRESIDENT:

Further discussion? Senator Netsch.

SENATOR NETSCH:

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

PRESIDENT:

Indicates he will yield, Senator...

SENATOR NETSCH:

Senator Carroll, I just wanted to be clear about one thing. The...the bill specifically provides that the board shall designate Subdistrict No. 2 and Subdistrict No. 7 as the two districts. Would you describe not in excruciating detail but at least identify those two areas?

PRESIDENT:

Senator Carroll.

SENATOR CARROLL:

I thought I did in Senator Emil Jones' question, mine and Representative Huff's, the two who had originally come up with the idea. If...if seven...partially in your's as well, it is that portion that surrounds Representative Huff's district. I don't have border detail for it. It's the existing numbers of the Chicago school system.

SENATOR NETSCH:

It...all right, if it is the existing numbers, then I think it does include a very substantial part of...of my legislative district, and while I will not support your next bill, I think this one may be worth trying. Something really does need to be done and this might be it. Thank you.

PRESIDENT:

Further discussion? Senator del Valle. Senator Smith. Senator Smith. Senator del Valle.

SENATOR del VALLE:

Mr. President, I also rise in support of the bill. I come from a district where the drop-out problem is one that has not changed, it's gotten worse. We have to try something new. I don't know that this is definitely the answer, but I think that the people in my district have reached the point...as was indicated by Senator Fawell, a point of total frustration. We have a school system that is not functioning properly, and as was indicated here earlier, we are being asked to pour more and more dollars into that system. I'm not sure, again, that this is the answer, but I agree that we've got to try something new, so I'm in support of the bill.

PRESIDENT:

Further discussion? Senator Brookins.

SENATOR BROOKINS:

Thank you, Mr. President. I rise in opposition to this

bill. I worked long and hard as a House member last year to bring reform to education. We worked out reform education...measures. We gave control to a different...councils in the private schools and are now...they're beginning to work. Now that things are beginning to work and now that leadership change, there always seems to be some that want to change the rules in the middle of the game. I have long and my folks have long been inseparate but equal. This is the same concept. Let's divide it up. Let's divide up this situation and make smaller units. We know that now today...in today's world, things are merging and becoming larger is because it's more economic to operate in larger...entities. So, therefore, I stand in opposition for this bill and I hope that we do not destroy a system when it is beginning to work.

PRESIDENT:

Further discussion? Senator Newhouse.

SENATOR NEWHOUSE:

Thank you, Mr. President. I rise in opposition to this...to this bill and I would like to get the attention of those on the other side. Illinois is not unique. Urban education all over this country is in trouble, very serious trouble. Some of the remedies that we've talked about for this situation have been from thinking people absolutely ludicrous. Give you an example. We talked about the fact that those youngsters who graduated from urban institutions...can I get your attention, please?

PRESIDENT:

I'm going to ask the staff one more time to take the conferences off the Floor.

SENATOR NEWHOUSE:

We talked about the fact that our youngsters are unable at this stage to meet the entrance requirements in most institutions and our response was to start talking about

excellence in education rather than addressing the problem and what we did then was raise the standards so that if you can't jump two feet, now see if you can jump four. We have not really looked at urban education through realistic eyes. We still treat urban education as if Norman Rockwell was still alive and well, and we had well-dressed children from intact families and supportive communities going into a classroom eager to learn. We haven't had that in two generations anywhere, suburbs or anyplace else. If we're talking about this as a solution to the problem, we're talking through our ears. The problems of Chicago have been fifty years aborning, fifty years, and all at once people discover it? Of course there's a problem. There has been and there will be until this Body acts responsibly. If we try to place these failures at the door of this present administration which is trying to turn around a ship that's been a building for over fifty years, that's completely unfair. From what I gather, there has been no real contact with the administration of the City of Chicago on this bill. I'm not sure that the city is absolutely opposed to what's going on. I know they're opposed to this approach at this time. I would suggest to you that this idea may not be a bad idea, but it is untimely and it's on the basis of timeliness that I rise against this bill. Give the administration and the City of Chicago time to sort out its own problems. Those of you who believe in home rule would not for one moment want to impose on other entities...political entities the will of those outside who have little responsibility for the day-to-day operations of the organizations. I would suggest to you that this bill ought to go down in flames. If the purpose is to send a message, I suggest that that message has been sent. I suggest that the administration is not...is not hostile to the notion of educating its children. I suggest to you instead this administration is dedicated to educating its

children, dedicated to the economic development that would take place as a consequence. We're concerned about taking tax consumers and making taxpayers of them. That's the issue. So, this is not to be taken lightly. What we produce in our educational institutions is going to decide the course of what happens in this country. We're talking economic development. Let me give you two statistics. The statistics the demographics say that the next population for either higher education and/or the labor market is going to come from urban institutions and is going to be unprepared. On the other end of the spectrum, we've got an elderly population that's growing by leaps and bounds. Two or three years down the road, grandma is going to go down to the mailbox and the check is not going to be there because the people who are going to produce the checks are not going to be in the market, that's what we're looking at. And if we all just roved right now in this room and looked at the labels in our clothes, we'd see Taiwan, we'd see Korea, we'd see Poland. It means some people in this country aren't doing what ought to be done, aren't producing, aren't paying taxes, that's the issue. So, we've oversimplified it and said, we're going to solve everything by breaking Chicago down into districts without the input. There may be nothing wrong with this idea, but the city ought to have the opportunity...ought to have the opportunity to do it at a pace that's reasonable, it ought to be forewarned and ought to be given the chance to do it responsibly and respectfully, that's all. Given those dynamics, I hope that those who are...who...well, have some predisposition to punish the City of Chicago will look at this sensibly and think about what it's going to cost the Illinois taxpayer in the long-run. If you do that...if you do that, I would suggest that we'll kill this bill, having sent the message to Chicago, give Chicago the opportunity to clean up its own house, it is committed to that. I would ask

a No vote on this bill.

PRESIDENT:

Further discussion? Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I've been sitting here listening to this discussion and, quite frankly, wasn't going to speak until I heard Senator Newhouse saying that all the school districts in...throughout the United States have a problem. Absolutely untrue. The problems basically are in the innercities. Why? Because of crime, drugs and no discipline. And you know what your answer is? Give them more money. That's your solution, give them more money. It hasn't worked, it isn't going to work. And I'll give you an example, about...in round figures, twenty-seven hundred dollars per student per year state aid. You know what we get in suburban area? About two to three hundred dollars per student per year. And you know what? The student who graduates from public high schools in the City of Chicago, fifty-seven percent of them are below the national average in reading, writing and arithmetic. And what do you say? Give them more money. What does the formula say? Give them more money. It doesn't work. It isn't going to work. I don't know if this is the solution, but I'll tell you one thing, it works in suburban Cook, works in downstate, it works well. Why not try it? Give it a chance in the City of Chicago. And you know what? If anybody ought to support it, it ought to be our blacks friends on the other side, 'cause the only answer to your problem is education. Education. So, when the kid graduates from high school with a diploma and comes out and fills out a job application he can spell the City of Chicago or spell the street that he lives on, 'cause I'll tell you one thing, if he can't become employed, you know what's going to happen? He'll be in crime. He'll be in jail...be on the welfare rolls, that's

where he'll be.

PRESIDENT:

All right, further discussion? Senator Schaffer for the second time.

SENATOR SCHAFFER:

Mr. President, on a point of personal privilege, to make something very clear. I said earlier...when I used the reference "black hole" I was referring to a interstellar phenomena and nothing else.

PRESIDENT:

All right. Senator Carroll may close.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I will, Mr. President, attempt to be brief. I think most of the debate also went to the next bill on the last of those speakers to incorporate by reference their remarks. As I said at the beginning and will say in closing, this is but a small step, a small step to attempt to educate this generation to be productive parts of the next generation, and I would ask for a favorable roll call.

PRESIDENT:

Question is, shall Senate Bill 698 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 48 Ayes, 7 Nays, 1 voting Present. Senate Bill 698 having received the required constitutional majority is declared passed. On the Order of Senate Bills 3rd Reading, the middle of page 15, is Senate Bill 699. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 699.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I, too, will try and incorporate mainly my remarks of the last bill by reference into this bill. Let me just answer one comment that one of the speakers made...because it truly relates to this and not the last one. The last one was introduced couple of months ago and may have taken people by surprise. It only had sixty, seventy days of life and full hearing in committee and a unanimous vote. This one comes with a couple of years of life so that everyone was aware of it when it was introduced originally. This one was the subject of citywide hearings, Kennedy-King on the west side, on the north side, in the central city, the State of Illinois Center, several hearings, hundreds of people, all of whom came to the hearings with the same cry, school counsels from all over Chicago. Senator Fawell joined me at each and every one of those hearings to hear the people of Chicago speak and to say...for example, when they took the only approach last year, this one, and changed it over in the House to school counsels to review budgets. What was the cry? So, we reviewed them and rejected them only to have the board say to us, tough, you got it back again because what the law said as the House wrote it, if you reject it, they merely have to resubmit something and you, the people, have nothing to say. What frustration to those who thought they might be involved in educating their children to walk in and see a school not working, take that effort of reviewing the budget, recommend something, rejecting what the Board of Ed. had sent them, only to be told, tough, no changes, you have no say, all you can do is reject once, if we send it back, as they did in each and every case, it's all over, take it or leave it and you can't even leave it, you got it just that way. What

arrogance to people trying to educate kids. The parents being involved...we all know the problem, if you don't have education stemming from the home up, you won't have a product stemming from the school down. That's what it takes. These hearings were all over Chicago and the frustration level was amazing and true. This says, take that existing substructure at that tax base, spend the money locally on a local school product, have a school district...second largest in Illinois but...a much more workable size than now, give the people an opportunity to help a system. More importantly, as the Sun Times said today, why are we losing business in Illinois? Because of the educational misproduct coming out of the Chicago public schools, because employers do not trust the educational abilities of the kids in this system. What have we created in Chicago? Separate and unequal schools. Why do parents choose private and parochial schools? Because of the quality of what they're not getting in a public system. In a district like mine, a private school emerged a couple of years ago at an academy that had closed a couple of decades ago because of a lack of need, out of students out of the public system who said, enough, I'll spend a couple thousand more to educate my child in a proper way. What an indictment to a system when out of each of our schools in a district like mine that has some of the best that the city has to offer, each year we lose a significant percentage to either outside of Chicago school districts or parochial or private ones inside Chicago. That's an indictment of we, the people, that we can correct. I'd ask for a favorable roll call.

PRESIDENT:

Any discussion? Senator Fawell.

SENATOR FAWELL:

Thank you, very much. I'm not going to try to expound too much on what my colleague said, but I do want to tell my side it is true, everything that he has said. I was there at

the hearings. I heard the counsel say it was a farce. It was a joke. We looked at the budgets. We rejected the budgets. We sent them back. We said we don't want to spend the money that way and one of the budgets even had, believe it or not, cleaning bills for a school that didn't...for drapes for a school that didn't have any drapes. They rejected it and they were told, that's too bad, here's the budget, here's what you're getting and you're not going to get a cent more nor are you going to spend it any other way. That's not local control. That's what we have in our districts. That's one of the main reasons our schools are good. We ought to make sure that the Chicago school district at least had the same type of school that we do. For those on the other side of the aisle, if you want good schools, you have to have the input, vote Yes. Send both of these bills over to the House. You know what's going to happen over in the House, they'll reject at least one of them; if they get two, it's going to make it tougher to...reject both of them. I suggest we send both of them over to the House and try and get both these bills passed.

PRESIDENT:

Further discussion? Senator Alexander.

SENATOR ALEXANDER:

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

PRESIDENT:

Indicates he'll yield.

SENATOR ALEXANDER:

Thank you. Senator Carroll, could you give me the reasonings or the rhymes or your thinkings with regards to the exemption of persons who will be seeking these office being exempt on the campaign disclosure laws when we're bound by them? What is the distinction, please?

PRESIDENT:

Senator Carroll.

SENATOR CARROLL:

Truly none, Senator Alexander, except we limited the amount they'd spend to such a minimal amount, two thousand dollars, that we felt it wasn't necessary since that's the max they can spend for them to go through any type of disclosure like we have to. If you want it back in, we can do that in the House.

PRESIDENT:

Senator Alexander.

SENATOR ALEXANDER:

Am I understanding you correctly that any...if I would be seeking this office, I would be limited to two thousand dollars during my campaign? Would I be permitted to build up a campaign fund in excess of two thousand dollars?

PRESIDENT:

Senator Carroll.

SENATOR CARROLL:

I guess you would if you limited it to this purpose. Now, again, if you try to use that fund for some other purpose, you'd fall under the Election Code and have to file. It would have to be a fund limited for this purpose for this office.

PRESIDENT:

Senator Alexander.

SENATOR ALEXANDER:

Does...does your bill at this particular time...and I know you were not prepared for this question...offer that kind of protection in it stating that if I choose to run, build up a campaign fund of two thousand dollars and have in excess maybe a ten thousand dollar pot that I would then have to go to the disclosure as I do now as a Senator here in this Body?

PRESIDENT:

Senator Carroll.

SENATOR CARROLL:

(Machine cutoff)...not sure I understood the question...my...my suggested answer would be, Senator, if you were to use that fund for any other purpose than for running for this particular position, you would have to then follow the disclosure law...

PRESIDENT:

Senator...

SENATOR CARROLL:

...but I...you can build up the kitty, if that's your answer and if that's a defect that would change your opinion, we'd be happy to correct it in the House.

PRESIDENT:

Senator Alexander.

SENATOR ALEXANDER:

I think he answered it when he said that he would be amenable to a correction on this portion in the House because I foresee that these kitties are going to be used to come back and run against you and I and the rest of us in the City of Chicago. Thank you.

PRESIDENT:

Further discussion? Senator Brookins.

SENATOR BROOKINS:

Thank you, Mr. President. I know that I am an elected official and I know that there's other elected officials across the State of Illinois, and for the most part, I know that they do fine jobs and they're very conscientious about their jobs, but I think of some of the elected officials that I've seen in the past, not only in the City of Chicago but across the state and I know that we do not always elect the best person for the job. I think that a lot of times that these positions will be taken by special interest groups who are...been able to raise funds for the elections, they will be taken by people that interest are not in education but

only there for stepping stones for other offices. We also know that in a lot of instances the best people for the jobs are not the ones elected. In the appointment system for the Board of Education, we have elected people of high caliber and...in most instances, presidents of companies, presidents of corporations, presidents of banks and people that have a concern...a...interest for the education system. I don't know why we want to change that appointment system now when we're able to reach into a...the corporate...boards and pull out the best and ask them to serve. I oppose this bill for those reasons.

PRESIDENT:

Further discussion? Senator Collins.

SENATOR COLLINS:

Question of the sponsor.

PRESIDENT:

Indicates he'll yield, Senator Collins.

SENATOR COLLINS:

Senator, we're talking about, again, having two separate entities and here we talk about one for each...subdistrict, so that...and let me make this very clear, so you're saying that the existing board of education would be responsible for funding of the school districts and accountability of those funds while the local boards would be responsible for spending the funds and determining what and how much funds will be spent in each district.

PRESIDENT:

Senator Carroll.

SENATOR CARROLL:

To try and give you a simplistic answer, Senator Collins, what is conceived of here, as it was last year, is that you would have twenty elected boards, the president of which...of each would sit as a citywide board with the...with a president of that citywide board chosen by the mayor of the City

of Chicago. That citywide board would be the one that would, in effect, levy a tax that would be approved by a city council as now, that citywide board would be the recipient of the Federal funds, that citywide board made up of the presidents of the twenty locals and its presider appointed by mayor of the City of Chicago would then distribute to the locals.

PRESIDENT:

Senator Collins.

SENATOR COLLINS:

Thank you. This kind of approach has a built in...is built in for failure, that kind of approach, because when you talk about elected boards or elected representatives to any government body from separate districts, what that elected official respond to most and should respond to most are the interest of those people in that district first, no matter what it is, so that if that district decides that they want a different curriculum or hire more people or whatever it takes to make that specific school district operate based on whatever that community decides that they feel is a quality level of education, that is basically where...where that person is going to be when it comes to voting on those issues. At the same time, that overall board is responsible for funding and providing the necessary resources to carry out the objectives of those local district. I think that is a...a...a false premise from which you're operating and it is doomed to failure; therefore, I am opposed to this concept.

PRESIDENT:

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, I'm appalled by the comments of the prior speaker, as if elected people don't do a...job. I suppose that all of us who are here in the Legislature are no good, we're bums. Is that what she's trying to say? I think elections are very neces-

sary. It's a nonpartisan election...I am a school board attorney and let me tell you, I don't know how you expect to get any improvement in your schools in Chicago if you don't try this method. It's worth trying 'cause you certainly haven't done a good job before. So, I support the bill.

PRESIDENT:

Further discussion? Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President. I had not intended to speak on this issue today, but I want my friends on the other side of the aisle who are opposing this legislation to bear with me for a moment if you would, please. A year ago in February, I took a two-day private tour of your entire system and I think we visited seven schools in those two days, because I, as a downstater, was terribly concerned about what I heard to be the problems in the Chicago school district, and I want you to know that I saw some things that I was very excited about in School District 299. The magnet school is doing a marvelous, fantastic job, was impressed with the activity of the students and the caring...caring nature of the teachers. But as I went to other schools I saw some things, ladies and gentlemen, that shocked me, I didn't know even existed in Illinois or in this nation. Senator Brookins, I was in black schools where the classes were overcrowded, where P.E. was...was held in the classroom, not in the gymnasium because the gymnasium was a classroom also. Senator del Valle, I was in a Hispanic school, ninety percent Hispanic, I think, and the teacher told us that he had had seventy-five students in that classroom...and this was only February, in a classroom that has an average attendance of thirty. The point being, the...the students transferring in and out were that great and it created a very serious problem with course articulation and everything else. The P. E. teacher in that school was standing in front of the class and

two young lads were tossing a tennis ball back and forth. That was P. E. That's what they were doing. You know where the teacher was at this time? The teacher was grading papers in an old cloak closet with a light hanging down on the old cloth cords that we used to have back years and years ago, grading papers on an old card table, paint coming off the walls, it was a sight and I was shocked. That can't be allowed to continue. I talked to Doctor Byrd on the last day and said, why are these things allowed to exist? And let me say, first of all, that I think Doctor Byrd is doing the best job he possibly can, but his comment to me was, Senator, it's a matter of priorities, and that's a terrible thing. Each one of those four hundred and thirty-five thousand students in that district deserve as good an education as we get any place else in this state. Just as I've said that downstate there are school districts that are too small, I say to you that I think that system is too big and this is a...a try that is worth the effort. Let's give it a shot.

PRESIDENT:

Further discussion? Senator Jones.

SENATOR JONES:

Yes, thank you, Mr. President and members of the Senate. I do not intend to support Senate Bill 699 simply because we passed the other piece of legislation out; however, I feel some comments are worthy...of discussion and some comments as it relate to the Chicago school system should be told. I am not one who sit here or stand on this...on this Senate Floor and not support the Chicago school system. If you recall back in June of 1983, it was I who had pushed through the fifty cents restoration on the...on the property tax levy for the City of Chicago public school system, but one of the things that concerns me is back in 1978 on the State Chapter I Funds...State Title I, if you please, when we pushed through the legislation to require those funds to be spent on

students who generate the funds. It comes to about sixty percent of the dollars. My colleagues who are concerned with just rhetoric, you should visit the schools. If you had visited the schools when they had the budgets for the school counsels and you had looked at that budget or if you visit the...the State Board of Education and look at the annual report that is...that is filed by Chicago school system for the implementation of those funds, and then you go back to your school district and look at the programs, the principal of the school don't even know the program is there even though the Chicago school boards submit and say they have one there. When I questioned the school officials on this issue and the...the law is crystal clear in Section 18-8 of the School Code that says a certain percentage of the dollars must follow the child and the funds should be used to improve the educational opportunities of...of the child, and just last year I get a letter from the superintendent saying, well, maybe the majority of the monies are best spent state-wide. Those of you who opposed the last piece of legislation, who dealt with school reform, go to your districts and find out how many full-day kindergarten classes you have. The purpose of that legislation of school reform were...was to help the...child at risk, not the child in the magnet schools but the child at risk. These are the reasons why I supported the last bill. It's not an indictment on the mayor of the City of Chicago as some may want you to believe. It is for the children. The school belongs to the parents. It does not belong to the central office downtown. If you want parent involvement, you got to break the system down where they...they...where they can be accepted and wanted, where they can walk in and talk to a school superintendent. So, I encourage you to vote Present on this bill or No, but don't think for one moment that those of us, and especially myself, who is a strong supporter of the Chicago school system and

its four hundred and thirty-five thousand students, don't think for one moment that this bill is an indictment, but a job must be done if you are concerned about education, and...and before you speak, go to your schools as I go to the schools. Look at the budget for your schools and go to the State Board of Education and look and see what happened to your Chapter I dollars. They filed a plan to said the Chapter I dollars have programs in your school, but...if...if you got a program in the school, the principal should know about it, and I was there, the principal didn't even know it even existed. So, let...so, let's stop playing games. I'm concerned about education. So, I encourage a Present vote on this bill.

PRESIDENT:

All right, any further discussion? Further discussion? Senator Brookins, for the second time.

SENATOR BROOKINS:

Thank you. I'll be brief. I am a product of the Chicago school system and I graduated from the...the DuSable School, and I am in schools every day, twice a day and I know that there is bad schools in the City of Chicago due to the segregation pattern that is in Chicago. I know because I'm attempting and have attempted in the past to break this situation down. I can cite schools where we were forced to go into them slum schools and, yes, they are there...yes, they are there, but that is no indictment against a whole city, the whole Board of Education in the City of Chicago. It is being turned around, and I grant you, it's being turned around slowly but it is being turned around. We do now have a superintendent that is concerned...and is concerned. And, no, it's not an indictment against the...the mayor of the City of Chicago, but it's a indictment against years and years of stealing money from the Board of Education in the City of Chicago and that's what it's about, prior administra-

tion and prior people that did not care. This separate but equal is not separate but equal, and I guarantee you that it won't be separate but equal.

PRESIDENT:

Further discussion? Senator Newhouse.

SENATOR NEWHOUSE:

Thank you, Mr. President. Senator Carroll, in twenty-one years here I've seen some pretty bad bills. This is...this is not really a...not really a bad bill, it's an untimely one and I would suggest that we ought to all vote No and send it back...back where...from whence it came. Thank you, Mr. President.

PRESIDENT:

Further discussion? Senator Carroll, you wish to close?

SENATOR CARROLL:

Just very briefly, Mr. President. And I'm sure many of the members heard the...some of those who basically asked you to vote No gave you the best reasons of voting for it. The system isn't working. It isn't. The system isn't letting the monies follow the kids to educate them. It isn't. This is not an indictment of anybody but the system. It is not educating. I dare say I'm probably the only one in this Chamber who has children in the public school system. My kids are in the Chicago public school system. I'm concerned. That's what this is all about. Some of my colleagues put them into private and parochial systems, I don't blame them. They weren't pleased with the public education. I'd rather fight a little bit, try and create a system that not only works for my kids but my two hundred thousand constituents and, yea, the three and a half million people who live in the City of Chicago and, yes, the business community, the labor community of Chicago and of this state. We're not going to attract business if we can't educate our kids. This is an approach that, hopefully, will work. It's a step we have to take.

PRESIDENT:

Question is, shall Senate Bill 699 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 46 Ayes, 10 Nays, 2 voting Present. Senate Bill 699 having received the required constitutional majority is declared passed. Ladies and gentlemen, for your information, we have today acted on fifty bills. At that pace, we will be here for the next ten days. You'll be here for the next ten days. Right. I have discussed with Senator Philip, we are, again, going to attempt to abide by our six o'clock rule so that...in about an hour...at about five-thirty, we will move to the Order of Senate Bills 2nd Reading and give those people an opportunity to move their bills one final time from 2nd to 3rd. Recalls will be started at ten o'clock in the morning. I just point out that the day before yesterday, we had forty-five recalls, today there are about fifty on there. It's pretty obvious what's going on, so we'll get to them. Senator DeAngelis, 702. On the Order of Senate Bills 3rd Reading, Senate Bill 702. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 702.

(Secretary reads title of bill)

PRESIDENT:

Senator DeAngelis.

SECRETARY:

3rd reading of the bill.

SENATOR DeANGELIS:

Thank you, Mr. President. The next three bills are mine. I'm hopeful that we can get them done in about four minutes. Senate Bill 702 is a bill that you've all received a lot of mail and a lot of interest in. It's sponsored by Senator Berman and myself. Basically, what it does do is, it allows

the charitable trust and religious groups to form together to pool their resources and risks and allows them to reorganize as mutual insurance companies. There was some concern about the solvency of this...of these groups. An amendment was put on that forces the Department of Insurance to review these applications within a sixty-day period. At this point, I don't know of any opposition including the...insurance industry. So, I move for the passage of Senate Bill 702.

PRESIDENT:

Any discussion? If not, the question is, shall Senate Bill 702 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 53 Ayes, no Nays, none voting Present. Senate Bill 702 having received the required constitutional majority is declared passed. On the Order of Senate Bills 2nd Reading...3rd Reading, Senate Bill 704. Read the bill, Madam Secretary.

SECRETARY:

Senate...Senate Bill 704.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. As you all know, we passed the Minority and Female...Enterprise Act. Senator Davidson was the ultimate sponsor. I was the initial sponsor. There's been some confusion regarding the situation when it is...when we are...either unable to find a minority contractor or we don't have a qualified one. This spells out the procedures by which a waiver can be granted. Waivers can be granted under current law. They're a little ambiguous. This spells out the methods by which waivers can be granted. So, I'll be

happy to answer any questions. If not, I would urge that we pass this. There were no dissenting votes in committee on this bill.

PRESIDENT:

Any discussion? Senator Jones.

SENATOR JONES:

Yes, thank you, Mr. President. Would the sponsor yield?

PRESIDENT:

Sponsor indicates he'll yield, Senator Jones.

SENATOR JONES:

Senator DeAngelis, under the current Minority and Female Business Act, isn't the council given them...the...the right under the law to grant waivers?

PRESIDENT:

Senator DeAngelis.

SENATOR DeANGELIS:

Senator Jones, I would like to answer that. I'm not certain but...let me tell you what's...what's happening is...okay...I don't know.

PRESIDENT:

Senator Jones.

SENATOR JONES:

...why if...if you don't know, then why are you pushing this bill then if you don't know whether or not the Minority and Female Business Council whether that...they have the power right now to grant a waiver if they deem it necessary there be a waiver?

PRESIDENT:

Senator DeAngelis.

SENATOR DeANGELIS:

Senator Jones, I am not expanding the authority of the waivering process. What I'm doing is clarifying the method by which it's done.

PRESIDENT:

Senator Jones.

SENATOR JONES:

Well, if...if it is your intent to gut the Governor's Minority and Female Business Act, then this is what this bill does in essence and I'm surprised that it got out of the Exec. Committee on 11 to zip vote, because what you're doing with this piece of legislation is taking the authority and power away from the Minority and Female Business Council and let the...each agency decide whether or not a waiver will be granted, and when you do that, then they will not comply with the Act. So, this bill is designed to gut the Minority and Female Business Act and give that authority or waiver to the agencies, and I'm really...shocked...I know you tried to slip it through...explain it to me...I understand, but this is what you are attempting to do and...I know the Governor put this program...together and he put...he set up the council to deal with this, because if we left it up to each agency to...to deal with this issue, nothing would get accomplished. The council was put together to coordinate all activities along this line and...many agencies and departments...we not doing it on their own, they were not complying on their own, so that's the reason why you have the Minority and Female...Business Council, but if each agency and department will decide as to who shall get a waiver, then what you are doing in essence is taking that authority away from the council and it's not in the best interest of the Act that this General Assembly passed.

PRESIDENT:

Further discussion? Senator Davidson.

SENATOR DAVIDSON:

I rise in support of the bill, Mr. President, for the very reason that...in that which has been happening since we did pass the bill, which I was the sponsor of and I was very proud to do that, is that contractors by registered letter

would be sending to all the people who were on the DOT or...CDB's qualified list of minority or female ownership and with some kind of an arrangement, those people who weren't favored by those individuals wouldn't even bother to respond or return, and when they were a low bidder on a project, they would loose the contract because they didn't have a minority or a female contractor as a...as...or ten percent as called for; therefore, it would go to the next bidder at a higher price. This has cost the State of Illinois extra money and what...I don't know what all is in this bill, but I...it specifies that a certified return receipt letter is a effort of good faith, maybe we can get some of these people's attention.

PRESIDENT:

All right, any further discussion? Further discussion? Senator Jones, for the second time.

SENATOR JONES:

Yeah, thank you, Mr...I regret rising a second time on...on this piece of legislation. And, Senator Davidson, you are absolutely correct. The big construction companies in this state who pushed this bill do not want to comply with the Act. They don't want to hire women. They don't want to hire other minorities. They want to get around that by working that deal with the various agencies in...of...of the State Government, and that's why this bill was introduced so they would not have to comply and this is the reason why the Governor pushed the Minority and Female Business Act so they would comply. I ask each member to give a No vote on 704.

PRESIDENT:

Any further discussion? If not, Senator DeAngelis, you wish to close?

SENATOR DeANGELIS:

Yeah, I...Senator Jones, I wish you would read the bill, seriously. I have a lot of respect for you in Insurance.

I'm losing my respect for you in the Executive Committee. I know. I...that's obvious. This bill does none of the things that you're talking about. Absolutely none. What it does, it clarifies the methods by which a waiver is granted. Today, when a waiver is granted, nobody knows why it's granted. There is no procedure for doing it. It's done, in fact, it's done rather readily. This spells out the method by which it's done. If we're going to give waivers, don't you think we ought to know how they're going to get done? Because if somebody is denied a job, they can only be disqualified by this procedure, sir. Right now, it's up in the air and I urge the Body to adopt this.

PRESIDENT:

Question is, shall Senate Bill 704 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 50 Ayes, 5 Nays, 1 voting Present. Senate Bill 704 having received the required constitutional majority is declared passed. 705, Senator DeAngelis. On the Order of Senate Bills 3rd Reading, Senate Bill 705. Read the bill,..Madam Secretary.

SECRETARY:

Senate Bill 705.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. Some of you may have seen this bill from two years ago. It is a tuition waiver for students whose parents are employed by the...various university systems. It will entitle any parent who's been employed at least seven years within the system to, in fact, have his

child be enrolled...within that system free of tuition. The student must meet the admission requirements of that particular system. I'll be happy to answer any questions.

PRESIDENT:

Any discussion? Senator Hall.

SENATOR HALL:

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

PRESIDENT:

Sponsor indicates he will yield, Senator Hall.

SENATOR HALL:

Senator DeAngelis, are you saying that any person who works in the universities are...that...that they should be given free tuition for their children in these universities?

PRESIDENT:

Senator DeAngelis.

SENATOR DeANGELIS:

Provided that they've been employed at least seven years and their child can be admitted to that system.

PRESIDENT:

Senator Hall.

SENATOR HALL:

Well, I certainly want to rise in opposition to this. We got so many children today that their parents cannot even send them to school, they don't have the money and you're going to give people who got jobs, who should be paying for their children to go to...to these universities and going to give them free tuition. We got...you know, that's a terrible bill. If you're going to do that, I can't see what anyone's thinking about. To allow somebody because they teach in a university...they are...they got jobs and they ought to pay tuition like everybody else. This is a terrible bill and we should vote against such a thing.

PRESIDENT:

Further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

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

PRESIDENT:

Sponsor indicates he will yield, Senator Schuneman.

SENATOR SCHUNEMAN:

Senator, is there...is there any financial need provision built into this bill, that is,...would parents who both can afford to pay and those who can't afford to pay, both be eligible for tuition waivers?

PRESIDENT:

Senator DeAngelis.

SENATOR DeANGELIS:

Senator Schuneman, no, this is an equal opportunity tuition waiver program.

PRESIDENT:

Senator Schuneman.

SENATOR SCHUNEMAN:

Well, I'm not sure I understood the answer, but that's happened to me a lot here today. Well, I'd simply have to say that...that...in...in the state universities that many of whom are...are clogged with students today for us to allow free tuition to university people, most of whom are way above the average income levels, I would say, of the people who are sending their kids there, seems to...to me to be something that we should not rush into. Thank you.

PRESIDENT:

Further discussion? Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. Senator DeAngelis, what's the cost of the tuition waivers statewide?

PRESIDENT:

Senator DeAngelis.

SENATOR DeANGELIS:

Do I have to answer Senator Weaver's question?

PRESIDENT:

Only if you want to.

SENATOR DeANGELIS:

Senator Weaver, the best we can find out that if all the students that were eligible would be enrolled and assuming you had to hire additional help to take care of those students, it would be around a million dollars a year.

PRESIDENT:

Senator Weaver.

SENATOR WEAVER:

A million dollars a year, and how many are...how many scholarships are allowed at each institution? How many tuition waivers are allowed at each institution?

PRESIDENT:

Senator DeAngelis.

SENATOR DeANGELIS:

Well, we...Senator Weaver, we don't know 'cause we don't know how many of the students are eligible. Probably at the U of I you wouldn't admit them anyhow.

PRESIDENT:

Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President and members of the Senate. I'll be voting Present on the bill because I do on a part-time basis teach at University of Illinois and at Northwestern University. Actually the bill wouldn't affect me anyway because I'm a part-timer, but for what might be perceived to be a conflict of interest, I'll...I'll vote Present, but I...I do want to make a statement because I have watched universities across this state recruit faculty, and I'll share with you the experiences I've seen including this very year. First of all, when I taught at Loyola this was common practice. If you're on the faculty at Loyola University, if

you've got eight kids, they all go to school free, that's the policy there right now and it probably is the same policy at a lot of other universities. At Northwestern, eighty percent of your tuition is remitted if you are the child of someone who works at Northwestern University on a full-time basis. So, this is not a new idea...a new and innovative idea; as a matter of fact, in many state universities it applies, but what I wanted to share with you is the recruiting experiences that I've seen at the University of Illinois-Chicago Circle. We've gone out, recruited for faculty, these faculty come to the University of Illinois and they place the University of Illinois next to the University of Michigan, schools in Indiana, schools out on the west coast, schools back east and they take a look at the total compensation package in their...and they take their...their picks, and I can tell you this year not once were we able to get a...a...a faculty member on the first choice at the University of Illinois. We oftentimes got faculty who had come to us as second and third choices because the first choices decided they were going elsewhere where there's a better compensation package. Whether you like to hear it or not, we in this state right now do not have a very good reputation in the higher education world, so when it comes to competition, the best faculty are going elsewhere. For a million dollars a year, I think this is a good way to get back some of the faculty we're losing, the good faculty, so we don't have to settle for second and third and fourth choices. I urge you support this bill.

PRESIDENT:

Further discussion? Senator Dunn.

SENATOR RALPH DUNN:

Thank you, Mr. President. I, too, support the bill. The cost would be...possibly a million dollars a year but this would not be a cost to the state, it would be absorbed by the

universities and their system, and as...as the previous speaker said, this is the kind of perk to get good people into our school system and into our universities and...learning...higher education. So, I support the bill and hope we get an Aye vote.

PRESIDENT:

Further discussion? Senator Poshard.

SENATOR POSHARD:

Yes, thank...thank you, Mr. President. Senator DeAngelis, was the original intent of this legislation, which has been around for while, to upgrade the professorial salaries which were traditionally low in the universities? Wasn't that the original intent and if it was, why are we now including everyone including civil service employees and others at the universities and some of those salaries are substantial, why are we including everyone in this bill at this point and time?

PRESIDENT:

Senator DeAngelis.

SENATOR DeANGELIS:

As I told Senator...Schuneman, it's an equal opportunity tuition waiver. I mean, why should...if you're an employee of the university, why should you not be allowed because you're a custodian?

PRESIDENT:

Further discussion? Senator Dunn.

SENATOR TOM DUNN:

Thank you, Mr. President. I just want to point out that I don't think that people go into the educational field for the money, and let's call this what it is, it's a perk and it's a perk for the people who teach at the universities.

PRESIDENT:

Further discussion? Senator Savickas.

SENATOR SAVICKAS:

Yes, Mr. President, I would just make a few comments on this elitist type proposal. We've constantly see our group of Senators here supporting increases for the professors' pay raises, now we want to give their children free tuition, go back to our districts where the parents are probably working two jobs to put their children through college, if they can get in even, if there is room for them, and then you're saying, well, we've got to raise your tuition because we want to take care of these professors who we...we've constantly raised their salaries and make it more attractive to them. I haven't heard of any of the professors leaving our institutions. They seem to enjoy a pretty good financial and academic lifestyle on all of our campuses. I think this is a bad bill and it should be defeated.

PRESIDENT:

Any further discussion? Senator DeAngelis, you wish to close?

SENATOR DeANGELIS:

Well, just rather quickly, there might have been some flippant responses but I don't think it's unreasonable to allow someone's children where they work someplace to go to the school there and receive tuition free. You know, we're going to be talking very shortly about taxes or increases for education. This is a good vote in the event you don't vote for an increase, it's even a better vote if you vote for a tax increase. So, I urge the passage of Senate Bill 705.

PRESIDENT:

Question is, shall Senate Bill 705 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, there are 30 Ayes, 24 Nays, 3 voting Present. Senate Bill 705 having received the required constitutional majority is declared passed. Senator Savickas for what pur-

pose do you arise, sir?

SENATOR SAVICKAS:

Verify the roll call.

PRESIDENT:

Senator Savickas has requested a verification. Will the members please be in their seats. Madam Secretary, please read the affirmative roll.

SECRETARY:

Barkhausen, Berman, D'Arco, Davidson, DeAngelis, Degnan, del Valle, Demuzio, Donahue, Dudycz, Ralph Dunn, Thomas Dunn, Fawell, Hawkinson, Holmberg, Jacobs, Jones, Jeremiah Joyce, Karpziel, Kelly, Luft, Macdonald, Madigan, Marovitz, Newhouse, Vadalabene, Weaver, Welch, Woodyard and Zito.

PRESIDENT:

Senator Savickas, you question the presence of any member?

SENATOR SAVICKAS:

Senator Kelly.

PRESIDENT:

Senator Kelly on the Floor? Is Senator Kelly on the Floor? Strike his name, Madam Secretary. The roll has been verified. There are 29 Ayes, 24 Nays, 3 voting Present and Senate Bill 705 is declared lost. 706, Senator Severns. On the Order of Senate Bills 3rd Reading, the bottom of page 15, is Senate Bill 706. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 706.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Severns.

SENATOR SEVERNS:

Thank you, Mr. President and members of the Chamber. With all due respect, Senator DeAngelis, you had the last

three bills, you said you thought they'd fly out in four minutes, I hope I have a better record than you do. This bill...really the committee amendment became the bill. It makes changes in the benefits. It...it eliminates the requirement for a second doctor's opinion in the case of disability due...due to pregnancy, reduces from fifty-five to fifty the age at which a member surviving spouse may...remarry without losing the survivor's benefits, makes the initial automatic increase in annuity effective on January 1st of the year following the first anniversary of retirement regardless of age. Finally, it expands the definition of compensation to include contributions which are no longer deductible as wages for social security...purposes; and, finally, to incorporate Senator Davidson's language, it provides that not-for-profit corporations which assume control of a hospital from a participating municipality shall be subject to this article if any of the hospital's employers are members of the fund and to be able to participate in IMRF. I would move for its adoption.

PRESIDENT:

Any discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

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

PRESIDENT:

She indicates she'll yield, Senator Schuneman.

SENATOR SCHUNEMAN:

Senator, could you tell us what the increase in the unfunded accrued liability is as a result of this bill?

PRESIDENT:

Senator...Senator Severns.

SENATOR SEVERNS:

The increase, Senator Schuneman, would be at six million five hundred and twenty-eight dollars.

PRESIDENT:

Senator Schuneman.

SENATOR SCHUNEMAN:

Well, according to the figures we have from Economic and Fiscal Commission, Senator, it'd be more like sixty-four million dollars.

PRESIDENT:

Senator Severns.

SENATOR SEVERNS:

Thank you. Senator Schuneman, you're looking at the increase in accrued liability which the Economic and Fiscal Commission talked about is based on a normal cost plus the forty-year...amortization of the increase in accrued liability. So, you're looking at a forty-year figure instead of an annual figure.

PRESIDENT:

Senator Schuneman.

SENATOR SCHUNEMAN:

Well,...well, of course, that is what I was inquiring about was the amount of the unfunded accrued liability. Mr. President and members of the Senate, there were about forty pension bills that were introduced into the Senate this year and those bills were all put into a subcommittee...when the subcommittee acted, they came out with six pension bills, all under Democrat sponsorship, and those six bills included most of the pension provisions which had been introduced by various members of this Body. I've been one of...of members of the Senate who have been trying to find and trying to establish some kind of...of rational pension policy for the State of Illinois and, frankly, I don't think we've got one and I don't think this is the way to accomplish one because this bill is one of five bills that affects state pension systems which have an increase and call for an increase in the unfunded accrued liability of almost a billion dollars. Now, in effect, what happens if we pass all these bills is

that we're going to be increasing the indebtedness, if you will, of the State of Illinois by about a billion dollars. When we act upon each bill, item by item, I think we may have a better chance of understanding what we're doing, but as we tend to go more and more toward the concept that apparently the majority has directed themselves to and that is a few bills that affect all the pension systems...and I noticed one other thing here that the bills are crafted in such a way that it's going to be difficult for a number of Republican members in particular to vote against some of these bills because you know the interest of our districts, and so it seems to me that...that the strategy...and I congratulate you upon the strategy, whoever is responsible for it, because I think politically it's a wise thing to do. I see the chairman chuckling and I'm not...I'm not sure who...who is responsible for this, it doesn't matter. The point is that what's happening in this state is that every year we pass huge increases in the benefit levels for pensions and every year in this state, the Chief Executive continues to send up budgets with lower and lower amounts of pension funding. Now this Legislature has the right to turn that around if we want to, but we don't seem to be inclined to do it. Nobody seems to be paying much attention to the fact that...that a...we are constantly running up an indebtedness in our pension systems and not paying what we legitimately ought to be paying. Now, of the various bills that have been introduced, Senator Severns' bill has perhaps one of the lowest...impacts on unfunded accrued liability. So, I'm not picking on you, Senator, I'm picking on the process and...and we should try to find here some rational way to handle pension benefits and we simply aren't doing it. Now you're going to hear...you're going to hear from members of this Senate that unfunded accrued liability is really not the way to measure what...what we're doing here and you're going to hear all

kinds of excuses about why you ought to support these bills, but I can tell you that pension experts subscribe to the idea of...of viewing pensions and their impact by looking at the unfunded accrued liability that you're establishing by these benefits; and I think that...that those of us who are members of the Senate ought to look at it just as we would if we were being asked to increase the bond authorization to the state, because really what it amounts to is that we're undertaking to provide a benefit this year and into the future, in most cases forever into the future, and that's going to have to be paid in future years. I would suggest to...to members on this side of the aisle that to the extent that you can that you vote No or you vote Present on these bills until we have presented to us some kind of rational pension system that we can...that we can all subscribe to and...and the one that we're...we've been operating under which has all of the special interest groups lobbying each one of us individually has resulted in what I think is...is a bad way to handle pensions, and so I'll be opposing this bill as well as the other bills as they come up.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, discussion? Senator Jones.

SENATOR JONES:

Thank you, Mr. President and members of the Senate. And I rise in support of Senate Bill 706 and listening to my esteemed colleague, Senator Schuneman, he and I had discussed these bills. He is incorrect in that it was not forty pension bills, I believe we had a total of fifty-six pension bills that were in subcommittee. We did improve on the actions of the last Session of the General Assembly. If you recall, we ended up with just one pension bill. This time we have six pension bills. Every bill that was introduced and it was assigned to the Insurance, License and Pension Committee, every pension bill is not included. We did eliminate

some pension bills; however, Senate Bill 706 has a very minimum fiscal impact. It's just ironic that I didn't know that Senator Severns was the sponsor of the bill, but we tried to package the bills together to give sponsors on both sides of...of...of the aisle an opportunity to have their measure heard before the General Assembly. We looked for good sponsors and we did not put the names in the hat, but we looked at each individual pension bill and this is how it all came together, but this is an improvement. I understand the problem as it...relate to the unfunded liability of our pension systems; however, these are employees of the state, of local units of government and these employees...deserve the benefits just as anyone else does. That's our responsibility as legislators. Senate Bill 706 is a good bill. It should receive a unanimous vote. As a matter of fact, a good provision of the bill was...where's Senator Davidson? He had a bill. His provisions is in this bill. So, for you to say...for the members on that side of the aisle not to vote for a good pension bill, I don't think you're...doing justice to the system and we did improve from one pension bill to six pension bills.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Jacobs. Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President. I, too, rise in support of Senate Bill 706. Senator Schuneman, I share your concern about how far we can go in this area and I also share your concern about a rational policy; however, I think this is a good bill, number one. I think, number two, I know that...the provision that I'm carrying in this particular legislation actually has a up-front two million dollar cost savings to the pension fund. So, I would just like to urge everyone on this side of the aisle and that side of the aisle

to agree with Senator Jones that this is a good bill and it should be passed unanimously.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Schaffer.

SENATOR SCHAFFER:

Oh, I'm not going to try and address an appeal to either side of the aisle, I...I think we are embarking down a road that both sides of the aisle and each of us as individual members ought to think about a little bit. We hear a lot of talk about what's going on on the other side of the Rotunda and the term "compacting bills" seems to be echoing through the halls rather regularly. The concept behind the...and...and I might add very quickly, I'm not addressing this...to this particular bill and certainly to this particular sponsor, but the concept, as I understand it, is that each of us will introduce all of our bills and then those bills will all get sent to committee and to a subcommittee and somebody, presumably the leadership staff, will then decide what are good bills and what are bad bills and the good bills will all be compacted into bills and packaged so that we all are forced to...to vote for them. Now the natural outcome of that particular philosophy is that the value of being an individual member of the General Assembly is going to be next to nil and that the decisions are going to be made by a very, very small number of people, most of whom will not include you and I. I think we make a mistake, I think we make a mistake if we value our individual roles as legislators in allowing this compacting to begin. I think we make a mistake as representatives of the taxpayers and our constituents if we are forced to vote for compacted bills to get, you know, ten percent of the action and then swallow a lot of bad things. I don't think you're going to be able to go back home and say, yeah, I did vote for that bill that destroyed our way of life, but there was one thing in there

that I thought you liked. My position is going to be on these compacted bills, on pensions in particular 'cause in pensions we've certainly seen how this works in the past, is when you hand me a take it or leave it package, even though it may have something in there, and there are a couple of things in here that I think are attractive, my attitude is, I'm going to leave it, I'm going to vote Present. Because there are some things that maybe we ought to seriously talk about changing, but I don't like being blackjacked and blackmailed by compacted bills. And if you members here want to have a role in the General Assembly, two and three and four years from now, you'll stop this thing before it gets started or four or five years from now we'll all be just like the House, all the things that really count will be made...decisions will be made by staff and a very small number of people. That's not the way this Senate is operated, and I commend Phil Rock for his leadership. I think we've got to stop this now and when those monsters come over from the House, I think we got to stop them dead. There are legitimate times when you can talk about...I know we need a clean-up appropriation bill at the end of the Session, and if you get a half a dozen bills on the same subjects and the sponsors agree on a condensed bill, I have no problem with that, but that's not what we're talking about, we're talking about taking a whole bunch of bills and somebody besides the members deciding what gets compacted and handing us a take it or leave it kind of thing. This is the least offensive of the bills. I think let's stop it right now or don't bother taking your paycheck five years from now 'cause you won't earn it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch.

Page 206 - May 20, 1987

END OF REEL

REEL #6

SENATOR NETSCH:

...thank you, Mr. President. To Senator Jones as well as to Senator Severns I would say, of course, it's a good bill, they're all good bills. The problem is that we do not accept the responsibility for paying for them, and in addition to a very substantial increase in accrued liability that Senate Bill 706 would provide, there also is an increase in the annual costs. The normal cost increase is 3.374 million dollars per year and if we factor into that the amount necessary to pay off the annual cost of the accrued liability, that's another 3.154 million dollars or a total annual cost of six and a half million dollars. To saddle us with an increased annual cost of six and a half million dollars when we are not even paying into our state pension funds,...I think at the moment about fifty-seven or fifty-three percent of payout which no one thinks is adequate despite the fact there may be arguments about what is adequate, it seems to me is really irresponsible. We have got to get this pension thing in hand and I think the way to do it is not to continue to pass bills that admittedly have good provisions or...or...or heartfelt defensible on their own, but are not defensible when we are unwilling to stand up and take the responsibility for funding these systems in a responsible fashion.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. Let's clear up something that has been said on the other side of the aisle by Senator Schuneman and that is that the intent of the committee was to

lump all these bills together and force a roll call in order to...avoid voting on each bill independently, that was not the intent. There was a subcommittee appointed to hear these bills and the report from the committee reported favorably on the bills in this...Senate Bill 706. When that report came to the full committee, it was voted on by the full committee favorably. Every provision in 706 was espoused and debated before the Senate Insurance Committee, every one of them. There wasn't one provision in this bill that wasn't known and debated by every member of the Senate Insurance Committee. Nine out of ten provisions in this Senate bill have no fiscal impact at all. The one provision every one is concerned about is the automatic increase for the retirement annuities of retired state...state teachers. And what it says is that they should be entitled to a three percent increase at age fifty-five like everybody else in this General Assembly is, that's all it says. There's nothing onerous about that provision, it's a good provision and they're entitled to it. They shouldn't have to wait till age sixty-one. There's nothing wrong with the way we proceeded in committee and there's nothing wrong with this bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

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

SENATOR SEVERNS:

Thank you, Mr. President and members of the Senate. I would just ask for a favorable vote and a roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall Senate Bill 706 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? (Machine cutoff)...the record. On that question, the Ayes are 29, the Nays are 6, 23 voting Present.

The bill having failed to receive a majority vote is declared lost. Senator Severns seeks leave of the body to postpone consideration of Senate Bill 706. Hearing no objection, leave is granted. Senate Bill 708, Senator Severns. Read the bill,...

SECRETARY:

Senate Bill...Senate Bill 708.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Severns.

SENATOR SEVERNS:

Thank you, Mr. President. Since I'm on a roll here, I'll continue now with Senate Bill 708. Senate Bill 708 requires that state agencies to use a ten percent blend of ethanol on motor fuel used by state agencies exempting those vehicles that require diesel fuel. On November 2nd, 1979, the Governor issued a directive to all departments and agencies under his control to convert their gasoline burning vehicles to gasohol burning vehicles. What this bill does in short is provide teeth to that directive and it also provides for enforcement capabilities. I think that Illinois needs to be the flagship state in the use of ethanol and I would urge a favorable vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall Senate Bill 708 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. Senate Bill 708 having received the constitutional majority is declared passed. Senate Bill 709, Senator Vadalabene. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 709.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. Senate Bill 709 as amended was amended to remove the controversial language. All the bill now does is authorize the board of a library system to take title to its property and to borrow against assets owned by the system. It also deletes requirement of a public library to apply for Federal revenue sharing to be eligible for a public library per...on a per capita grant. It also removes the two tax incentives for libraries to raise taxes in order to receive system grants, and the Illinois Taxpayers' Federation has now removed their objection to this bill and I would appreciate a favorable vote.

PRESIDENT:

Any discussion? Is there any discussion? If not, the question is, shall Senate Bill 709 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. Senate Bill 709 having received the required constitutional majority is declared passed. 710 on the recall, Senator Sam? All right. Then we'll...that seems a logical and appropriate place to stop. We said we would get to 2nd reading. There are a number of members who have social commitments this evening, so we will attempt to conclude our business as reasonably close to six as we can. With leave of the Body then, we'll move to page 2 on the Calendar. We will pick up on 3rd reading right where we left off tomorrow with 711. We'll move to Senate...on the Order

*SB 2  
2nd Reading*

of Senate Bills 2nd Reading, page 2 on the Calendar. I'd ask the members to please get their files together. Senate bills 2nd reading. Top of page 2 on the Order of Senate Bills 2nd Reading, Senate Bill 2, Senator DeAngelis. On the Order of Senate Bills 2nd Reading is Senate Bill 2. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 2.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

Senator DeAngelis offers Amendment No. 1.

PRESIDENT:

Senator DeAngelis on Amendment No. 1.

SENATOR DeANGELIS:

Thank you, Mr. President. Senate Bill 2 has a long history. If you'll recall, last year I sponsored a resolution that asked the Board of Higher Ed. to study those systems that we could put in place to allow parents to invest in their children's education. They came back with a report that says there are so many different options that we can't come up with a conclusion. So then we created a task force to study this that reported back to us on May 1st. Coincidentally with that, I filed a bill as a vehicle to put in some of those recommendations of that task force. Amendment No. 1 to Senate Bill 2 is, in fact, the bill and I could spend a long time explaining it, but I've talked to Senator Collins, Senator Holmberg who have similar bills, what I'd like to do is put it on and we'll go in great detail when we get to 3rd reading.

PRESIDENT:

Senator DeAngelis has moved the adoption of Amendment No.

1 to Senate Bill 2. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. Senate Bill 4. Senate Bill 63, Senator Kelly. Senate Bill 172, Senator Netsch, going once. Senate Bill 172, going twice. On the Order of Senate Bills 2nd Reading, Senate Bill 1-7-2. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 172.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Energy and Environment offers one committee amendment.

PRESIDENT:

Senator Netsch on Committee Amendment No. 1.

SENATOR NETSCH:

Yes, if I might, Mr. President, Senator Karpziel had offered the amendment in committee and I would like to defer to her to offer it on the Floor.

PRESIDENT:

Senator Karpziel on Committee Amendment No. 1.

SENATOR KARPIEL:

Thank you, Mr. President. Committee Amendment No. 1 that we put on in...in the Energy and Environment Committee says that...it removes the whole provision about the reference to the utility checkoff box and what it replaces it with is that a state agency...and it does not specify which state agency in the amendment, a state agency that mails more than fifty thousand...to fifty thousand persons within a twelve-month period can include the CUB membership inserts. With this amendment on, both CUB is in favor of the bill as are the utilities. That may be a first.

PRESIDENT:

All right. Senator Karpel has moved the adoption of Committee Amendment No 1 to Senate Bill 172. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 192, Senator Marovitz. On the Order of Senate Bills 2nd Reading is Senate Bill 192. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 192.

(Secretary reads title of bill)

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

PRESIDENT:

Senator Marovitz on Committee Amendment No. 1.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. I move to Table Committee Amendment No. 1 to Senate Bill 192.

PRESIDENT:

All right. Senator Marovitz has moved to Table Committee Amendment No. 1 to Senate Bill 192. All in favor of the motion to Table indicate by saying Aye. All opposed. The Ayes have it. Amendment No. 1 is Tabled. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

Senator Lechowicz offers Amendment No. 2.

PRESIDENT:

Senator Lechowicz on Amendment No. 2.

SENATOR LECHOWICZ:

Mr. President, I believe my Amendment No. 2 is geared to Committee Amendment No. 1. I believe it's out of order now and I'll withdraw it.

PRESIDENT:

All right. Committee Amendment...I mean, Amendment No. 2 has been withdrawn. Any further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. 242, Senator Kelly. 275, Senator Kustra. On the Order of Senate Bills 2nd Reading is Senate Bill 275. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 275.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 276. On the Order of Senate Bills 2nd Reading, Senate Bill 276. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 276.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 368, Senator Collins. Senator Joyce, for what purpose do you seek recognition?

SENATOR JEREMIAH JOYCE:

Thank you, Mr. President and members of the Senate. I rise on a point of personal privilege.

PRESIDENT:

State your point.

SENATOR JEREMIAH JOYCE:

Yesterday during the course of the debate on the...discharge motion on Senate Bill 275, I made some remarks concerning the veracity of the...of Senator Rock. Those remarks were inappropriate and intemperate; more importantly, they were untrue. I regret having made those remarks. I apologize to Senator Rock and to the members of this Body. Thank you.

PRESIDENT:

I accept. 368, Senator Collins. On the Order of Senate Bills 2nd reading, Senate Bill 368. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 368.

(Secretary reads title of bill)

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

PRESIDENT:

Senator Collins on Committee Amendment No. 1.

SENATOR COLLINS:

Yes, thank you. The...the amendment was recommended by

SB 442  
2nd Reading

staff to clear up some technical errors. I move for its adoption.

PRESIDENT:

Senator Collins has moved the adoption of Committee Amendment No. 1 to Senate Bill 368. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 442, Senator Netsch. On the Order of Senate Bills 2nd Reading, Senate Bill 442. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 442.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Energy and Environment offers one committee amendment.

PRESIDENT:

Senator Netsch on Committee Amendment No. 1.

SENATOR NETSCH:

Thank you, Mr. President. I would move to Table Committee Amendment No. 1. Senator Macdonald has an agreed upon amendment which she will be offering from the Floor in a moment. So I would move to Table Amendment No...Committee Amendment No. 1 to Senate Bill 442.

PRESIDENT:

Senator Netsch has moved to Table Committee Amendment No. 1 to Senate Bill 442. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The

*SB 455  
2nd Reading*

amendment is Tabled. The motion prevails. The amendment is Tabled. Further amendments, Madam Secretary?

SECRETARY:

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

Senator Macdonald offers Amendment No. 2.

PRESIDENT:

Senator Macdonald on Amendment No. 2.

SENATOR MACDONALD:

Thank you. This becomes the bill and the intent is to establish an air toxic program...however, the deadline of such a program shall be adopted at...has been deleted, and it recognizes that the intent of the Legislature to have an air toxic program but it also recognizes that by the time which such a program will be adopted that it cannot be predetermined. This is an agreed upon amendment and I move for its adoption.

PRESIDENT:

All right. Senator Macdonald has moved the adoption of Amendment No. 2 to Senate Bill 442. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. 455, Senator Alexander. On the Order of Senate Bills 2nd Reading is Senate Bill 455. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 455.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Alexander.

PRESIDENT:

Senator Alexander on Amendment No. 1.

SENATOR ALEXANDER:

Thank you, Mr. President. Amendment No. 1 is in response to the Committee on Labor and Commerce that this bill would not move off 2nd until an amendment had come in with some prohibitions. That amendment now is in place and I would move that this amendment be adopted.

PRESIDENT:

All right. Senator Alexander has moved the adoption of Amendment No. 1 to Senate Bill 455. Discussion? Senator Hudson.

SENATOR HUDSON:

Yes, thank you, Mr. President. Would the sponsor yield?

PRESIDENT:

She indicates she will yield, Senator Hudson.

SENATOR HUDSON:

Senator Alexander, is there anything in...in your amendment here that would exempt the law enforcement people?

PRESIDENT:

Senator Alexander.

SENATOR ALEXANDER:

Yes, there is. No law enforcement agency or persons attached to that level of government would be asked to take any prohibition against taking a lie detector test.

PRESIDENT:

Senator Hudson.

SENATOR HUDSON:

Well, we're...Mr. President,...

PRESIDENT:

Senator Alexander.

SENATOR HUDSON:

Senator Alexander, we're...we're looking at...we're looking at a...what we believe to be a copy of the amendment here and don't happen to see that.

PRESIDENT:

Senator Alexander.

SENATOR ALEXANDER:

Senator...Hudson, I used as a guide the guideline of prohibitions across several states of the United States and in each of these cases that I...observed and used as a guide, the prohibition that required a local police officer, law enforcement agencies to be excluded was almost unanimous and I felt that our state should not have our own police departments come under this provision. They are excluded...when I say excluded, they would not be required to take a lie detector test under this bill, they are totally excluded.

PRESIDENT:

Senator Hudson.

SENATOR HUDSON:

Well, Senator, my...my only point is, in spite of your good intentions, we do not see it in the amendment.

PRESIDENT:

Senator Alexander.

SENATOR HUDSON:

And that's all we have to deal with at this point.

SENATOR ALEXANDER:

...they are excluded by the amendment which states who would be allowed to take the test. Section 2A and Section 2B, Section 2C, Section 2D, Section 2E, those are the only persons who would have the privilege to ask an employee to take a lie detector test in the concepts of their business unless one would be asked to be taken voluntarily.

PRESIDENT:

Senator Davidson, for what purpose do you arise, sir?

SENATOR DAVIDSON:

Mr. President, it seems to be a...a real debate on what this amendment does or doesn't. Could I ask a point of order? Has this been distributed to the members of the Senate so we could look at it since there seems to be a difference of the...the sponsor and the questioner?

PRESIDENT:

Apparently, it has not been distributed widely. The...the questioner has a copy certainly. Any further...further discussion? If not...Senator Hudson.

SENATOR HUDSON:

One more, Senator, if you will. Paragraph D, now this specifies any private employee who will handle...it mentions...it sets a threshold at five thousand dollars and I must confess some puzzlement about how you would...how you would figure five thousand dollars. Now you mention who will handle or have in his possession monies or goods in excess of five thousand dollars. Wouldn't that be a tremendously difficult thing to ascertain? What about the small...what about the small businessman who may only have in his possession or handle three thousand dollars or four thousand dollars, but still he may...he may feel that this would be of benefit to him too?

PRESIDENT:

Senator Alexander.

SENATOR ALEXANDER:

Senator Hudson, in trying to establish a meaningful threshold of monies that may be handled in a given time, I took into consideration that business person such as our large department stores, our supermarkets where a low paying cashier on a busy sales day or grocery shopping days, Saturday, might have in her possession that amount of money. I could not adequately establish any amount of monies lower

than that because I just didn't see it and no one made any recommendations. It was just throwed out there, I searched and researched. At one time I had it at a higher level and I said, no, it would not be fair to the retailers to keep it at this level, five thousand dollars appeared to be...a reasonable amount to bring it down to.

PRESIDENT:

Senator Hudson.

SENATOR HUDSON:

To the amendment, Mr. President. I think, Senator Alexander, that you have made a good faith effort and I think you should be commended for...for trying to do what you're doing, but I must make the point that those employees...employers who have been in opposition still remain in opposition basically because they feel it's discriminatory and it's a...it's something that all business people, small or large, should have the benefit of, that is, the advantage of the polygraph as a tool. So I simply make that point.

PRESIDENT:

Senator Alexander has moved the adoption of Amendment No. 1 to Senate Bill 455. Further discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. 541, Senator Degnan. On the Order of Senate Bills 2nd Reading, Senate Bill 541. Read the bill, Madam Secretary.

SECRETARY:

(Machine cutoff)...Bill 541.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 567, Senator Luft. On the Order of Senate Bills 2nd Reading is Senate Bill 567. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 567.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

Senator Kustra offers Amendment No. 1.

PRESIDENT:

Senator Kustra on Amendment No. 1 to Senate Bill 567.

SENATOR KUSTRA:

Machine cutoff)...you, Mr. President. Senator Luft and I have conferred on that amendment and I think he has a better idea.

PRESIDENT:

All right. Senator Luft.

SENATOR LUFT:

...thank you, Mr. President. I would ask that the Senator offer this amendment and by voice vote maybe we could defeat it. We're trying to take care of his problem, hopefully, in Amendment No. 2.

PRESIDENT:

Senator Kustra. All right. Senator Kustra has moved the adoption of Amendment No. 1 to Senate Bill 567. Any further discussion? If not, all in favor indicate by saying Aye. All opposed. The Nays have it. The amendment fails. Fur-

SB 630  
2nd Reading

ther amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. 630, Senator Carroll. On the Order of Senate Bills 2nd Reading, bottom of page 2, is Senate Bill 6-3-0. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 630.

PRESIDENT:

Oh, I beg your pardon. There was...there were further amendments to 567. All right. If...if the amendment was filed, it is not physically with us. So the bill would remain on 3rd reading subject to recall obviously. On the Order of Senate Bills 2nd Reading, Senate Bill 630. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 630.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

Senator Carroll offers Amendment No. 1.

PRESIDENT:

Senator Carroll on Amendment No. 1.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is, pardon the pun, a chip off the old block. This is the corrective legislation for the CHIPS plan. It does that which the department and those players involved in the process, things that need to be done in order to implement the bill when we made the change last year from a...when we made the change to a state funded system from a assessment

system. I would move adoption of Amendment No. 1 and answer any questions.

PRESIDENT:

All right. Senator Carroll has moved the adoption of Amendment No. 1 to Senate Bill 630. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. 774, Senator Welch. Top of page 3 on the Order of Senate Bills 2nd Reading, Senate Bill 774. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 774.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

...any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 877, Senator O'Daniel. On the Order of Senate Bills 2nd Reading, Senate Bill 877. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 877.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 917, Senator...all right, wait a minute, hold it. I got too many people coming at me. Did you have an amendment, Senator O'Daniel?

SENATOR O'DANIEL:

...no,...President, I was going to move to recommit Senate Bill 877 to the Committee on...on Public Health.

PRESIDENT:

That...that motion is always in order. Senator O'Daniel has moved to recommit Senate Bill 877 to the Committee on Public Health. All in favor of the motion to recommit indicate by saying Aye. All opposed. The Ayes have it. The motion carries. The bill is recommitted. 917, Senator Donahue. On the Order of Senate Bills 2nd Reading, Senate Bill 917. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 917.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

Senator Donahue offers Amendment No. 1.

PRESIDENT:

Senator Donahue on Amendment No. 1.

SENATOR DONAHUE:

Thank you, Mr. President. I have a couple of questions of the clerk, if I might. I...I think we have three separate bills that have been filed. The first two, I would request that they be Tabled.

PRESIDENT:

Why don't you just withdraw them? Why don't you come up and pick out the ones you want?

SENATOR DONAHUE:

Oh, can you do that? All right. Withdraw the first two,

it's the third amendment that we need to go with.

PRESIDENT:

Tell me which one you want?

SECRETARY:

I wonder if I might...

PRESIDENT:

Tell somebody which one you want...yeah but which one is the third one, that's the point.

SECRETARY:

Would you read the LRB number, please?

PRESIDENT:

We've got three separate pieces of paper, just go up and why don't you take two of them and...and run with one of them? Senator Donahue on Amendment No. 1.

SENATOR DONAHUE:

Thank you, Mr. President, I apologize for that. This is...this bill is...amends the Illinois Seed Law and upgrades some of the standards and practices and this amendment does very five different things. It gives the definition of packet which was asked for by the grass seed industry. Second part, it...correction has been made in the definitions to arrange them in the proper alphabetical order. The third one is a compromise was reached for the allowance of the tolerance of noxious weed seeds found in the specific lot. The fourth one is again a compromise on the tolerance level of...weed seeds and this again accommodates the grass seed industry, and, five, the brand name designation restriction is limited to only apply to soy beans, weed, oats and barley, period. I would move for its adoption.

PRESIDENT:

All right. Senator Donahue has moved the adoption of Amendment No. 1 to Senate Bill 917. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

*SB 964  
2nd Reading*

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. 953, Senator Welch. On the Order of Senate Bills 2nd Reading, Senate Bill 953. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 953.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on...Energy and Environment offers one committee amendment.

PRESIDENT:

Senator Welch on Committee Amendment No. 1.

SENATOR WELCH:

...I believe that was a cleanup and a technical amendment, Mr. President.

PRESIDENT:

All right. Senator Welch has moved the adoption of Committee Amendment No. 1 to Senate Bill 953. 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 committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 964, Senator Barkhausen. On the Order of Senate Bills 2nd Reading, the middle of page 3, Senate Bill 964. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 964.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

Senator Barkhausen offers Amendment No. 1.

PRESIDENT:

Senator Barkhausen on Amendment No. 1.

SENATOR BARKHAUSEN:

Mr. President and members, Amendment No. 1 to Senate Bill 964 is an attempt to...to adopt in Illinois a modified form of eavesdropping to apply only in a...a class of cases involving the most serious narcotics offenses and in situations involving hostage taking or terrorism. As...as you may remember from yesterday evening, we began this...this debate and rather than repeat everything that I said, I would simply emphasize that it does apply only to a limited class of crimes. It is a much more modified proposal than those which have been offered before by...by myself, by Senator Sangmeister, by Senator Degnan. Those other proposals covered a much...or wider class of crimes and didn't have many of the safeguards and restrictions that are present in this amendment. I would also emphasize that Federal law now permits wiretapping for a whole broad range of crimes including felonies under the Federal Criminal Code, and that law similarly does not have many of the safeguards and restrictions that are...that are present in this bill. It has worked well at the Federal level, it has not given rise to the...to...sort of concerns that seem to be aimed at this much more limited proposal and we are attempting to give our law enforcement officials with this measure a tool that they so desperately need if we are really going to be serious and...and effective in going after the major drug crimes. I'd be happy to answer any questions.

PRESIDENT:

All right. Senator Barkhausen has moved the adoption of Amendment No. 1 to Senate Bill 964. Discussion? Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President. If we could have a little order, this is one of the most important bills that we've had today.

PRESIDENT:

If we can have the attention of the membership, we're on the question of Amendment No. 1 to Senate Bill 964. Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President. This is...this is Big Brother coming into your home, your bedroom, your office, your automobile. This bill got a hearing in the Senate Judiciary Committee, there were witnesses pro and witnesses con and the bill was voted down; and in asking questions to the proponents of the bill, we asked why this was needed, the Federal Government can do this today, the Federal Government does it today. Without limitation...if you're going after big drug users as this bill is limited to, all of those big drug cases are Federal jurisdiction cases, they cross state lines. There is clearly Federal jurisdiction in every single one of those big drug cases without exception, and there is wiretapping and eavesdropping permissible without consent in every single one of those cases today without this law. When you begin to open up nonconsensual eavesdropping in the State of Illinois for, let's say, drug cases, hostage cases, terrorism cases, believe me, Session after Session there will be amendments coming back here to further expand the exceptions to open up this process, and we will eventually have total nonconsensual eavesdropping in the State of Illinois where they can come into your home, your auto, your place of

business. According to this bill, statewide orders are allowable, there's no control over Cook County judges ordering taps on downstate locals. There's no control over Cook County's State's Attorney going to a Champaign judge, a downstate judge to get an order for downstate, no control over all of this going on throughout the State of Illinois. Second of all, and I don't think anybody can explain this, if you get an order to wiretap from a judge pursuant to a probable cause on a drug case and you turn the wiretap on and you listen to some testimony...to some conversations, how do you know when to turn it on and when to turn it off? How do you know when that conversation is of a personal nature regarding husband and wives, business nature, doctor and patient, lawyer and client, priest and parishioner? How do you know when to turn it on and when to turn it off? The answer is you don't know when to turn it on and turn it off. The police will tell you, well, when it gets...when it's not the drug information, we'll turn it off and when it gets to the drug information we'll turn it on. How do you know? You don't know. So, obviously, you're listening to conversations of a very personal nature, of a very privileged nature and that conversation, that privileged personal conversation regardless of what it is is on tape, is on record, is there for ten years with no provision to destroy the unusable material. This is truly Big Brother coming into your home. The privileged communications of doctors, lawyers and patients and doctors and clients and lawyers and...and priests and parishioners will be wide open on this. It's a terrible idea. The fact is when the state needs assistance from the Federal Government, we heard testimony that they today go to the Federal Government and get assistance; and, again, it's great to hear the sponsor talk about, well, this is limited to drug cases and terrorist cases, but the fact is the government can do that today at the Federal level without

this law and all we're doing is allowing some state officials to go around and come into your home and your place of business and your automobile and listen to all of your personal, privileged conversations. Believe me, ladies and gentlemen, if we open this up today nonconsensual statewide eavesdropping, we will be here Session after Session and there will be no limitations, it'll be wideopen. That's what's happened in other jurisdictions, it shouldn't happen here. The Federal Government today can do what this bill says in every single drug and terrorist case. Don't open up your homes and houses, it's not necessary and you and the privileges that you and your family, your personal conversations require will certainly suffer.

PRESIDENT:

Further discussion? Senator Berman.

SENATOR BERMAN:

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

PRESIDENT:

The sponsor indicates he'll yield, Senator Berman.

SENATOR BERMAN:

Senator Barkhausen, as I read this bill, a judge in an exparte hearing, which means that the person that's going to be eavesdropped upon is not present, can give consent to listening in on what we've discussed as privileged communications. Now that would include conversation between me and my doctor, if the judge thinks that it ought to be listened to, and I refer you to page 4 and it talks about privilege communication and page 9, lines 25 through 30 that says, "that the judge may enter an exparte order if he determines that the privilege communication is of a nature which should be intercepted." Now, let me ask you this. I'm talking to my doctor and some judge authorized a police officer to listen in on that conversation and I talk to my doctor and I say to my doctor, doctor, I think I may have some kind of a

disease and next week in Sneed's column in the Sun Times, I read about it. What can I do about it under your bill? What's my recourse? What can I do as a public official and I read about it in Sneed's column? That privileged communication between me and my doctor, it was wiretapped and it somehow got into the columns, what can I do about?

PRESIDENT:

Senator Barkhausen.

SENATOR BARKHAUSEN:

That situation would never arise because the records of all conversations are to be remained sealed with law enforcement authorities. Now I know that...I know that Sneed has her sources, but I don't know how she'd get at sealed records.

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

Well, ladies and gentlemen, I suggest to you that sealed schmealed is my answer. When somebody gets a court order to listen in...and, you know, let me tell you something. I'm not dreaming this stuff up, I'm reading from the bill. A judge on an ex parte hearing can give permission for a police officer to intercept these conversations and the only criteria is if the judge thinks it ought to be listened in on, that's on page 9, line 29 and 30, and what that person can listen in on is conversations between the patient and a physician, psychologists and a patient, attorney and client, clergyman and parishioner, a practicing journalist within the scope of his profession, press, I call your attention to that and spouses within the scope of their marital relationship. They can listen in on the conversation between you and your spouse and if that conversation is overheard and there's something that's juicy and it becomes public, even though it's sealed and nobody knows how it became public, I mean it

just by...by magic it becomes public, I don't think that you've got much recourse and I suggest this to you as public officials. Now, you know, we all had our own comments on the Gary Hart matter and that didn't even involve a wiretap. That may have been foolish and indiscreet and dumb and any other kind of...object, but I think we all sort of identified with what that was involved. That's nothing...that's nothing compared to...Amendment No. 1 to 964 that'll allow you to tap in on the phone conversations. Now let me suggest one alternative to you and, Senator Barkhausen, I suggest this to you very seriously. When I read this amendment yesterday and I read the whole thing, I went over to Senator Hawkinson and I pointed this problem out about the privileged communications and really no recourse if this becomes public. I believe that he went over and talked to Representative Countryman who advised him...Carl, correct me if I'm wrong...that in the House version of this bill, this permission to tap into privileged communications is not in the House amendment. I would suggest to you, ladies and gentlemen, I'm not sure I'm going to espouse the House amendment but if it doesn't have the privilege communication tap in there, it's a better amendment, and I would suggest that this be either Tabled or voted down and we wait to see what the House is going to give us. This in itself is a terrible provision. Let me point out a couple of other items. There's emergency provision in here. A guy can tap into your phone...for forty-eight hours without even an affidavit, forty-eight hours of tap without an affidavit. The tap that's permitted upon affidavit and a hearing is for thirty days and can be extended for another thirty days. Now I dare say there aren't many people in here that would love to have their conversations listened to for sixty days on your home phone, and that's what we're talking about, on your home phone let alone your business phone. That's all authorized...in here on affidavits that may or may

not be challengeable, and if you're terribly hurt, damaged, your reputation goes down the tubes, well, then you may be able to have a lawsuit and I'm not sure what that's going to do for you. I don't think it works, I don't think you need it. I would urge a No vote on this amendment.

PRESIDENT:

Further discussion? Senator D'Arco.

SENATOR D'ARCO:

...you, Mr. President. I rise in strong opposition to this bill. I don't know, you know, it's funny but...but some of us have...have this paranoia about us. You know, we're like...we're deathly afraid that our rights are being violated by Federal agents, I don't know. Now some of you probably don't feel that way, but some of us feel that way, that we're deathly afraid that one day we're going to be living in a police state and not know it and I think that's logically consistent, because when you finally do realize you're living in a police state, it's too late to do anything about it. And there's that fear. This may be an irrational fear on my part but I'm always leery, I'm always worried that one day I'm going to wake up and not be a free man anymore. I'm really worried about that and I'm worried that it may happen before our eyes and we will all become complacent subjects of some dictatorial government in the United States of America. That worries me and this bill, in my opinion, is a step in that direction. The man...I'm going to tell you something, ladies and gentlemen, this is...this is a Chicago...this is a Chicago Tribune article dated September 29th, 1986, and in the article it describes how the man who wrote this law for the Federal Government, Professor Bakely, the man who wrote this law is defending a person before the Supreme Court of the United States who was convicted on drug charges because of illegal surveillance by Federal agents, wiretap...illegal wiretap surveillance, and the man is telling us in this arti-

cle about the abuses that the FBI and Federal agents are involved in in illegal surveillances and that he regrets the fact that they're abusing the law and...and the intent of Congress is being violated by Federal agents. That's the man, Bakely, who wrote the law. This bill allows a wiretap for possession of the most minute amount of a controlled substance. You can have a half a gram of a controlled substance in your house and this bill allows a wiretap for that crime which is a very minor, insignificant crime, and it also allows any portion of a conversation unrelated to what it was originally intended to be intercepted by the people who are intercepting the conversation. In this instance, the guy wasn't even home. The guy that the agents told the judge was committing a crime and they needed the wiretap for wasn't even home for twenty-one days. When they got a tap on his phone, in his house and listened to conversations of people who are not the subjects of the tap and they listened for twenty-one days while this guy was vacationing somewhere. Now that's what you want, then that's what you're going to get and you're going to live with that. But, ladies and gentlemen, it's going to be a mistake and some day in the future we're going to...regret this mistake.

PRESIDENT:

Further discussion? Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Mr. President. To clarify, I think, my discussions with Senator Berman. I did speak with Representative Countryman and...and he was of the opinion that the parts of the bill relating to privilege were not going to be in the House version. I do know from talking with representatives...Cook County State's Attorney's Office that they have offered amendments to the bill that came out of committee in the House. The original bill that came out of committee in the House, as I understand it, is identical to

the...the provision that is in front of us today but that they are working on it and Representative Countryman anyway was of the opinion that the privileged information was coming out of the House version.

PRESIDENT:

All right. Further discussion? Further discussion? Senator Marovitz for the second time.

SENATOR MAROVITZ:

Senator Barkhausen, would you...show me in the bill where the...where terrorism...which is one of the reasons for wire-tapping where that's defined?

PRESIDENT:

Senator Barkhausen. (Machine cutoff)...Barkhausen.

SENATOR BARKHAUSEN:

Senator Marovitz, page 6, lines 15 through 23 are...are generally the section that you're concerned about here. I don't know that terrorism specifically is...is defined. It talks in terms of a reasonable cause for believing that there exists a clear and present danger of imminent death or great bodily harm to persons resulting from a kidnapping or the holding of a hostage by force or the threat of the imminent use of force. And then on line 21, "or, three, any act of terrorism by force or the threat of the imminent use of force."

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

Well, I...I didn't ask for a definition of hostage which you gave me very kindly. I asked for the definition of terrorism which is not in the bill and that...since that's going to be one of the basis for the issuance of a wiretap order and it's not even defined in the bill, that's why I'm pointing it out. Second of all, does this...does this bill allow forum shopping so that a downstate state's attorney

could come up to Cook County and get a wiretap order from a Cook County judge and go back down...downstate or vice versa?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Barkhausen.

SENATOR BARKHAUSEN:

No. The...the applicant for the authorization will have to go before the chief judge of the...of the judicial circuit or in the absence or unavailability of the chief judge, that chief judge's designee.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

Could you just point out where that's in the bill?

SENATOR BARKHAUSEN:

(Machine cutoff)...Marovitz, on page 2, lines 13 through 19.

PRESIDING OFFICER: (SENATOR SAVICKAS)

(Machine cutoff)...Marovitz.

SENATOR MAROVITZ:

I...I see the definition of chief judge here, but while we're checking that, let me ask you a question. We've...this Body has taken up the question of a statewide grand jury many times. Does this bill allow the Department of State Police to go to any of the hundred and two counties in our state and get an order?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Barkhausen.

SENATOR BARKHAUSEN:

No, because they'd have to go before the...particular state's attorney in the jurisdiction where the offense is allegedly being committed.

SENATOR MAROVITZ:

Okay...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Further...Senator Marovitz.

SENATOR MAROVITZ:

...regarding that last question about whether they can forum shop, according to page 2, it says "chief judge of the circuit where the application is filed." It doesn't say chief judge of that particular...it says, "chief judge wherever the application is filed." So whatever chief judge they decide to go to anywhere in the State of Illinois, they can do that. They can forum shop according to that section that you just pointed out to me. Senator Barkhausen, Article I, Section 6 of the Constitution, are you familiar with the prohibition against unreasonable eavesdropping in that section of the Constitution?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Barkhausen.

SENATOR BARKHAUSEN:

I am told that the...the chairman of that committee in the Constitutional Convention was asked specifically on three separate occasions whether the provision in the Constitution would prohibit wiretapping and the...and the answer was consistently no.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

Well, it...it doesn't and...and in 1976, we adopted the reasonable approach to wiretapping...consensual wiretapping which we allowed via the Constitution. What this bill does, it allows totally nonconsensual wiretapping and...and it allows the same against privileged communications and it allows the same against personal information on your home, in your office, in your car. I mean, how does somebody know, Senator Barkhausen, when to turn that machine on and off? You get a wiretap for a drug case and you're listening to the...to the conversations at a particular home and David

Barkhausen is on vacation and maybe your wife and...and her sister are on the phone or...or your kids or you're talking about a different situation with a client, how...how do they know when to turn that on and off, when to listen to the drug part of the conversation so that they're not hearing stuff about your law practice or your...your confessions...your...your concerns with your...your priest? How do they know when to turn that on and off?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is that a question or just a statement?

SENATOR MAROVITZ:

Question.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Because they're required to do it under the terms of the bill, they're required to report the contents of the...of the conversation and...they are violating the terms of this law, if they don't turn it on and off as...as this measure would require them to do.

PRESIDING OFFICER: (SENATOR SAVICKAS)

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

SENATOR BARKHAUSEN:

Mr. President and members, I certainly appreciate the fact that the...the debate has been a long one but it is an important measure. In closing, I'd just like to emphasize a couple of things which I...I did emphasize in...in introducing the amendment. That is, again, that what we are talking about here is...is already the law on a much more widespread basis at the Federal level. It applies to all felony offenses; here we are only talking about the most serious types of narcotics' offenses...repeatedly in this Legislature we have...we have underlined the necessity to

adopt more stringent measures to...to show that we are serious about drug crimes. Law enforcement officials around this state, prosecutors, policemen, the Department of State Police are of one mind, that this is the most effective tool that we could possibly give them in order that they might be able to investigate drug crimes. The point has been made, well, if it's Federal law, why don't we just leave it to Federal law enforcement officials and Federal prosecutors to solve the problem. Well, since when do we at the state level and in this State Legislature say that we don't need to be...be mindful about a particular problem because the Federal Government can solve it? Are...are we so ill-equipped at the state level that we shouldn't have the powers that the Federal Government has, particularly where we're trying to address what we all agree is probably the number one crime problem in this country? This is limited to drug offenses and I...and I underline that. To address just for a moment the point that was made about privileged communications, my feeling is that that is really a red herring issue to try to get some of you to oppose this measure, because even...and especially in the context of what might otherwise be a privileged communication, I would first make the point that, as in other cases, the applicant for the wiretap authorization would have to show the chief judge that one probable cause exists that the...the person to be wiretapped has committed is committing or will commit a triggering offense. Secondly, that probable cause exists that that particular communication, in here we're talking about a privileged communication, with respect to the...with respect to the crime can be obtained so that particular conversation has to...it has to be shown that there's probable cause to believe that that particular conversation will relate to the crime that is being or might be about to be committed. And, thirdly, the probable cause exists that the facility to be tapped or the

place to be bugged has been, is being or will be used in connection with the offense. And, fourth, and probably most importantly that alternative investigative procedures have failed, are futile or are too dangerous. So we're not talking about a...a blanket authorization to wiretap privileged communications. Those four factors, all very difficult to prove, would have to be demonstrated to the satisfaction of the chief judge before such authorization would be granted. So, don't listen to those who say that wiretapping is going to be coming into the homes of people all across Illinois if we adopt this measure. It is already Federal law and all kinds of protections of the kind that I've just outlined are...are fully present. I ask you finally to...to demonstrate to all of the people of Illinois, most especially to...the law enforcement officials who now feel handcuffed in trying to go after the serious drug criminals in this state that we, at least in the State Senate, are serious about it and will now give them the tools which they need to finish the job. Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall Amendment No. 1 to Senate Bill 964 be adopted. A roll call has been requested. 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 30, the Nays are 26. Amendment No. 1 having received a majority vote is adopted. Further amendments?

SECRETARY:

Senator Berman offers Amendment No. 2.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR BERMAN:

Amendment No. 2 is a sunset provision. What this...what the amendment does is to...there's a reporting provision in

here that requires a report as to the number of taps that are made, not the specifics as to who's been tapped but the number of taps...number of requests, the number of indictments, number of convictions and to show how efficiently this has resulted in stopping hostage taking and big drug transactions, et cetera. And all I'm saying is if this bill is going to pass, let's try it for two years, January 1, 1990, then we'll see if it...if it works; if it doesn't work, it doesn't remain. If it's worked, we'll re-pass the bill. It's a sunset provision. I think it's a modest approach to...to back up what the sponsor says is going to happen. We're going to eliminate all the big drug deals and all the hostage taking and all those terrible things as a result of tapping into our personal...conversations. Let's see if it really works, this is a sunset provision for January 1, 1990. I ask your Aye vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Barkhausen.

SENATOR BARKHAUSEN:

Has the amendment been distributed?

PRESIDING OFFICER: (SENATOR SAVICKAS)

As the President had said, not too widely. (Machine cut-off)...Berman.

SENATOR BERMAN:

This is six lines and I'll be glad to read it to you, Senator Barkhausen. "Amendment No. 2 amends Senate Bill 964 as amended by deleting all of Section"...okay, it's being distributed, but here's...it says on line 8 and 9, "Repeal. This Article 108 B is repealed on January 1, 1990." That's what the amendment says.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Barkhausen.

SENATOR BARKHAUSEN:

Senator Berman, if the amendment is adopted, will you

support the bill?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR BERMAN:

No. But at least it gives the people in this Body and the people of the State of Illinois a chance to reconsider what you are...urging us to authorize. And I've just got to suggest to you that this is such a dramatic departure from a democratic society regarding unilateral tapping of private communications that it ought not to be just given a blank check. That's why I've got a sunset on.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Barkhausen, briefly.

SENATOR BARKHAUSEN:

Well, I'm not going to reargue the debate that we just went through. It's not a dramatic departure, it's been the Federal law for twenty years and we're living quite well under it and...but to have a repealer...after only two years, it's...is certainly not a fair test of this...of the effectiveness of what we're proposing here and...and, for that reason, alone I would obviously oppose the amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is on the adoption of Amendment No. 2.  
Senator Berman.

SENATOR BERMAN:

To close.

PRESIDING OFFICER: (SENATOR SAVICKAS)

To close, I'm sorry.

SENATOR BERMAN:

Okay. Ladies and gentlemen, a couple of years ago we passed the Charitable Games Act, Bingo, which really didn't impose much on anybody individually. We put a sunset on that. We put an automatic repealer because we wanted to see if it would work, and I would just suggest to you that some-

thing a little more personal, a little more imposing on our individual liberties is what this bill is. If we did it for Bingo, I'd like it to do it for each of your own individual protections. I urge an Aye vote on this amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman moves the adoption of Amendment No. 2 to Senate Bill 964. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment...a roll call has been requested. Those members supporting Amendment No. 2 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 30, the Nays are 24, none voting Present. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 1038, Senator Mahar. Read the bill, Madam...Senator Mahar, for what purpose do you arise?

SENATOR MAHAR:

Thank you, Mr. President. I would move to recommit Senate Bill 1038 to the Committee on Agriculture and Conservation.

PRESIDING OFFICER: (SENATOR SAVICKAS)

You've heard the motion. Hearing no objection, leave is granted. Senate Bill...1038 will be recommitted to the Committee on Agriculture. Senate Bill 1203, Senator DeAngelis. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 1203.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

Senator DeAngelis offers Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. I found out that the Racing Board did not want another deputy director so that part is out of the bill, but there is an amendment and I would like the Body to listen to this because there are a lot of us who've supported racing in this Body who are not horse players, who don't have much of an interest in horse playing, but who supported it because of its economic impact both on the state and the communities that surround the race track. And all I'm putting into the Racing Board's considerations and it's a four-line amendment, "Before allotting any racing dates to an organization, the board shall consider the economic impact of such racing dates on the surrounding communities in the area of the race track where the horse race meeting is to be held." We are, as you probably know, in some fairly significant disagreements on racing dates and some tracks have been twilighted out of racing dates and I want to ensure that the Racing Board does take into consideration the total economic impact of racing. I would urge the adoption of Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

(Machine cutoff)...discussion? If not, Senator Geo-...DeAngelis...Geo-Karis, it's...it's an honest mistake, Senator...moves the adoption of Amendment No. 1 to Senate Bill 1203. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 1217, Senator Jones. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 1217.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

Senators Schuneman and Jones offer Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. Amendment No. 2...well, first of all, this bill would become the rewrite of the Nurse Practice Act in Illinois. Senator Jones as chairman of the committee has made every effort to get the parties to the dispute over the Nurse Practice Act together. He's held hearings here in Springfield, we held a hearing last Friday in Chicago and we've been trying to get the various parties to come together. I think it's fair to say that...that all parties with one exception have now come together and that one exception is the Illinois Nurse Association. This amendment basically is a...a reenactment of the present Nurse Practice Act with...with some exceptions but, basically, it would maintain the status quo with...with regard to the various levels of nursing that is presently in our...in our Act as well as the status quo as to the education necessary to enter the nursing profession. The amendment reflects the recommendations from the Governor's sunset report. It does increase the fees for the various category of nurses, but I don't think there's any objection to that. A dedicated fund is established which would enhance the administration and enforcement of the Act and it clarifies the grounds for

SB 1257  
2nd reading

discipline. I'd be happy to answer any questions, but this, in effect, represents an amendment offered by both Senator Jones and myself as the way to keep the negotiations moving on this issue. I urge adoption of the amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Schuneman and Jones move the adoption of Amendment No. 1 to Senate Bill 1217. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 1257, Senator Rock. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 1257.

(Secretary reads title of bill)

1st...pardon me, 3rd reading of the bill...2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

Senator Rock offers Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate Bill 1257 was introduced by Senator Philip and myself in response to a query by the Illinois Supreme Court. There was a decision last May in which the court said that, yes, the Judicial Branch is, in fact, part of and subject to the Public Employee Collective Bargaining Act. However, given the fact that it's constitutionally a differ-

ent branch of government, the court felt it better that they have their own Act or a separate part of the current Act whereby they could also institute by rule what they felt was appropriate. So we have been working for a couple of months in an attempt to accommodate the court, in an attempt to accommodate the present Act as it's constituted. Amendment No. 1 reflects the state of that discussion thus far. It...it is an amendment to the existing Act rather than the new Act and it...it posits the fact that the court is the sole employer...the Supreme Court is the sole employer as was said in the...in the Supreme Court case, obviously, but it subjects Judicial Branch employees to collective bargaining and I think that's the...the main point. The...the right to strike is...is not afforded these employees as essential governmental employees, and I'm sure that the negotiations will continue but it is something that ought to be...there's a similar bill that will be coming over from the House and the discussions will continue. I would move the adoption of Amendment No. 1 with the hope that we could move this bill through the system.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Rock moves the adoption of Amendment No. 1 to Senate Bill 1257. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 1340, Senator Marovitz. Senate Bill 1425, Senator Welch. Read the bill, Madam Secretary.

REEL #7

SECRETARY:

Senate Bill 1425.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 1428, Senator Collins. Senate Bill 1436, Senator Degnan. Oh, I'm sorry, I didn't see Senator...Senator Collins, on 1428. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 1428.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

Thank you. The...the amendment that was offered on...in...in committee was basically to clarify some...some of the technical errors in the bill and added a definition of...of abandoned building. I move for the adoption of that amendment.

PRESIDENT:

Senator Collins has moved the adoption of Committee Amendment No. 1 to Senate Bill 1428. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

Senator Collins offers Amendment No. 2.

PRESIDENT:

Senator Collins on Amendment No. 2.

SENATOR COLLINS:

Yes, thank you. Amendment No. 2 further clarifies the definition of an abandoned building. It also makes sure that whatever notice be given by certified mail and it also protects the interest of the mortgage and lending institutions and others who may have some financial interest in the property. And it...and it clearly sets forth...the procedures to...to make sure that the...the temporary owner has the...same rights and responsibilities as the owners as it relates to taxes or any liens on the property as...relationship to taxes. And I would move for the adoption of this amendment.

PRESIDENT:

Senator Collins has moved the adoption of Amendment No. 2 to Senate Bill 1428. 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. 1436. On the Order of Senate Bills 2nd Reading, Senate Bill 1436. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill...1436.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

Senator Degnan offers Amendment No. 1.

PRESIDENT:

Senator Degnan on Amendment No. 1.

SENATOR DEGNAN:

Thank you, Mr. President. Senate Bill No. 1436 defines the crime of money laundering. Some committee members and a representative of the ISBA in committee...in the Judiciary Committee thought the language...the definition language was too broad. Amendment No. 1 seeks to address those concerns and narrows the language. I move its adoption.

PRESIDENT:

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

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. All right. Ladies and gentlemen, that effectively concludes our business. We have a couple of housekeeping matters to read into the record. Ten o'clock tomorrow morning will be the move. We will start with...at some point we'll start with 711; in the meantime, we have recalls, I don't know how many of those. Don't forget, please, that Wednesday, June 3rd is the Gridiron Dinner. I've been asked to announce that tickets are going like hot cakes, better get them while they last, any member of the press corps. Senator Joyce? Any further business or announcements? Senator Joyce.

SENATOR JEROME JOYCE:

Yes, thank you, Mr. President. At eight-thirty tomorrow

morning the Executive Committee meets.

PRESIDENT:

All right. Executive, eight-thirty tomorrow morning, Room 212. Senator Smith.

SENATOR SMITH:

Thank you...thank you, Mr. President and members of the Senate. I'd like to take leave and ask if you would be kind enough to permit me to be voted as Yes on Senate Bill 523. When I came...my...key was out and I didn't know it.

PRESIDENT:

All right.

SENATOR SMITH:

And I want to vote Yes on it, please.

PRESIDENT:

The record will reflect that you wished to vote Yes on 523. Senator...Etheredge, for what purpose do you seek recognition?

SENATOR ETHEREDGE:

Mr. President, I would move to Table Senate Bill 838 and 840.

PRESIDENT:

That motion is always in order.

SENATOR ETHEREDGE:

And, Mr. President, I thought that that might set an example for the rest of my colleagues, it might speed up our work.

PRESIDENT:

I would certainly hope so. If you'll turn to page 64 on the Calendar, on the Order of Senate Bills 3rd Reading Consideration Postponed, Senate Bills 838 and 840. Senator Etheredge moves to Table Senate Bills 838 and 840. All in favor of the motion indicate by saying Aye. All opposed. The Ayes have it. The motion prevails and those bills are Tabled. Senator Alexander, for what purpose do you seek

recognition?

SENATOR ALEXANDER:

Thank you, Mr. President. I have spoken with the chief sponsor on House Bill 2740 and I am being permitted to be a joint hyphenated cosponsor.

PRESIDENT:

All right. The lady seeks leave to be added as the hyphenated cosponsor on House Bill 2740. Without objection, leave is granted. All right. Mr...Mr. Secretary, committee reports.

ACTING SECRETARY: (MR. HARRY)

Senator Savickas...

PRESIDENT:

That's it. Ten o'clock tomorrow morning folks.

ACTING SECRETARY: (MR. HARRY)

...Senator Savickas...chairman of the Committee on Assignment of Bills, reports the following House bills have been assigned to committee; Agriculture and Conservation - 84, 457, 2236, 2625; Elections and Reapportionment - 1508 and 2492; Elementary and Secondary Education - 233, 410, 1244, 1265, 1736, 1742, 2353, 2401 and 2758; Energy and Environment - 748 and 2849; Executive - 161, 232, 306, 577, 858, 1194, 1259, 1317, 1349, 1798, 1904, 1923, 1924, 2011, 2218, 2243, 2256, 2643 and 2694; Finance - 1859, 1922, 1956, 2123 and 2530; Higher Education - 813; Insurance, Pensions and Licensed Activities - 1198, 1222, 1298, 1319, 1500, 1540, 1548, 1836, 2007, 2766, 2789 and 2834; Judiciary - 67, 310, 523, 787, 1603, 2062, 2590 and 2740; Labor and Commerce - 1332, 2032 and 2033; Local Government - 89, 396, 854, 866, 954, 1909 and 2470; Public Health, Welfare and Corrections - 72, 272, 404, 405, 407, 464, 1811, 2230, 2258, 2370, 2840, 2842, 2843 and 2845; Revenue - 462, 1753, 1832, 2823 and 2866; And Transportation - 48, 824, 1238, 1504, 1758, 1953, 2046 and 2060. All House bills.

PRESIDENT:

Resolutions.

ACTING SECRETARY: (MR. HARRY)

Senate Resolution 281 offered by Senators Dudycz, Raica, J. E. Joyce, Degnan and all Senators.

Senate Resolution 282 offered by Senator Davidson and all Senators.

Both death resolutions.

Senate Resolution 283 offered by Senator Dudycz.

Senate Resolution 284 offered by Senators Hall, Rock and all Senators.

Both congratulatory.

PRESIDENT:

Consent Calendar. All right. Any further business to come before the Senate? If not, Senator Smith moves that the Senate stand adjourned until Thursday, May 21, tomorrow morning, ten o'clock in the morning. Ladies and gentlemen, have a good evening. Ten o'clock tomorrow morning.

12/22/87  
11:17

STATE OF ILLINOIS  
85TH GENERAL ASSEMBLY  
SENATE  
DAILY TRANSCRIPTION OF DEBATE INDEX

PAGE 1

MAY 20, 1987

HB-0048	FIRST READING	PAGE	3
HB-0067	FIRST READING	PAGE	3
HB-0072	FIRST READING	PAGE	3
HB-0084	FIRST READING	PAGE	3
HB-0089	FIRST READING	PAGE	3
HB-0161	FIRST READING	PAGE	3
HB-0232	FIRST READING	PAGE	3
HB-0233	FIRST READING	PAGE	3
HB-0272	FIRST READING	PAGE	3
HB-0306	FIRST READING	PAGE	3
HB-0310	FIRST READING	PAGE	3
HB-0396	FIRST READING	PAGE	8
HB-0404	FIRST READING	PAGE	3
HB-0405	FIRST READING	PAGE	3
HB-0407	FIRST READING	PAGE	4
HB-0410	FIRST READING	PAGE	4
HB-0457	FIRST READING	PAGE	4
HB-0462	FIRST READING	PAGE	4
HB-0464	FIRST READING	PAGE	4
HB-0523	FIRST READING	PAGE	4
HB-0577	FIRST READING	PAGE	4
HB-0748	FIRST READING	PAGE	4
HB-0787	FIRST READING	PAGE	4
HB-0813	FIRST READING	PAGE	4
HB-0824	FIRST READING	PAGE	8
HB-0854	FIRST READING	PAGE	4
HB-0858	FIRST READING	PAGE	4
HB-0866	FIRST READING	PAGE	4
HB-0954	FIRST READING	PAGE	4
HB-1194	FIRST READING	PAGE	4
HB-1198	FIRST READING	PAGE	4
HB-1222	FIRST READING	PAGE	8
HB-1238	FIRST READING	PAGE	5
HB-1244	FIRST READING	PAGE	5
HB-1259	FIRST READING	PAGE	5
HB-1265	FIRST READING	PAGE	5
HB-1298	FIRST READING	PAGE	5
HB-1317	FIRST READING	PAGE	5
HB-1319	FIRST READING	PAGE	5
HB-1332	FIRST READING	PAGE	5
HB-1349	FIRST READING	PAGE	5
HB-1500	FIRST READING	PAGE	5
HB-1504	FIRST READING	PAGE	5
HB-1508	FIRST READING	PAGE	5
HB-1540	FIRST READING	PAGE	5
HB-1548	FIRST READING	PAGE	5
HB-1603	FIRST READING	PAGE	5
HB-1736	FIRST READING	PAGE	5
HB-1742	FIRST READING	PAGE	5
HB-1753	FIRST READING	PAGE	6
HB-1758	FIRST READING	PAGE	6
HB-1798	FIRST READING	PAGE	6
HB-1811	FIRST READING	PAGE	6
HB-1832	FIRST READING	PAGE	6
HB-1836	FIRST READING	PAGE	6
HB-1859	FIRST READING	PAGE	6
HB-1904	FIRST READING	PAGE	6
HB-1909	FIRST READING	PAGE	6
HB-1922	FIRST READING	PAGE	6
HB-1923	FIRST READING	PAGE	6
HB-1924	FIRST READING	PAGE	6
HB-1953	FIRST READING	PAGE	6
HB-1956	FIRST READING	PAGE	6
HB-2007	FIRST READING	PAGE	6
HB-2011	FIRST READING	PAGE	6

12/22/87  
11:17

STATE OF ILLINOIS  
85TH GENERAL ASSEMBLY  
SENATE  
DAILY TRANSCRIPTION OF DEBATE INDEX

PAGE 2

MAY 20, 1987

HB-2032	FIRST READING	PAGE	6
HB-2033	FIRST READING	PAGE	7
HB-2046	FIRST READING	PAGE	7
HB-2060	FIRST READING	PAGE	7
HB-2062	FIRST READING	PAGE	7
HB-2123	FIRST READING	PAGE	8
HB-2218	FIRST READING	PAGE	7
HB-2230	FIRST READING	PAGE	7
HB-2236	FIRST READING	PAGE	7
HB-2243	FIRST READING	PAGE	7
HB-2256	FIRST READING	PAGE	7
HB-2258	FIRST READING	PAGE	7
HB-2355	FIRST READING	PAGE	8
HB-2370	FIRST READING	PAGE	7
HB-2401	FIRST READING	PAGE	7
HB-2470	FIRST READING	PAGE	7
HB-2492	FIRST READING	PAGE	7
HB-2530	FIRST READING	PAGE	9
HB-2590	FIRST READING	PAGE	9
HB-2625	FIRST READING	PAGE	7
HB-2643	FIRST READING	PAGE	9
HB-2694	FIRST READING	PAGE	7
HB-2740	FIRST READING	PAGE	7
HB-2758	FIRST READING	PAGE	8
HB-2766	FIRST READING	PAGE	8
HB-2789	FIRST READING	PAGE	9
HB-2823	FIRST READING	PAGE	8
HB-2834	FIRST READING	PAGE	9
HB-2840	FIRST READING	PAGE	8
HB-2842	FIRST READING	PAGE	8
HB-2843	FIRST READING	PAGE	8
HB-2845	FIRST READING	PAGE	8
HB-2849	FIRST READING	PAGE	9
HB-2866	FIRST READING	PAGE	8
SB-0002	SECOND READING	PAGE	211
SB-0172	SECOND READING	PAGE	212
SB-0192	SECOND READING	PAGE	213
SB-0275	SECOND READING	PAGE	214
SB-0276	SECOND READING	PAGE	214
SB-0368	SECOND READING	PAGE	215
SB-0442	SECOND READING	PAGE	216
<del>SB-0451</del>	<del>SECOND READING</del>	<del>PAGE</del>	<del>221</del>
SB-0455	SECOND READING	PAGE	217
SB-0498	THIRD READING	PAGE	11
SB-0500	THIRD READING	PAGE	13
SB-0500	DISCUSSED AND POSTPONED	PAGE	19
SB-0501	THIRD READING	PAGE	12
SB-0504	THIRD READING	PAGE	19
SB-0505	THIRD READING	PAGE	24
SB-0506	THIRD READING	PAGE	25
SB-0516	THIRD READING	PAGE	25
SB-0517	THIRD READING	PAGE	26
SB-0517	DISCUSSED AND POSTPONED	PAGE	28
SB-0520	THIRD READING	PAGE	29
SB-0521	THIRD READING	PAGE	29
SB-0523	THIRD READING	PAGE	30
SB-0524	THIRD READING	PAGE	34
SB-0525	THIRD READING	PAGE	34
SB-0527	THIRD READING	PAGE	37
SB-0532	THIRD READING	PAGE	38
SB-0534	THIRD READING	PAGE	41
SB-0536	THIRD READING	PAGE	42
SB-0537	THIRD READING	PAGE	55
SB-0539	THIRD READING	PAGE	56
SB-0542	THIRD READING	PAGE	57
SB-0541	SECOND READING	PAGE	221

12/22/87  
11:17

STATE OF ILLINOIS  
85TH GENERAL ASSEMBLY  
SENATE  
DAILY TRANSCRIPTION OF DEBATE INDEX

PAGE 3

MAY 20, 1987

SB-0547	THIRD READING	PAGE	58
SB-0551	THIRD READING	PAGE	60
SB-0556	THIRD READING	PAGE	61
SB-0559	THIRD READING	PAGE	62
SB-0559	DISCUSSED AND POSTPONED	PAGE	72
SB-0561	THIRD READING	PAGE	73
SB-0564	THIRD READING	PAGE	75
SB-0566	THIRD READING	PAGE	76
SB-0567	SECOND READING	PAGE	222
SB-0569	THIRD READING	PAGE	79
SB-0570	THIRD READING	PAGE	83
SB-0573	THIRD READING	PAGE	84
SB-0576	THIRD READING	PAGE	85
SB-0579	THIRD READING	PAGE	86
SB-0586	THIRD READING	PAGE	88
SB-0588	THIRD READING	PAGE	89
SB-0591	THIRD READING	PAGE	100
SB-0597	THIRD READING	PAGE	105
SB-0600	THIRD READING	PAGE	109
SB-0601	THIRD READING	PAGE	112
SB-0630	SECOND READING	PAGE	223
SB-0634	THIRD READING	PAGE	113
SB-0647	THIRD READING	PAGE	113
SB-0647	DISCUSSED AND POSTPONED	PAGE	119
SB-0650	THIRD READING	PAGE	119
SB-0651	THIRD READING	PAGE	123
SB-0655	THIRD READING	PAGE	142
SB-0662	THIRD READING	PAGE	143
SB-0669	THIRD READING	PAGE	143
SB-0683	THIRD READING	PAGE	146
SB-0687	THIRD READING	PAGE	150
SB-0688	THIRD READING	PAGE	155
SB-0696	THIRD READING	PAGE	156
SB-0698	THIRD READING	PAGE	157
SB-0699	THIRD READING	PAGE	173
SB-0702	THIRD READING	PAGE	186
SB-0704	THIRD READING	PAGE	187
SB-0705	THIRD READING	PAGE	191
SB-0706	THIRD READING	PAGE	198
SB-0706	DISCUSSED AND POSTPONED	PAGE	209
SB-0708	THIRD READING	PAGE	209
SB-0709	THIRD READING	PAGE	209
SB-0774	SECOND READING	PAGE	224
SB-0838	TABLED	PAGE	252
SB-0840	TABLED	PAGE	252
SB-0877	SECOND READING	PAGE	224
SB-0917	SECOND READING	PAGE	225
SB-0953	SECOND READING	PAGE	227
SB-0964	SECOND READING	PAGE	227
SB-1203	SECOND READING	PAGE	244
SB-1217	SECOND READING	PAGE	246
SB-1257	SECOND READING	PAGE	247
SB-1425	SECOND READING	PAGE	248
SB-1428	SECOND READING	PAGE	249
SB-1436	SECOND READING	PAGE	250
SR-0281	RESOLUTION OFFERED	PAGE	254
SR-0282	RESOLUTION OFFERED	PAGE	254
SR-0283	RESOLUTION OFFERED	PAGE	254
SR-0284	RESOLUTION OFFERED	PAGE	254

SUBJECT MATTER

SENATE TO ORDER - PRESIDENT ROCK	PAGE	1
PRAYER - SENATOR GEO-KARIS	PAGE	1

12/22/87  
11:17

STATE OF ILLINOIS  
85TH GENERAL ASSEMBLY  
SENATE  
DAILY TRANSCRIPTION OF DEBATE INDEX

PAGE 4

MAY 20, 1987

SUBJECT MATTER

JOURNAL - POSTPONED	PAGE	2
COMMITTEE REPORTS	PAGE	9
MESSAGES FROM THE HOUSE	PAGE	10
SB 1038 - MOTION TO RECOMMIT	PAGE	244
COMMITTEE REPORTS	PAGE	253
ADJOURNMENT	PAGE	254