

83RD GENERAL ASSEMBLY

REGULAR SESSION

JUNE 23, 1983

PRESIDENT:

The hour of nine-thirty having arrived, the Senate will please come to order. Will the members please be at their desks and will our guests in the gallery please rise. The prayer this morning by Doctor Roger K. Rominger, First United Methodist Church, Springfield.

DOCTOR ROGER K. ROMINGER:

(Prayer given by Doctor Rominger)

PRESIDENT:

Thank you, Doctor. Reading of the Journal.

SECRETARY:

Wednesday, June the 15th, 1983 and Thursday, June the 16th, 1983.

PRESIDENT:

Senator Smith.

SENATOR SMITH:

Thank you, Mr. President. I move that the Journal just read by the Secretary be approved unless some Senator has additions or corrections to offer.

PRESIDENT:

You've heard the motion as placed by Senator Smith. Is there any discussion? If not, all in favor signify by saying Aye. All opposed. The Ayes have it. The motion carries. It is so ordered. Senator Smith.

SENATOR SMITH:

Mr. President, I move that the Journals of Monday, June the 20th; Tuesday, June 21st and Wednesday, June 22nd, the year 1983, be postponed pending arrival of the printed Journals.

PRESIDENT:

You've heard the motion as placed by Senator Smith. Any discussion? If not, all in favor signify by saying Aye. All opposed. The Ayes have it. The motion carries. It's so ordered. Messages from the House.

SECRETARY:

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

Mr. President - I am directed to inform the Senate the House of Representatives has concurred with the Senate in the passage of a bill with the following title:

Senate Bill 571 with House Amendment No. 1.

And I have like Messages on the following Senate bills:

Senate Bill 547 with House Amendments 1 and 2.

Senate Bill 776 with House Amendment 1.

Senate Bill 859 with House Amendment 1.

Senate Bill 883 with House Amendment 2.

Senate Bill 972 with House Amendment 1.

Senate Bill 1269 with House Amendment 1.

Senate Bill 1332 with House Amendments 1 and 6.

Senate Bill 1333 with House Amendments 1 and 2.

PRESIDENT:

Resolutions.

SECRETARY:

Senate Resolution 264 offered by Senator Carroll. It's congratulatory.

Senate Resolution 265 offered by Senator Hall, and it's congratulatory.

Senate Resolution 266, by Senator Hall, and it's congratulatory.

Senate Resolution 267, by Senator Hall, and it's congratulatory.

PRESIDENT:

Consent Calendar.

SECRETARY:

Senate Resolution 268 offered by Senator Jeremiah Joyce.

PRESIDENT:

Executive. If you'll turn to page 46 on the Calendar, as indicated yesterday, we will begin with House Bill 606. The Chair would like to advise the members that a number of

*HB 606
2nd Reading*

people have worked many hours to put some amendments together, and it is important for the membership that the amendments...that we get the bill enrolled and engrossed. So, the idea is to...to get this procedure accomplished, hopefully, with a minimum of debate, and we can debate the...the bill as put together on 3rd reading. On the Order of House Bills 2nd Reading is House Bill 606. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 606.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Judiciary II offers three amendments.

PRESIDENT:

Senator Netsch on Committee Amendment No.1.

SENATOR NETSCH:

Thank you, Mr. President. If I might repeat again, in case some members have just come on the Floor, what the President just suggested. There are three committee amendments, one of which will be Tabled and replaced by another Floor amendment. There are four Floor amendments. I have had all except, of course, the committee amendments reproduced and..and they are being distributed, but as I think you will see it is very difficult to read the amendments into the...the basic bill and get the drift of what's happening. What we have suggested, and I've talked to Prescott Bloom, who is the Minority Leader, as well as Senator Sangmeister, is that we get all of the amendments that have been worked on adopted and then we will prepare an enrolled bill for everyone with a summary of the bill as amended which you will have probably by the end of today and in ample time to review before the bill is called for final passage. Now, with that in mind, Committee Amendment No. 1 reflects the changes that were made as a result of the...one of the...or several of the

extensive subcommittee hearings, particularly with members of the Illinois State Bar Association and others; and just briefly to describe a couple of its highlights, it greatly tightened the definitions of several of the terms that were critical in the bill, bodily harm, family member, sexual conduct and sexual penetration. It consolidated the disabled, mentally incapacitated and physically helpless victims into an inclusive category of those who are unable to give consent. It requires force or threat of force as an element of sexual assault and sexual...as an element of sexual assault and sexual abuse crimes where there juvenile is under seventeen are charged and the victim is between nine and thirteen years of age. It allows mistaken age to be a defense, and it revised the consent definition clarifying that lack of resistance by the victim is not consent. There are other elements of it, highly technical; but again, they will be reflected in the final bill. This is a committee amendment. I would move the adoption of Amendment No. 1 to House Bill 606.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch has moved the adoption of Amendment No. 1. Is there any discussion? Any discussion? All those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment is adopted. Any further committee amendments?

SECRETARY:

Committee Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

Thank you. Committee Amendment No. 2 reinserts into the existing Chapter 38, which is the Criminal Code, a limited category of the crime of incest. It was felt by all of those that...that the pattern of criminal abuse and criminal assault crimes left a gap there and it was...it was

clarifying to have it back into the Criminal Code in this limited form. I would move the adoption of Amendment No. 2 to House Bill 606.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch has moved the adoption of Committee Amendment No. 2 to House Bill 606. Is there any discussion? Any discussion? If not, all those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Any further committee amendments?

SECRETARY:

Committee Amendment No. 3.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

Thank...thank you, Mr. President. I would move to Table Committee...excuse me, Committee Amendment No. 3. This deals with the subject of what has come to be known as spousal rape. We have a much more restricted and even better worded amendment that will be offered subsequently. I would move to...to Table Committee Amendment No. 3.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch moves to Table Committee Amendment No. 3. Is there any discussion? If not, all those in favor signify by saying Aye. Opposed Nay. The Ayes have it...Committee Amendment No. 3 is Tabled. Any further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Amendment No. 4 offered by Senators Marovitz, Welch and D'Arco.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Marovitz. Is Senator Marovitz on the

Floor? Senator Netsch, for what purpose do you arise?

SENATOR NETSCH:

I...I believe that Senator Marovitz has a subsequent amendment and intended to withdraw that one, and I suspect he simply forgot to do it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, the gentleman is not on the Floor.

SENATOR NETSCH:

Where is Senator Marovitz?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is Senator Marovitz on the Floor? Senator Marovitz on the Floor? Senator Marovitz on the Floor? Senator Bruce, for what purpose do you arise?

SENATOR BRUCE:

Well, I believe that Senator Netsch has talked to the sponsor of the amendment. He intended to withdraw it. If you would ask for leave to withdraw it, and if it...that is incorrect when he arrives on the Floor, we will then come back to this bill and...and allow him to offer the amendment, but I've been assured that he planned to withdraw it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Mr...Mr. President, I'm looking at the other Marovitz amendment and it doesn't look to me that the amendment at hand at this point is included in the later amendment. The later amendment refers to Subsection C of 12-18 which concerns the...the marital rape provisions; whereas, the amendment at hand refers to deleting physical confinement and fondling.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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

SENATOR NETSCH:

Yeah, let me respond to Senator Welch. Senator Welch, all of those matters are covered in the subsequent amendment that is much more extensive than Senator Marovitz is the principal sponsor of and I'm the hyphenated sponsor of, which will be Amendment No. 5, and I think Senator Marovitz simply forgot to request withdrawal of that amendment. If there is any problem at all, I would certainly bring the bill back, and I'm hoping he'll get here in time to offer his own amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

We have a lot of work to do. Everyone knew we were going to be on this bill this morning. Senator Bruce.

SENATOR BRUCE:

I have just been contacted telephonically by Senator Marovitz. It is his desire to withdraw the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Bruce on behalf of Senator Marovitz moves to have the amendment withdrawn. Is there leave to withdraw the amendment? Leave is granted. The amendment is withdrawn. Any further committee amendments...further Floor amendments?

SECRETARY:

Amendment No. 4...now, Senator Netsch, you've been...you've been saying you had four amendments up here, we had five to start with. We have had now this one withdrawn. Now, I have Amendment No. 4, which is your amendment, which is LBR No. 8302228RCGSAM02. Okay.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

Thank you, that is Amendment No. 4, that is correct. This was prepared largely in response to some particular points that were raised during our subcommittee hearings and subsequently by the office of the Peoria State's Attorney's Office. It buttons up one of the gaps with respect to the

age crimes. It responds to a concern that they had having to do with the lewd fondling of children, and it also, very importantly, spells out the rights of defendants who are sentenced under House Bill 606, the difference between those..that group and those who may have been convicted beforehand but whose convictions may be on appeal. There we adopted the identical language that was in the Class X legislation when it was enacted several years ago. Those are the main things that are incorporated in Amendment No. 4, and I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch has moved the...adoption of Amendment No. 4 to House Bill 606. Is there any discussion? Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 4 is adopted. Any further amendments?

SECRETARY:

Amendment No. 5, by Senator Marovitz and Netsch.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz. Senator Marovitz on the Floor? Senator Netsch.

SENATOR NETSCH:

Thank you. This is the amendment that was worked out to cover various aspects broadly of what...is called the spousal rape situation. It greatly limits the content of that section as it came out of the House and was originally considered by the committee. It does cover the matter that was in the withdrawn Amendment No. 4. It does not permit any spousal action except with respect to the...the...more serious of the two crimes which is criminal sexual assault. So, that...to answer specifically the question that I think Senator Welch was indirectly raising, the...the fondling is not...it is not possible to charge a spouse under that section. It is flatly, absolutely prohibited by this amend-

ment. I would move the adoption of Amendment No. 5 to House Bill 606.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator...Senator Netsch has moved adoption. Is there any discussion? Senator Welch.

SENATOR WELCH:

Senator Netsch, a question.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates she will yield. Senator Welch.

SENATOR WELCH:

In the first Marovitz amendment there's also a question about confinement. Has that been taken care of in this particular amendment as well?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

Yes. That is...confinement is eliminated, Senator Welch, and the...the only surviving language that came out of that particular part of the original bill, "the accused caused great bodily harm to the victim or subjected the victim to unlawful restraint."

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Further discussion? Senator Netsch has moved the adoption of Amendment No. 5 to House Bill 606. All those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 5 is adopted. Any further amendments?

SECRETARY:

Amendment No. 6, by Senator Keats.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Keats.

SENATOR KEATS:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is a fairly complex...amendment. I'd be more

than happy to explain, but I think we're better off just putting it on the bill because it's an agreed bill and we'll explain the whole bill later, but it does amend two Statutes dealing with the Rape Victims Emergency Treatment Act and the...confidentiality...a guy with a Master's Degree can't even read...of statements made to the Rape Crisis Personnel Act. It cleans up certain definitions and then does reinstate several terms...replacing sexual assault with rape, et cetera...if anyone has got any questions, I'd be happy to answer them but we're better off waiting till 3rd reading. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there any discussion? Any discussion? Senator Keats has moved the adoption of Amendment No. 6 to House Bill 606. Those in favor will vote Aye...signify by saying Aye. Those opposed Nay. The Ayes have it. Amendment No. 6 is adopted. Any further amendments?

SECRETARY:

Amendment No. 7 offered by Senator Netsch.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. Amendment No. 7 deletes the language...when the accused or with intent to insult or degrade the victim, and the reason for this was that the Republican staff discovered that it was possible, not likely in anyone's imagination but possible, that given the structure of the Act at that point and some of the age changes we made, that a...a spanking could end up being a violation of the Act if it was intended to insult or degrade the victim; of course, obviously, we would be talking about only the young children and there are special provisions for them. In order to avoid any possibility that that might be suggested, we have simply taken that language out so that there no say

that that could be a...even remotely considered a violation of the Act. I would move the adoption of Amendment No. 7 to House Bill 606.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...Netsch has voted adoption. Is there any discussion? Any discussion? Senator Netsch moves the adoption of Amendment No. 7 to House Bill 606. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 7 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. We will now be returning to page 44, House Bills 2nd reading. We will begin at the beginning. At the bottom of page 44, House Bill 207, Senator Smith. The bottom of page 44, House Bills 2nd reading, House Bill 207. All right, hold. Top of page 45, 321, Senator Netsch. Top of page 45, House Bill 321. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 321.

- (Secretary reads title of bill)

3rd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Egan.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Egan. Senator Egan. Take it out of the record. Top of page 45, 333, Senator Jerome Joyce. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 333.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Welch.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. This amendment revives one of the Prairie State Two Thousand bills, specifically Prairie State Bill No. 1014. What this does is create a...a Illinois State Park Foundation Act. This is the same bill...that passed out of the Senate on the Agreed Bill List with one change. The bill that we passed out originally allowed for a two hundred percent deduction on your Illinois Income Tax return for a contribution made to the park foundation. The amendment reduces that to one hundred percent, so it's a dollar for dollar deduction, not an exemption or a credit, but a deduction. So, I would move the adoption of the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Welch has moved the adoption of Amendment No. 1 to House Bill 333. Is there any discussion? If not, all those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. House Bill 519, Senator Welch. House Bill 530, Senator Coffey. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 530.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Coffey.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Coffey.

SENATOR COFFEY:

Thank you, Mr. President and members of the Senate. The Amendment No. 1 that I'm offering has to do with the testing of blood and urine...in request of the police officer made under the section shall be civilly or criminally liable for...shall not be criminally or civilly liable for such action...thereon lack of consent of the subject. It's similar to what we passed out of here before in...in Senate Bill 543, and I'd ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Coffey has moved the adoption of Amendment No. 1 to House Bill 530. Is there any discussion? Any discussion? All those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. House Bill 557, Senator Philip. 557. Is there leave to return to 563 and 564 in a few minutes? Leave is granted. House Bill 643, Senator D'Arco. Senator D'Arco on the Floor? 643. House Bill 663, Senator Barkhausen. Read the bill, Mr. Secretary, please. Senator Chew, for what purpose do you arise?

SENATOR CHEW:

On yesterday in our debate on some bill, I don't recall what it was, but on reflection, I said to Senator Grothberg

HB 663
2nd Reading

just in jesture that we should use the lethal injection on him. Let me say to Senator Grotberg and the rest of my colleagues, that was all said in jest, and I'm certain no one took it as anything else, but in reflection, it should not have been said, and I want to apologize to the entire Body for having said it.

PRESIDING OFFICER: (SENATOR BRUCE)

All right, we're on House Bill 663 with Amendment No. 1. Senator Barkhausen. Oh, read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 663.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Barkhausen.

SECRETARY:

No...no committee amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

No committee amendments. Are there amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Barkhausen.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Barkhausen in recognized on Amendment No. 1.

SENATOR BARKHAUSEN:

Mr. President and members of the Senate, Amendment No. 1 is the result of discussions that took place between me and Senator Berman, and representatives of the Secretary of State's Office, and representatives of the securities industry to try to reach a compromise, and the bill is...is modified only in...in a few respects by this amendment. The amendment, first of all, delays the effective date of certain provisions of the law, those would...those which delete

the...the merit review provisions of the securities law, those provisions of the law are delayed from January 1 to July 1, 1984. Secondly, the amendment deletes power given by the original bill to the Secretary of State's Office to add new exemptions by rule. It was felt that that power granted to the Secretary of State went...went too far, and so that is deleted. And secondly, a...the amendment restores a limitation on...on commissions that may be received in the case of private offerings. The...the original limitation was...was fifteen percent and that had been deleted by the bill, and so a limitation is restored, and the limitation is now twenty percent rather than fifteen percent which was in the pre-existing Statute. I would move the adoption of the amendment.

PRESIDING OFFICER: (SENATOR BRUCE)

Motion is to adopt Amendment No. 1. Discussion? Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I rise in support of Amendment No. 1. It represents, as Senator Barkhausen has indicated, many hours of discussions. I want to acknowledge the fine cooperation of the Office of the Secretary of State, the sponsors of this bill...the bill was heard in a subcommittee and moved out without amendments because of time crunch from the Finance Committee. A lot of time has been spent, I think that this represents a reasonable compromise between...the consumers interests and the industry in the securities field, and I would urge an Aye vote on Amendment No. 1.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Further discussion? The question is on the adoption of Amendment No. 1. Those in favor say Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

All right. Just hold on. The Secretary doesn't have any further amendments. Senator Chew, for what purpose do you arise?

SENATOR CHEW:

Just a point of personal privilege, Mr. President. Former Senator Fred Smith, the husband of our gorgeous female Senator over here, was in surgery yesterday in Chicago, and it has just been brought to my attention that he's out of surgery and doing fine, expected to return home very shortly and I just thought that maybe we would like to offer congratulations on his successful surgical procedure.

PRESIDING OFFICER: (SENATOR BRUCE)

Very good. Happy to hear that he's recovering well. Amendments, Mr. Secretary?

SECRETARY:

Yeah, Amendment No. 2, by Senator Demuzio.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Demuzio is recognized. May we have some order, please. Senator Demuzio.

SENATOR DEMUZIO:

Thank you, very much, Mr. President and Ladies and Gentlemen of the Senate. House Bill 663 has been described in the media as the vampire bill of the Session. Hopefully, Amendment No. 2 will take some teeth out of this...this bill. Amendment No. 2 would give the securities commissioner the ability to require escrow in of certain securities to the same degree that is currently allowed under our laws. The securities commission...commissioner would also be allowed to refuse to register any securities if there are conditions affecting the soundness of the securities so that such sales would be inequitable or would work to trend...or trend to

work to fraud or deceit. What the effect of this amendment does, it reinstates the two merit standards that are available to the Illinois Securities Commissioner for use in his discretion to protect Illinois investors. The amendment would not affect the deregulation of registering the securities in the State. The securities commissioner would make judgments based on information disclosed in the prospectus. He could not require additional information, and this would not impose an undo regulatory burden on the issuers of new securities. The amendment would not prevent new corporations from issuing their securities in Illinois, if...if their corporation was in the developmental stages, as long as the corporation was willing to escrow a portion of its stock and share in the risk. I would move adoption of the amendment.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is adopt Amendment No. 2. Discussion? Senator Barkhausen.

SENATOR BARKHAUSEN:

Well, Mr. President and members of the Senate, there are...there are a number of problems with the amendment, and I would ask those who have been active in the...the others in addition to Senator Demuzio who have been active in the deliberations on this bill to...to pay attention. I think it's important to resist the amendment for a couple of reasons. First of all, and most fundamentally, this section which is proposed to be added which would largely restore the merit review function of the securities division of the Secretary of State's Office is in conflict with...with the...the amendment already adopted which...which changes the effective date for the deletion of the merit review requirement and that's...that's Section 5. But more importantly, the thrust of the bill, as amended itself, is to...is to go to a full disclosure requirement for securities offering so that the public has...has full knowledge of...of the nature

of an offering but to otherwise get the Secretary of State out of the...out of the business of trying to determine offerings which are "equitable" because of the difficulty of...of having anybody apply...fair standards...fair and objective standards in trying to...to make that determination. For that reason, this...this amendment is a step backward and it would actually retard the...the...and obstruct the ability of...of those seeking to raise capital in Illinois which is why we're offering this bill in the first place. It's why the Chicago Tribune and Sun Times have editorialized in favor of it. It's why you've seen discussions on the business pages of both of those papers in the last few days discussing the difficulty of...of a company known...called Am-Gen which the State of Illinois is...is trying to lure into it's high tech research park at the Chicago Circle Campus of the University of Illinois, and to...and to basically reinstitute or reimpose the...the basic merit review provisions of the 1953 Securities Act by means of this amendment blocks what we are attempting to do by House Bill 663, and all of those who have expressed support for House Bill 663, I would...encourage you to vote against this amendment and I would ask for a roll call, Mr. President.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Further...Senator Welch.

SENATOR WELCH:

Question of the sponsor of the amendment.

PRESIDING OFFICER: (SENATOR BRUCE)

Indicates he will yield. Senator Welch.

SENATOR WELCH:

Senator, what do you mean when you say the company has to put a certain amount of stock in escrow pending the sale? Is that what you said? How much?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Demuzio.

SENATOR DEMUZIO:

That is correct, so that they too share in the risk.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Welch.

SENATOR WELCH:

Well, what percent of their total offering has to be in escrow?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Demuzio.

SENATOR DEMUZIO:

That is determined by the...the commissioner.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Welch.

SENATOR WELCH:

So, once again, we get back to the Secretary of State and other groups determining beforehand the value of the stock, is that what we're doing? Whether the...whether it's a worthy offering, is that what the purpose is?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Demuzio.

SENATOR DEMUZIO:

We're just restoring the...the process to...to the way it is now.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Welch.

SENATOR WELCH:

Well, I would rise then to speak in opposition to this amendment. I think that it's about time Illinois entered into the twentieth century. I think that the people of the State of Illinois had been protected for the last thirty years by the blue sky laws, and what it has done has...while it has served some purpose protecting consumers, I think it is time that we realized that people should be able to take

care of themselves. I think that we need a change in the law in the State of Illinois so that we can be in competition with markets like New York and California, and I think that this is a bill that can bring Illinois into...into a new field, into the twenty-first century, and I would oppose this amendment. Thank you.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President and members of the Senate. I rise in opposition to this amendment, and let me just point out that while the sponsor of this amendment intends to put what he calls merit review back into the law, the fact is that we have merit review now and it isn't working. There are only seven people in the Secretary of State's Office now that's responsible for this function. The commissioner is doing the very best under extremely difficult conditions to administer the law as is. What the proposed law that has been offered by the Secretary of State and what...which we're considering in this General Assembly does, is as Senator Welch says, bring us into the twentieth century. It's about time we do that, resist this amendment and get this bill on to 3rd reading where we can all support it. Thank you.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Egan.

SENATOR EGAN:

Yes, thank you, Mr. President and members of the Senate. I rise in opposition to this amendment. Senator Demuzio, not only have you taken the teeth out of the vampire, you've torn off his wings and his legs and...and whatever devices he uses to fly or...or otherwise render himself mobile, but the...the underlying bill is a good thing. It's a good concept. It...it is as Senator Welch says, bringing us into the twentieth century and, consequently, I rise in opposition to the

amendment also.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Demuzio...further discussion? Senator Demuzio may close.

SENATOR DEMUZIO:

Well, thank you, very much, Mr. President. In regards to some of the speakers that have referred to California, I would point out that...California has a...a form of merit review just as we do here in Illinois. In terms of bringing us into the twentieth century, would like to point out that only thirteen states...only thirteen states allow securities to be sold in their state without some state review. The states that do not provide for some type of review have experienced considerably more investor fraud than those states that do have state review. This has been proven by objective studies conducted by well-respected universities; one as recent as six months ago that was conducted by the University of Iowa and published in the Journal of Corporate Law. These studies are not subjective conclusions thrown around like those that the proponents of this bill have...have...have done. This amendment will not prevent, Senator Barkhausen, new corporations from issuing their securities in Illinois, such as Am-Gem. If their corporation was in the developmental stage, as long as that corporation was willing to escrow a portion of its stock and share in the risk, why should a promoter that has a good idea be unwilling to share in the risk if he's confident in his product? And I would like to point out for the record that the Commission on Uniform State laws is currently rewriting a uniform securities law which is due to be completed by mid 1984. Their current draft calls for some forms of merit standards, and the individuals that are drafting this uniform law are recognized experts in their field and represent every state in this nation. I move adoption of Amendment No. 2.

HB 716
2nd Reading

PRESIDING OFFICER: (SENATOR BRUCE)

Motion is to adopt Amendment No. 2. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 16, the Nays are 31, 1 voting Present. The motion to adopt is lost. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

3rd reading. House Bill 716, Senator DeAngelis. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 716.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

Are there amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator DeAngelis.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator DeAngelis is recognized on Amendment No. 1.

SENATOR DeANGELIS:

Thank you, Mr. President. Amendment No. 1 deletes the contents of the original bill, and what it does is changes the mileage requirement for the definition of competition for forty-five to thirty-five miles. This does it only till September 10th of this year and only affects one race track, Balmoral Race Track in my district. Senate Bill 708 was introduced in the Insurance Committee and was voted down because there was conflicting testimony, and I have to tell you that I was quite displeased with the exaggeration put out by the opponents of this bill. However, by putting this amendment in and sunseting this out on September 10th of

this year, we will, in fact, determine the truth. This race track is in serious economic problems. It is a track that has not operated profitably. It is one of the major industries of Eastern Will County. It has been treated somewhat as a stepsister, and if the opponents of this bill are correct, they have no fear, this sunsets out on September 10th. If they are incorrect, we will return with it again next year. This is just a chance to get at the truth.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. The first inquiry will be concerning the germaneness and I would ask for a ruling of the Chair. It's my understanding that this bill amends Chapter 8, and the proposed amendment to the bill would amend Chapter 37 of the Illinois Revised Statutes:

PRESIDING OFFICER: (SENATOR BRUCE)

Senator, on the germaneness question, let us have a chance to take a look at it, but...but did you have comments on the...on the amendment itself?

SENATOR D'ARCO:

Yes.

PRESIDING OFFICER: (SENATOR BRUCE)

All right. Proceed, Senator D'Arco.

SENATOR D'ARCO:

All right. Thank you, Mr. President. This bill was given a hearing in the Senate Insurance Committee and the bill was voted down. The proponents of this bill apparently desired to relinquish from the Illinois Racing Board all authority concerning the rights of the board to determine the racing dates of the various racing tracks in the State of Illinois. It is...their function to set the dates for the various tracks. If this bill passes there will be a conflict of dates between Balmoral and Sportsmen Park. The Racing Board

made the decision to not have something like that take place and chose different dates to appease both Balmoral and Sportsmen. We would be usurping their authority if we passed this bill. I heartily seek the vote against this bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Sangmeister.

SENATOR SANGMEISTER:

Yes, I rise in support of this amendment. Obviously, we are once again getting ourselves, of course, involved in the area of which tracks are going to do what in the State of Illinois, and I basically agree that that does belong with the Racing Board, that's what we have them for; but again, Balmoral Track, which this would apply to, is in Will County and I think that they have been unfairly treated in this matter, and I would respectfully ask on this side of the aisle any of you that can support us on this amendment, I'd appreciate it. Thank you.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President and members of the Senate. I also rise to support the...Senator DeAngelis' amendment. This is only a one-year trial period is all were asking for. There is...a great many jobs involved in this and this only impacts Sportsmen's Park. You know, I've supported the small race tracks in Illinois because they need help, and right now Balmoral Park needs help and I very much...strongly request that you help us by giving us this opportunity for just one year, and we know it's going to work out and that it won't affect Sportsmen's Park or anyone else when it gets down to it. Thank you.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? The Chair...Senator D'Arco and Senator DeAngelis, if I might have your attention, the...the

question has arisen as to the germaneness of Amendment No. 1 to House Bill 716. The Chair has had a chance to review both the content of the original legislation which dealt with the feeding of garbage and the parts...the use of the parts of animals in the feeding of garbage to other animals and the amendment, under the quick reading of the Chair, deals with racing dates of race horses, and under the decision that to be germane an amendment must be in some way involved with the question that is raised by the bill to which it is to be attached. It would be the ruling of the Chair that the amendment is not germane. Senator DeAngelis.

SENATOR DeANGELIS:

Well, for the record, Senator D'Arco was in error. This bill does not amend Chapter 37, it amends Chapter 8. Now, I want to tell you, since I have been in the General Assembly, I have never seen an amendment ruled nongermane that in fact amends the same chapter. What you're doing right now is plowing some new ground, and I intend to appeal that ruling for that purpose. I don't want to be an obstructionist but when the President rules contrary to the rulings that I have seen in five years in the General Assembly, I, in fact, believe I should appeal that ruling.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator, you're within your right and I believe that it...it is certainly a close call. It is within the same chapter. Senator D'Arco.

SENATOR D'ARCO:

You know, the fact of the matter is that this gentleman deleted everything after the enacting clause, had a proper hearing in the Senate Insurance Committee and the bill was defeated. So, who's playing games is a...is a question of...of whose ox is being gored here. So, don't give us the nonsense about since I've...been here in the General Assembly.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator DeAngelis, do you...do you continue in your appeal?

SENATOR DeANGELIS:

Yes. I might also point out that the bill has been altered since the bill that was in the committee also.

PRESIDING OFFICER: (SENATOR BRUCE)

All right. The question is, shall the ruling of the Chair be sustained. Those in favor of sustaining the ruling will vote Aye. Those opposed to sustaining the ruling will vote Nay. The voting is open. It will require a three-fifths negative vote to overturn the ruling of the Chair. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 23, the Nays are 26, none voting Present. Having failed to receive the necessary three-fifths negative vote, the appeal fails and the ruling of the Chair is sustained. While Senator Demuzio was presiding, we went over House Bill 563...are there further amendments on House Bill 716?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

3rd reading. Senator Demuzio sought leave to return to...his two bills when he was no longer presiding. At the bottom of page 45 is House Bill 563. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 563.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

Are there amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Demuzio.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Demuzio...may we have some order, please. May we have some order, please.

SENATOR DEMUZIO:

Thank you, very much, Mr. President and Ladies and Gentlemen of the Senate. This amendment changes House Bill 563 substantially. Actually what it does, it simply allows tenured teachers the opportunity within a five-year period to have any right to any position in their own district but it mandates that they must have and maintain...with the board a current application for reappointment to teaching positions, and they have to keep the board informed as to the current place of address and keep their qualifications in order. I would move adoption.

PRESIDING OFFICER: (SENATOR BRUCE)

Moved...Senator Demuzio has moved the adoption of Amendment No. 1 to House Bill 563. On the motion, discussion? Those in favor say Aye. Opposed Nay. The Ayes have it and Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No...no further amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

3rd reading. House Bill 564, Senator Demuzio. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 564.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

Are there amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Demuzio.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Demuzio is recognized on Amendment No. 1.

SENATOR DEMUZIO:

Yes, this amendment deletes the provision from the original bill requiring accumulated sick leave from all employees...employers to be used from service credit in lieu of the present language. The last employer...employer only. It increase the maximum year of...of service credit to one year from one-half year. It's similar to House...Senate Bill 569 which passed the Senate 49 to 7. I would move adoption of Amendment No. 1 .

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Demuzio, I believe you may have explained Amendment No. 2 rather than 1, the Secretary informs me. If we...you have two amendments?

SECRETARY:

Senator Demuzio, the one amendment that I had first amendment...was short amendment, it says by:...on page 6, by deleting lines 28 through 34 and by deleting line...or page 7 and 8.

PRESIDING OFFICER: (SENATOR BRUCE)

All right, Senator Demuzio has adopt...moved the adoption of Amendment No. 1 to House Bill 564. On...on the motion to adopt, those in favor say Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Senator, that is the amendment that you explained. We do have a second amendment, however. Senator Demuzio.

SENATOR DEMUZIO:

Just...just withdraw that amendment.

PRESIDING OFFICER: (SENATOR BRUCE)

All right, the amendment is withdrawn. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

3rd reading. House Bill 717, Senator Rigney. Is Senator

Rigney on the Floor? House Bill 814, Senator Maitland. Read the bill, Mr. Secretary, please. 814.

SECRETARY:

House Bill 814.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

Are there amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

3rd reading. House Bill 888, Senator Schaffer...or Senator Sommer, rather. House Bill 932, Senator Newhouse. Community education programs. 1029, Senator Buzbee. 1054, Senator Kelly. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 1054.

(Secretary reads title of bill)

2nd reading of the bill. Committee on Agriculture, Conservation and Energy offers one amendment.

PRESIDING OFFICER: (SENATOR BRUCE)

Are there amendments from the Floor? On the...on the committee amendment, Senator Demuzio.

SENATOR DEMUZIO:

Yes, thank you, very much, Mr. President. The Committee Amendment No. 1 would ban dispose of liquids in landfills unless the generator is granted a variance in the Pollution Control Board. It reinserts the original language of Senate Bill 171 which bans landfilling of all hazardous waste by 1987 unless not...economically or technologically reasonable, and it builds in the process that's established in House Bill 1054 to insure implementation of the current law. I move the adoption of Amendment No. 1.

PRESIDING OFFICER: (SENATOR BRUCE)

Motion is to adopt Amendment No. 1. On the motion, those in favor say Aye. Opposed say No. The Ayes have it. Amendment No. 1 is adopted. Further...Senator Kelly, did you wish to comment on that amendment? Senator Kelly.

SENATOR KELLY:

Well, Mr. President, I was just going to point out that there was some opposition to the amendment in committee, and the concern was that the date was being moved...moved up and that some of these firms may have a difficulty in making that...making that date.

PRESIDING OFFICER: (SENATOR BRUCE)

All right. For what purpose does Senator Weaver arise?

SENATOR WEAVER:

I was trying to get your attention for a roll call on that amendment...on the last one that you declared adopted, Amendment No. 1.

PRESIDING OFFICER: (SENATOR BRUCE)

The Chair will honor that request. We...normally if we get into controversial amendment that's a declared adopted we'll go back and if we have a request. All right, the question is on...Senator Demuzio, did you wish to close now that there seems to be some discussion? Senator Demuzio.

SENATOR DEMUZIO:

Yes, I do. Thank you, very much, Mr. President and Ladies and Gentlemen of the Senate. Obviously, this amendment is of some controversy this morning...this committee amendment. This amendment makes only one change, it advances the date by six months for which liquids will be kept from landfills and...imposes a different standard. The remaining changes in this amendment really don't make any substantive changes. It does speed up and keeps the language of Senate Bill 71 that this Legislature passed two years ago to mandate that business and industry in this State become responsible for what they do with their toxic and hazardous materials. If

this amendment is not adopted, we will severely weaken the language that we have already put into the Statute, severely weaken the fact that Illinois has led the nation in that language, and I would move adoption of this amendment.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Rigney. Well...

SENATOR RIGNEY:

Are we closing or not?

PRESIDING OFFICER: (SENATOR BRUCE)

No. Senator Rigney, go right ahead, and if you make a comment, I'm sure Senator Demuzio will comment on it. Senator Rigney, if you would keep the comments brief, I think...

SENATOR RIGNEY:

Okay. I...I thought perhaps the sponsor would make note of the fact of what is contained in the amendment. I recognize the fact that he is not particularly happy about having this particular amendment added on. Keep in mind that the legislation itself moves up the timetable a total of two years, that's prior to the amendment. Now, the amendment is going to advance that another six months, set up the...set forward the time for regulations to be developed. I think that's unfortunate that we are moving it up to the point where there's a question as to whether or not all of these various timetables can be met and reasonable regulations and rules can be developed. Now I know it's sometimes rather futile around here to speak against anything that's proposed in the name of controlling hazardous waste but there comes the point where I think we've got to ask ourselves whether or not we are being reasonable. I think the bill, as I said, that sets up the whole timetable two years is enough in itself. I don't think we need to...to try to make the...the bill unreasonable at this particular juncture.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Further discussion? Senator Demuzio,

did you...did you wish to briefly respond and close?

SENATOR DEMUZIO:

Well, respond or close or close?

PRESIDING OFFICER: (SENATOR BRUCE)

Well, when there wasn't any controversy, no one really was listening to your opening comments...I perceived what you were saying was explaining it, now you are closing.

SENATOR DEMUZIO:

Thank you, Mr. President. In response to Senator Rigney, let me point out that we are...we don't do anything at all with solvents. Doesn't it...doesn't change at all the ban on liquid solvents...by January the 1st, 1984...'85 or the regulatory implementation process. What it does...the amendment does, it...it does move up the date by six months for liquid. The industry, the EPA and everyone has admitted to the...the extent that the technology is available. It does not impair or bring about any undo hardships upon the industry in this State. Industry doesn't want this amendment on. The Chamber of Commerce has lobbied against it. The Illinois Manufacturers have lobbied against it. If you want to weaken Illinois' environmental law, then you do not want to vote for this amendment. I suggest to you, Ladies and Gentlemen, that if we...if this amendment does not go on, that we, in fact, will weaken Illinois' environmental position that we have taken for two years. Everyday we see newspapers that are filled with materials about...toxic and hazardous waste, and we in Illinois have been a leader. The adoption of this amendment will help us to stay there, and, Mr. Chairman...or, Mr. President, I would move adoption of Amendment No. 1 to House Bill 1054.

PRESIDING OFFICER: (SENATOR BRUCE)

Motion is to adopt Amendment No. 4 to House Bill...Amendment No. 1 to House Bill 1054. On the motion, those in favor will vote Aye. Those opposed will vote Nay.

The voting is open. (Machine cutoff)...voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 30, the Nays are 25. Amendment No. 1 to House Bill 1054 is adopted. Further amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

Amendments from the Floor?

SECRETARY:

Amendment No. 2 offered by Senator Demuzio.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Demuzio on Amendment No. 2.

END OF REEL

REEL #2

SENATOR DEMUZIO:

It's a technical amendment, all it does is to clean up Amendment No. 1 that was adopted and I would move adoption. It is not of any controversial nature.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is to adopt Amendment No. 2. On the motion, discussion? Discussion? Those in favor say Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

3rd reading. Senator Laura Kent has brought some very special guests from Girl's State to talk to us this morning and have them introduce...Senator Laura Kent.

SENATOR KENT:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. It is my...privilege today to introduce to you the girls from Illini State Girl's State. It is a week-long affair in Jacksonville, Illinois and it's held at McMurray College. And I'd like to briefly read to you a part of their creed from the Girl's State Creed. "Knowing that tomorrow I will be one who will help to guide the destinies of my country, I shall bear in mind that I must be fitted to assume the duties of citizenship and that I, the same as others before me, must consider that there are others to follow me who...who as they are to enjoy the kind of world that I am enjoying must have that kind of world waiting for them. Thus, anything I do today to destroy the rights, privileges and liberties of others is unfair and selfish. These things I do not wish to do; therefore, I will try to be considerate,

honest and decent so that others may live as freely as I am living today and in the future." I would like to introduce to the girls,...and do a mock government. So, from the Federalist...Party, we have Julie Switzer from Belvidere, you want to raise your hands girls so you can see. From the Nationalist Party we have Tammy Bailey from Louisville. For Lieutenant Governor from the Federalist Party we have Lisa Marie Dottiman from Roscoe. From the Nationalist Party we have Jean McClintock from Dixon. For Attorney General we have, from the Federalist Party, Michelle Malindez from Kewanee; from the Nationalist Party, Denise Cardoe from Amboy. Secretary of State, Federalist, we have Julie Crismanic from Joliet; Nationalist Party, Terry Cardwell from...Waukegan. For Comptroller, Annie N. Odendahl from Monmouth, Tammy Ward from Rushville. For the State Treasurer we have Melissa Mateal, Oswego...Oswego, sorry, Pamela Jennings from DeLand, I haven't heard of that one. Okay, and for the President of the Senate we have Ann Hopies from Roscoe and Speaker of the House, Mary Stoltzer from Tuscola. The party leaders are Susan...Milleran from Morris and Julie Rapp from Peoria. Will you welcome the Illini Girl's State.

ANN HOPIES:

(Remarks given by Miss Hopies)

PRESIDING OFFICER: (SENATOR BRUCE)

Just commenting that the two candidates for Governor were certainly more attractive than the Governors that we voted on last November so we wish them both good luck. Senator Demuzio, the...the Secretary informs me that on...on your bill 564 that there was an amendment that we should have adopted, and if we could go back to that it would help the Enrolling and Engrossing. Senator Demuzio asks leave of the Senate to return to 564, which is now on the Order of 3rd Reading, we just considered a few moments ago, return that bill to the Order of 2nd Reading for the purpose of adopting

an amendment. Is there leave? Leave is granted. Senator Demuzio on Amendment No. 2.

SENATOR DEMUZIO:

Thank you, very much, Mr. President. Amendment No. 2 would exempt the...would eliminate the States Mandate Act exemption, and it's not applicable in this case and that was an amendment that was put on by the committee or requested of the committee, I understand and I would move adoption.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is to adopt Amendment No. 2. On the motion, those in favor say Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

3rd reading. House Bill 1100, Senator Marovitz. May we have some order, please. If we can have some order. It's going to be a very long day. We still plan to take a break for lunch at approximately twelve-thirty, if we're making progress on the Calendar. So, if we can move along. 1100, Senator Marovitz. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 1100.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Marovitz to explain Committee Amendment No. 1.

SENATOR MAROVITZ:

Mr. President, despite lack of any opposition on this very noncontroversial bill, I would ask leave of the Body to rerefer this bill to the Committee on Insurance for the purpose of putting it in an interim study.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is to recommit the bill to the Committee on Insurance. On the motion to recommit, those in favor say Aye. Opposed Nay. The Ayes have it and the bill is recommitted to the Committee on Insurance. House Bill 1101, Senator Bloom. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 1101.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

Are there amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

3rd reading...3rd reading. House Bill 1138, Senator Bloom. Read the bill, Mr. Secretary, please.

SECRETARY

House Bill 1138.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

Are there amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Bloom.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Bloom on Amendment No. 1. May we have some order, please. Senator Bloom.

SENATOR BLOOM:

Thank you, Mr. President and fellow Senators. Amendment No. 1...this bill, as you can see, amends the Environmental Protection Act, and the way the Environmental Protection Act tracks with the Administrative Procedure Act there is sometimes a cumbersome delay between the proposal and adoption of regulations. This amendment would speed things up. I'll

answer any questions; otherwise, I'd seek its adoption.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is to adopt Amendment No. 1. Discussion of the motion? Those in favor say Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

3rd reading. Is there leave to return to 1178 and 1182? Leave is granted. House Bill 1187, Senator Berman. Senator Berman. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 1187.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

Are there amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Berman.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Berman, I...

SENATOR BERMAN:

...how many others do you have? Do you have three others?

SECRETARY:

I have two others. I have one more from you which is a large amendment and then I have one from Senator Etheredge and Maitland.

SENATOR BERMAN:

All right. I...I believe they're filed in the wrong order. Etheredge's was first and then come my short one and then my long one.

SECRETARY:

Amendment No. 1 offered by Senator Etheredge.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Etheredge.

SECRETARY:

And...and Maitland.

PRESIDING OFFICER: (SENATOR BRUCE)

May we have some order, please. Senator Etheredge, did you wish to withdraw your amendment? All right. If...if we might have some order, please. We're certainly happy to have our guests here, but we will also have to transact our business; and if you can kind of take our conferences on off the Floor, we'd be happy to do so and continue with our discussion. Senator Etheredge on Amendment No. 1.

SENATOR ETHEREDGE:

Mr. President, Ladies and Gentlemen of the Senate, this amendment is a very simple one. What it does is to grandfather-in school consolidation work now in progress and through some oversight, I presume, there was no grandfather clause wrapped into this bill as it is being presented. And so...my thrust of my amendment is to...is to protect the work that has now been going on that will lead, hopefully, to schools consolidation. I would ask for your favorable vote.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? Senator Berman.

SENATOR BERMAN:

Well, thank you, Mr. President, Ladies and Gentlemen of the Senate. I rise...

PRESIDING OFFICER: (SENATOR BRUCE)

May we have some order, please. I'm sorry, we're going to have to just take all the conferences off the Floor. If we can clear the aisles. We are always happy to have our House members come and join us, but if we will take our conferences off the Floor we will do our work in a more orderly fashion. Senator Berman on Amendment No. 1.

SENATOR BERMAN:

Thank you, Mr. President. I rise in opposition to Amendment No. 1. As the sponsor of House Bill 1187, Senator Etheredge did come to me and discuss making this bill prospective only. Allow me to just give you a short history of this. The...the...the bill was introduced in the House and the House amended it in a way that it would affect all pending matters involving school consolidation. In...after my conversation with Senator Etheredge, I've investigated a number of areas in which there are pending matters involving school consolidation. After my investigation, I have prepared and filed what will be Amendment No. 2. Unlike Amendment No. 1, Amendment No. 2 selectively makes the bill apply to some pending matters and to some matters which are so far down the road in their procedures that it would be inequitable. They grandfather those...those proceedings in. Therefore, I think in order to be fair to a number of constituencies throughout the State that have spent a lot of money and a lot of time and are well along in their consolidation procedures, I think it would be unfair to blanket all of those in, certainly as to those that have just started, I think it would be unfair to allow them to...to move where they've just started, to move so far down the road under the old law when we have this substantially better new law. Accordingly, I stand in opposition to Amendment No. 1 to House Bill 1187.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Maitland.

SENATOR MAITLAND:

Well, thank you, very much, Mr. President, Ladies and Gentlemen of the Senate. I rise in support of Amendment No. 1 to House Bill 1187. This particular piece of legislation covers a lot of work by a lot of people attempting to encourage school district reorganization. Senator Etheredge is advancing an amendment here that addresses all the areas who

now have consolidation work in progress. You must understand that there is a small turf problem here, and if you want to turn school districts off who are now in the process of reorganizing on their own and have spent literally thousands and thousands of dollars moving in that direction then vote against this amendment. If, on the other hand, you believe in local control, local school districts setting about the task of reorganizing now and doing it on their own and then closing the door on them with this particular piece of legislation, I think is wrong. This amendment is one that is very important to Senator Etheredge, and this amendment will cover, indeed, other areas in the State that are extremely important to a lot of you who aren't even aware of it. This amendment should be adopted and I urge certainly the members on this side of the aisle to vote in the affirmative.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Further discussion? The question is, on...Senator Etheredge, you may close.

SENATOR ETHEREDGE:

Thank you, Mr. President. As Senator Maitland has pointed out, I am, by means of this amendment, trying to protect six years, six years, of work leading toward the consolidation of five school districts. I think it is irresponsible on our part not to protect this kind of work and effort that has gone on over such a long period of time. I ask you to...to support the addition of this amendment to House Bill 1187.

PRESIDING OFFICER: (SENATOR BRUCE)

All right. The question is on the adoption of Amendment No. 1. Those in favor will say Aye. Those opposed...those opposed will say Nay. Oh, all right, there's been a request for a roll call. The question is on the adoption of Amendment No. 1. Those in favor will vote Aye. Those opposed

will vote Nay. The voting is open. (Machine cutoff)...all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 27, the Nays are 32. The motion to adopt is lost. Further amendments?

SECRETARY:

Amendment No. 2, by Senator Berman.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Berman is recognized.

SENATOR BERMAN:

Thank you, Mr. President. Amendment No. 2 is a grandfather clause. It is not as broad as Senator Etheredge's. What it has tried...what we're trying to do is to indicate that those proceedings that have moved substantially along pursuant to Article VII will not be precluded by this new law. Everything else will be...I'm sorry, not Article VII, Section 7 and Article VII, that those would not be precluded by the passage of this bill. Again, much the same argument applies to this as to the first amendment and that is cases that not only have moved beyond the petition stage but in situations are in litigation well down the road...they should not be precluded and have to start from point number one in moving towards consolidation. I urge the adoption of...Amendment No. 2.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is to adopt Amendment No. 2. Is there discussion of that motion? Discussion? Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President and Ladies and Gentlemen of the Senate. I rise in opposition to Amendment No. 2 to House Bill 1187. This is one of the biggest examples of political maneuvering to destroy for political reasons what school districts have attempted to do on their own. This amendment...the adoption of this amendment should

make headlines. And we...we should be criticized and chastised if this amendment goes on for picking and choosing those districts that we want to have consolidations and those that we don't. It makes a mockery of the system and we should be ashamed of ourselves. I rise in strong opposition to Amendment No. 2.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Further discussion? The question is on...Senator Berman, did you wish to close? The question is on the adoption of Amendment No. 2. Those in favor say Aye. Opposed Nay. There's been a request for a roll call. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 31, the Nays are 27. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

Amendment No. 3, by Senator Berman.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Berman is recognized.

SENATOR BERMAN:

Thank you. As we indicated, this bill deals with the consolidation of school districts. The...this amendment submitted by the State Board of Education that makes a number of changes, I don't think there is any...debate between staffs or between the leadership as to...that have evaluated it. I move the adoption of Amendment No. 3. This is the State Board's amendment.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is to adopt Amendment No. 3. Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President. It's been suggested that...that even though I support the amendment I should

argue it anyway, but I'm...I'm not going to do that. I don't know whether I'm going to vote for this bill now or not because I...I, although I'm a cosponsor, but I do rise in support of the agreed amendment.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is to adopt Amendment No. 3. On the motion, those in favor say Aye. Opposed Nay. The Ayes have it. Amendment No. 3 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

3rd reading. 1182, Senator Davidson, did you wish to call that now? Senate...we ask leave to return to that bill a moment ago and leave was granted...House Bill 1182, Mr. Secretary, please.

SECRETARY:

House Bill 1182.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

Are there amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Davidson.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Davidson on Amendment No. 1.

SENATOR DAVIDSON:

Mr. President and members of the Senate, we started to discuss this amendment last week when there was a request asked to take it out of the record 'cause some other people wanted to apparently try to pony-on amendments to my bill. This amendment is a amendment by the School Problems Commission which proposes to have a limited hold-harmless for school districts with Title I counts. As most of you know, due to the way they changed the Title I description or

Chapter I from 1970 to the 1980 count by the Federal Census Bureau, a number of districts lost numbers of students that come under that category. And what this amendment will do for this school year only, '83-'84, the school districts may use the greater of one of two things which will do the most good for them financially. One, they may use the 1980 Title I count if they make out best that way, or they can use...eighty-five percent of their 1970 Title I count. And this will change the guaranteed EAV figures to produce one thousand seven hundred and fifty-five dollars per foundation level. And if we change the appropriation in our wisdom between now and sometime in July, it will fluctuate automatically due to what we have done in the past to correct that and we won't have to come back and do anything about that. And it changes the word, Title I reference to...Chapter I under the new description Federal lines. Move the adoption of the amendment.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is to adopt Amendment No. 1. Discussion?
Senator Berman.

SENATOR BERMAN:

Thank you. Mr. President and Ladies and Gentlemen of the Senate, I would suggest that we pay a little attention because...although Senator Davidson says that, and he's correct, this is his bill, it happens to deal with something that touches all of us and that's the School Aid Formula. I have filed Amendment No. 2, and let me tell you the difference between Amendment 1, Amendment 2 and what the bill is...what both these amendments are about. The Federal Government in the allocation of what used to be called Title I, now it's called Chapter I, I don't understand the Federal Government and why they changed it, but let's use the word Title I so that we all have the same frame of reference. We're talking about economically disadvantaged children, and

throughout the State, most of the school districts get some money under the School Aid Formula for Title I kids. Because the Federal Government changed their formula, the Federal allocation of Title I money...Federal allocation of Title I money has been changed from the 1970 census to the 1980 census. Some school districts under that program are helped; many school districts are hurt. Both Senator Davidson's amendment, which is under consideration now, Amendment No. 1, and my amendment, Amendment No. 2, are to try to address the impact of this Federal change. Senator Davidson is suggesting a formula which allows school districts to use either the 1980 count or eighty-five percent of your 1970 count. Now, Ladies and Gentlemen, I would suggest to you that this figure of eighty-five percent comes from the School Problems Commission, a commission that I'm proud to serve as vice-chairman and I've served on for many years. But I must...tell you that there is nothing magical about the figure eighty-five percent. They could have picked seventy-five percent; they could have picked fifty percent; they could have picked zero. Senator Davidson is recommending this formula that says eighty-five percent of your 1970 Title I count. Let me tell you what this does, and I've got printouts here for every district in the State. Some districts, I want you to know, some districts benefit under the Davidson amendment; many districts are hurt dramatically and let me tell you a couple of them. First of all, this amendment results in a shift of twelve million dollars, a shift of twelve million dollars. Some school districts are going to gain and some school districts are going to lose. One of the big losers is Chicago, under this formula. Chicago loses 4.7 million dollars under the Davidson amendment. My friends from the collar counties, my colleagues on the other side of the aisle, may I call your attention, the collar counties as a whole lose three and a half million dollars under this pro-

posal. Other large school districts downstate that lose funds or don't have any change, are Decatur, Granite City, Alton, Normal, Peoria, Belleville High School and East St. Louis. You do not...those school districts do not benefit by Amendment No. 1. Now you say...to me, what if I vote against Amendment No. 1, where do I go? Well, Amendment No. 2 says, and it's a simpler straight-up approach, you will have the choice, not of a manipulative formula which says eighty-five percent, but you'll have what you had before. You can take either one of the 1970 count or the 1980 count, whichever one is better for you. I think that is a fairer, sounder, more reasonable approach than a manipulated formula at eighty-five percent of 1970. I don't know...what's so magical about that number. I would urge a No vote on Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Buzbee.

SENATOR BUZBEE:

Yes, Mr. President. First of all, Mr. President...Mr. President...Mr. President, you're part of our problem this morning, because you're talking like everybody else is and nobody can hear. This is probably the most...the second most important thing that we will have coming before us this Session and nobody knows what's going on, at least I haven't. I've been trying to listen very intently to Senator Berman and Senator Davidson and I can't hear. Why don't we get a little bit of order first, and...

PRESIDING OFFICER: (SENATOR SAVICKAS)

...Senator Buzbee requests a little order, he's having a problem hearing this morning.

SENATOR BUZBEE:

Thank you. My hearing aid is...

PRESIDING OFFICER: (SENATOR SAVICKAS)

And obviously the microphone is not loud enough.

SENATOR BRUCE:

...my hearing aid is down.

PRESIDING OFFICER: (SENATOR SAVICKAS)

...so, will be break up those conferences in the back, Senator Bruce, Senator Johns, Senator D'Arco, Senator Berman, Senator Davidson. Would Senator Bruce's secretary...for what purpose does Senator D'Arco arise?

SENATOR BUZBEE:

Okay. Thank you...thank you...thank you, very much, Mr...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator D'Arco.

SENATOR D'ARCO:

Point of personal privilege. We are honored today to have with us the former Minority Whip of the Senate in the good old days when Tom Keene and Mayor Daley were around and he also is a former Congressman, Frank, you'll be interested to know that and so will you Charlie, Roland Libonati, Ladies and Gentlemen.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Would he stand up and be recognized, Congressman.

ROLAND LIBONATI:

(Remarks given by Mr. Libonati)

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Buzbee. And could we break up these conferences around Senator Buzbee there.

SENATOR BUZBEE:

Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR SAVICKAS)

For what purpose does Senator Grothberg arise?

SENATOR GROTHBERG:

I have a question of the Chair or of the Body and it might save some time, Senator. Not to interrupt you, but I, for one legislator, don't know the first damn thing about either one of these amendments and what they do to my

schools. I would like this whole thing taken out of the record till we get a report by legislative district on the schools in the district on both amendments and with leave of the Body come back to it at the...out of order, anything it'll take to make sure it stays on the Calendar and can be called at...at the sponsor's will, but am I alone, that's all I want to know? Am I alone? If not, I would make that request of the sponsor and...and let's get the information out.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there leave of the Body to take this out of the record? Senator Davidson.

SENATOR DAVIDSON:

With the understanding...with the understanding that everyone has seen these great gems of information that they all request. I'd hate to think of all them trees they're going to murder and nobody doesn't look at them, but with the understanding the information will be given, we'll get back to it hopefully later today and call it then. I have no problem with taking it out of the record and doing that.

PRESIDING OFFICER: (SENATOR SAVICKAS)

For what purpose does Senator Bruce arise? Senator Buzbee.

SENATOR BUZBEE:

Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

...you're recognized to speak on the amendment, now...

SENATOR BUZBEE:

Well, I...I was...

PRESIDING OFFICER: (SENATOR SAVICKAS)

...now it's changed, Senator Davidson wants to take it out of the record to allow the members to further digest the new information that will be presented.

SENATOR BUZBEE:

It's twelve minutes after eleven on the...the 23rd of June. Mr. President, had I been given the Floor like I requested, I was going to make the same request that Senator Grotberg made that I don't have any idea what either one of these amendments do, and I don't intend to vote on either one of them until I get the printout. And I'll...I'll vote No on the bill until I get the printout.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Bruce.

SENATOR BRUCE:

I would just point out to the membership on this matter that until the income tax problems are resolved, no one is going to know what these printouts are going to say. So, as you take a look at them, realize that these are all written with disappearing ink, and if this Body does not pass an income tax, the figure of a billion-four, which is in your printout, will dramatically change, and so as you look at printouts, you ought to take a look at not only the billion-four level but something in the neighborhood of a billion-two and maybe even a little bit lower than that and then you will see the real impact of some of these amendments. They do work differently depending upon the money available. So, Senator Grotberg, don't look at just one because these things don't all fall out at the same rate for your...your school districts with varying amounts of money.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schaffer. Senator Davidson.

SENATOR DAVIDSON:

Mr. President, to expedite comparison, what we're trying to do is see if it's possible that we can marry these two printouts that are proposed onto the same sheets so you could...could compare the amendment proposed by myself for the School Problems Commission and the one being proposed by Senator Berman and we're not yet sure we can do that. So,

*MSB:WSP
and meeting*

they'll either be...you'll get two printouts, you'll have to compare yourself; or if it's possible, you will get one printout and compare...one against the other.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator, why don't we just take it out of the record. We're going to the Order of Recalls so we will come back to this bill later, so just take it out of the record. Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. I was just going to inquire of Senator Bruce, if you could come up with a third formula for those of us who represent school districts who intend to support the income tax, we could get the benefit in our district and those of you who don't would not get the benefit. How would that be?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Take it out of the record. On the Order of House Bills 2nd Reading, House Bill 1257, Senator Welch. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 1257.

- (Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senators, could we have a little order. Senator Buzbee, break up that conference with Senator Netsch. Senator DeAngelis, Gentlemen, Senator Welch on House Bill 1257. Any amendments?

SECRETARY:

Amendment...Floor Amendment No. 1 offered by Senator Welch.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. This is the amendment which the original sponsors of the bill in the House have...agreed to. The purpose of the amendment is to conform the language in House Bill 1257 to language in the Federal Super Fund Act itself. It includes an exclusion of coverage which was left out when House Bill 1257 was drafted which exists in the Super fund language. I would ask for the adoption of this amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? If not, Senator Welch moves the adoption of Amendment No. 1 to House Bill 1257. Those in favor will vote Aye. Those...or indicate by saying Aye. Those opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

Amendment No. 2 by Senator Demuzio.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

Thank you, very much, Mr. President and Ladies and Gentlemen of the Senate. Amendment No. 2 would simply empower the Environmental Protection Agency to shut down any hazardous waste disposal site that is more than thirty days delinquent in the payment of its quarterly fees. This mandatory cessation of operation would apply only...shall apply to delinquencies and payment of fees authorized under this section where the...delinquencies have risen after April the 1st of 1980. I would move adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is...is there any discussion? Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. I would rise in opposition to this amendment. This is an amendment which really does not do too much except try to send the bill to a Conference

Committee which we are trying to avoid. I think that there are sufficient safeguards in the Federal law as well as in State law outside of this bill to take care of the problems raised by this amendment, and I would urge opposition to the amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Coffey.

SENATOR COFFEY:

Yes, Mr. President and members of the Senate, I have a question of the sponsor, if I could.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR COFFEY:

If I could, and I was off the Floor for just a minute, could you briefly explain this amendment again?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

Yeah. The amendment you're interested in is the very last one. This amendment here says that after a thirty-day period of...of a hazardous waste site being delinquent in its payment of its quarterly fees to EPA, that if they fail to pay then they're ordered...they're ordered to shut down until such time as they make the payments. That's all it does.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Question...question of the sponsor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR SCHUNEMAN:

What did we do on the previous amendment? Senator Welch opposes your amendment on the basis that it will send the bill to Conference Committee. Didn't we just adopt an amend-

ment that will do that?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR SCHUNEMAN:

Or...or...his is an agreed amendment, is that it?

SENATOR DEMUZIO:

Well, I have no idea. The bill goes back to the House; if the House concurs, it goes down to the Governor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

There is a...an understanding that the House will concur and not recede from the Amendment No. 1 and that's why I placed it on there, Senator Schuneman.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not...Senator Demuzio.

SENATOR DEMUZIO:

Well, I'd like to close. I don't know what the House is going to do. They make agreements every day over there on every bill, seems like. All this amendment says that if a hazardous waste disposal site doesn't pay its quarterly fees, after a thirty-day period of time, they're suspended. They...they can't take any more hazardous materials until such time as they pay up. I think it's a fair amendment, I move adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator...Demuzio moves adoption of Amendment No. 2 to House Bill 1257. Those in favor indicate by saying Aye. Those...a roll call has been requested. Those in favor of adopting Amendment No. 2 to House Bill 1257 will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 19, the Nays are 30, none voting Present. Amendment No. 2 having

failed to receive a majority vote is declared lost. Are there further amendments?

SECRETARY:

Amendment No. 3 by Senator Demuzio.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

Thank you, very much, Mr. President and Ladies and Gentlemen of the Senate. It appears the Chamber...appears the Chamber of Commerce is about their business today. Amendment No. 3 is, frankly, an amendment that was spurned by the Illinois Environmental Protection Agency itself. In it's current posture, House Bill 1257 is opposed by the EPA. This Amendment No. 3 would delegate...well, currently the...the bill delegates to the Pollution Control Board the ability to develop a response priority plan and yet the agency, the EPA, is expected to carry out this plan. Each one of us was furnished a letter by Richard Carlson, the Director of EPA, pointing out on a two-page letter, precisely the major concerns that the agency has and I would like to read from his letter as an argument to adopt this amendment. "The plan required by this bill without the amendment is complex and excessively bureaucratic. The board would set the priorities, the methods of discovering and investigating facilities and even the materials and equipment to be used in the response actions. It's argued that this is the same plan that is required under the Super Fund; some of it is, some of it isn't. At any rate, the well publicized problems the USEPA has had in administering the...Super Fund should make obvious the pitfalls of such an approach. The USEPA finally actually gets something done because...done because...became too great to withstand...moreover, in the two agency Illinois system, this requirement is absurd. The board has no business deciding, for example, what equipment the agency will

use in emergency response and the board agrees. The primary concern...the primary concern of the agency is that the agency's hands will be tied by this planned requirement." There are many, many reasons for the adoption of this amendment, and I would move that this Senate to act responsibly and put this amendment on.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. I would rise in opposition to the amendment. I don't think that it behooves us to compare the Illinois Pollution Control Board or the EPA to the Federal EPA and the problems they've had in enforcing Federal environmental laws. Certainly those were haphazardly enforced, mainly because of political considerations such as Governor Brown running for the United States Senate and other that resulted in the string-fellow pits, I guess, not being cleaned up when they should have been, but I don't think there's any comparison. As far as the Pollution Control Board being the one to set regulations and point out to the agency how to perform their task, maybe somebody should be looking over somebody else's shoulder, and maybe expertise on the Pollution Control Board could be utilized here to develop systems which the agency might not think about. Certainly every single item as to hours of work and picks and shovels and whatever else is used cannot be determined in a...in a manual; otherwise, everybody in the field will have to be carrying around a Chicago size telephone book in their...in their kit to determine how they have to remove waste. So I think that this amendment should be defeated.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will.

SENATOR GEO-KARIS:

Did you...did you indicate...did I hear you correctly say that the amendment you're proposing, Senator, is one that has been requested by Director Carlson from the EPA?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

I'm suggesting that...that this bill and the letter that I have in front of me from Rich Carlson, Director of EPA, has indicated that without this amendment, they frankly do not support this bill. As a matter of fact, EPA wrote this amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

With all the confusion around here and the fact that we don't have a copy, most of us, of your amendment on the desk, could you just summarize it very briefly in one sentence what your amendment does?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator, are you requesting that the amendment be placed on the desk, or...

SENATOR GEO-KARIS:

Well, I don't have a copy of it and I...if somebody will give me a copy, he won't have to read anything to me.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator, could you summarize in one sentence what the amendment does? Senator Demuzio.

SENATOR DEMUZIO:

Summarize in one sentence?

PRESIDING OFFICER: (SENATOR SAVICKAS)

That was Senator Geo-Karis' request.

SENATOR DEMUZIO:

I'd be glad to...happy to...here...here comes an amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Demuzio moves the adoption of Amendment No. 3 to House Bill 1257. Those in favor will indicate by voting 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 26, the Nays are 30, none voting Present. Amendment No. 3 having failed to receive the majority is declared lost. Any further amendments?

SECRETARY:

Amendment No. 4 offered by Senator Rock.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio, you're going to handle Senator Rock's amendment? Senator Demuzio.

SENATOR DEMUZIO:

Thank you, very much, Mr. President and Ladies and Gentlemen of the Senate. It is very, very, obvious that the Chamber of Commerce has done its work on this bill that they helped to write along with the House. This is absolutely absurd to suggest that this bill need not go to a Conference Committee to resolve some of the differences between the Senate and the House. I would point out on Senator Rock's amendment that I will offer, Amendment No. 4, we're proposed to have a five-fold increase in hazardous waste fees that are currently collected. I would point out that it's five, five and five across the board; five who are on-site, five for off-site and five for deep well injection. Now there's been some discussion that the fees that have come over from the House on this bill, two-thousand, four thousand and six thousand, to be attached to the...deep well injection

firms are basically nothing. Our current structure in this bill would make it two hundred and fifty thousand to three hundred thousand dollars on an annual basis. They are, in fact, the generators of waste...simply...saying that Amendment No. 4 puts the posture of House Bill 1257 into the same idea that we sent to the House earlier and I think in Senate Bill 143 and I would move adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. I would rise in opposition to this amendment. What this does is takes out the heart of the bill, 1257, and...imposes a flat fee. What it is saying is that here in the Legislature we are setting no priorities in where waste should be disposed of; we don't care if you put it into a deep well; we don't care if you put it on site, we don't care if you put it off site. The current bill has a five-cent provision for off-site dumping, a three-cent per gallon provision for on-site dumping and a separate schedule for deep well injection waste disposal. The five-cent, three-cent provision will encourage on-site disposal and perhaps eliminate the constant search for new hazardous waste dumps throughout the State, perhaps in some of your own communities as they have tried to put one in mine. The deep well injection system is one that is a new process that is being used successfully. There have been some complaints that it might interfere with the water table; however, the wells, as I understand them, are dug deep enough so that this does not become a problem. The figure used by the Senator in supporting his amendment was three hundred thousand dollars. The figures I have received is that one plant in Marshall, Illinois will have to pay something like 6.5 million dollars if this amendment is adopted and becomes law. But there's a catch there because they're not going to pay 6.5 billion

dollars, they're just going to leave the State and take one hundred jobs away. So, I would oppose this amendment. It's going to cost jobs; it's not going to raise that much more money; it's an unworkable feature, and I would move its...opposition. Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

We have the following Senators that are seeking recognition to speak on this amendment: Senator Rigney, Coffey, Geo-Karis and Darrow. Senator Rigney.

SENATOR RIGNEY:

Well, very...very briefly, Mr. President, I merely want to support Senator Welch in his opposition to the proposed amendment. I suppose it's rather difficult to speak against something that on the surface sounds so fair; it's a nickel a gallon for everyone for disposal of hazardous waste. And yet when we stop and think about it for a moment, we realize that the systems of disposal, the methods involved are substantially different in these various operations. To not recognize the difference between on-site and off-site, I think would be a substantial mistake by this Legislature, because the on-site disposal folks have done a lot of work and spent a lot of money to handle their own problems on site. I think it's unreasonable to expect that they should pay the same fee. So, I would merely ask that we reject this amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Coffey.

SENATOR COFFEY:

Thank you, Mr. President and members of the Senate. I rise in opposition to this amendment also. I happen to be one of the Senators that has one of the plants that's going to cost...have an additional cost about six million dollars if this amendment is attached, and what would happen in...in reality, we would lose the industry and we would lose one hundred jobs in our community; and I thought we were here to

try to bring jobs to Illinois, not to eliminate them. This particular manufacturer has already went to some...extreme costs putting down deep wells which cost approximately three million dollars to put a deep well down to dispose of that...product. They do it in a safe fashion. They have taken care, on site, with their deep well of the...other additional runoff that comes on their premise. If we are to get rid of deep wells and go some other alternative, then the runoff from those sites will be getting into our streams and water. They are safe...the deep wells are safe, they are monitored by the EPA, and I think this amendment ought to be killed.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, Mr. President and Ladies and Gentlemen of the Senate, I may have supported the concept in another bill but I don't know that I was right; therefore, I concur with Senator Coffey and I speak against this amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Darrow.

SENATOR DARROW:

Will the sponsor of the amendment yield?

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will.

SENATOR DARROW:

Without your amendment, how much will the industries that use deep well injection be paying?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

Well, they should be paying one cent; however, I would like to point out that deep well injection injectors and on-site disposals have not paid any fees, even at the current

levels of one cent. Even though the Auditor General has cited the EPA for failure to collect the fees and the Attorney General has issued an opinion saying that the current fee structure applies to deep wells, they haven't paid a nickel.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Darrow.

SENATOR DARROW:

Were...were you being humorous or are you saying they only will have to pay one penny, I mean one cent for what?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

I was not being humorous. I assume that...that you knew it was one cent per gallon.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Darrow.

SENATOR DARROW:

How much will the others be paying, that don't use deep wells?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

...everyone pays one cent...per gallon. If this goes on, it's five cents per gallon.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Darrow.

SENATOR DARROW:

Well, I would just speak in favor of this amendment. We've heard some discussion on how safe deep well injection is and how safe this disposal is. Recall when I was growing up, we also heard how safe it was for the soldiers out in Nevada to witness the A-Bomb explosions and we see that wasn't so. I'm not sure this deep well injection will be so safe. We inject this stuff down deep into the land, into the

ground, sooner or later it will be coming up or sooner or later it will be percolating up, and yet all we're going to be charging them is one cent, one cent per gallon to dispose of that. They haven't even paid anything up to this date, and sure, it may not affect us now but it will affect our grandchildren and our great-grandchildren. They ought to put money in so that they can clean it up, and they ought to put up an appropriate amount of money. For once in our lifetimes we should think of something other than just industry, we ought to think about future generations and make sure we have the funds available to rehabilitate this earth. We're destroying it with this waste and now we found a new way to dispose of it, not dumping it out to sea like we used to dump nuclear waste, but now we're taking hazardous waste and injecting it deep into the bowels of the earth only to have it percolate up a hundred years from now and not having the funds to clean it up. I would solicit an Aye vote on this good amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. I'd like to point out that this amendment was offered in the committee by Senator Demuzio and now it carries the name of Senator Rock; however, it is still, of course, Senator Demuzio's idea. I think that when we start comparing deep well injection of waste with on-site and off-site disposal of waste, we're comparing two different items. Deep well injection is not the concentrated type of waste disposal that we have in on-site and off-site landfilling. Deep well injection requires the dilution of the material to beyond ninety-eight to ninety-nine percent of its composition by using water, so that...so that the entire process can push the hazardous waste down into the hole. In order to get it down that far, you have to use pressure and

you have to use water to carry the waste. As to whether Illinois is a safe place to do this, apparently it is one of the safest place because of the structure of our bedrock of the states in the entire United States. It's been going on for three years; other states have been doing this and there has not been a problem to date. But if we...if we put on this five-cent amendment, we are saying that we...we are saying that we really have no preference as to how waste is disposed of in the State of Illinois. If we put on a five-cent amendment, we are going to encourage those companies such as Waste Management and Pioneer Processing to go around the State and continue looking for sites in your districts, somewhere downstate, so that they can build a landfill. And when they start building the landfill and when that starts leaking like they almost always do, then you're going to be in here and you're going to be trying to find another system. Well, what I say is that perhaps we should encourage on-site disposal so that there will be fewer landfills built in the middle of communities, so that landfills will be placed along with the industry that creates them where they can monitor them, they are still subject to all the regulations as off-site landfills. And I think that even though some people don't like to hear the fact that we might lose some jobs in Illinois if this bill is enacted, it is true. It's going to impose a...a burden that is going to be the same as if we banned landfills...or if we ban deep well injection on several companies. Those companies are not in my district, they are in Senator Coffey's district, but that really doesn't matter. We're going to lose at least one industry that is going to leave the State and take one hundred jobs, I think that's important. And I think it's important that we defeat this amendment, and I think it's important that we defeat it because if we don't, we are saying that we really don't care where hazardous waste is disposed

of; let business decide, because it's all going to cost five cents no matter where it goes. We're just here to collect the money, somewhat similar to a State-wide currency exchange. Thank you, very much.

PRESIDING OFFICER: (SENATOR SAVICKAS)

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

SENATOR DEMUZIO:

Well, thank you, very much, Mr. President and Ladies and Gentlemen of the Senate. The question is, who pays? Does the generators pay, the landfill pay or do the taxpayers pay? This is a fair amendment. They're not paying a nickel as it is right now, not five cents. We sent a bill out of here that said four cents across the board; this is five cents across the board. We'll send it back to the House and see if we can...we can reach a conclusion on it: The fact of the matter is, there's not going to be any landfilling...of hazardous materials by 1987 because we're going to ban it. And further...and...and further, thank you, Senator Netsch, and...and further, Ladies and Gentlemen, this is a...frankly, a serious amendment. This amendment needs to...to be adopted; otherwise, you're going to have a...a group of...of individuals who are not going to pay and continue to pay not one red cent. I think it's a fair amendment, Senator Rock's amendment that I'm moving here, and I would ask favorable consideration to have this amendment adopted.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio moves the adoption of Amendment No. 4 to House Bill 1257. 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 25, none voting Present. Amendment No. 4 having failed to receive a majority vote is declared lost. I'm sorry, the

Ayes are 25, the Nays are 30. The amendment having failed to receive a majority vote is declared lost. Senator Demuzio has requested a verification of the negative vote. Will all those Senators be in their seats.

END OF REEL

REEL #3

PRESIDING OFFICER: (SENATOR SAVICKAS)

Mr. Secretary, will you call the negative vote.

SECRETARY:

The following voted in the negative: Barkhausen, Bloom, Buzbee, Coffey, Davidson, DeAngelis, Etheredge, Fawell, Friedland, Geo-Karis, Grothberg, Jones, Jerome Joyce, Kent, Lemke, Luft, Macdonald, Mahar, Maitland, Marovitz, Philip, Rigney, Rupp, Savickas, Schaffer, Schuneman, Sommer, Watson, Weaver, Welch.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio, do you question any of the negative vote?

SENATOR DEMUZIO:

Senator Schaffer.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schaffer is in his seat.

SENATOR DEMUZIO:

Senator Jones.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Jones is standing at his desk.

SENATOR DEMUZIO:

Senator...Marovitz.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is Senator Marovitz in his seat? Senator Marovitz. He's standing behind you, Senator.

SENATOR DEMUZIO:

All right. Senator Watson.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Watson. Is Senator Watson on the...Senator Watson is standing in the aisle. There are no further questions. The vote hasn't changed. There are 25 Ayes, 30 Nays,

the amendment has failed. Are there further amendments?

SECRETARY:

Amendment No. 5 by Senator Kustra.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Kustra. Senator Kustra withdraws Amendment No.

5. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Yes, with leave of the Body, we'll go back to the Order of House Bill 1178, Senator Bruce was presiding. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading, House Bill 1178. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 1178.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Bruce.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Bruce.

SENATOR BRUCE:

Thank you, Mr. President. Many of you have read about this bill, it is the latch-key bill for those children who have both parents working. This is the proposal that will allow them to attend school before and after school if they are in kindergarten through the sixth grade, this is not a preschool. We have worked out an amendment. I think Senator Berman, the committee members and others have been working along with the Child Care Association people and this meets...I think Senator Fawell, who was interested in this

bill, meets the problems that they had concerning the licensing of the teachers and the personnel, and it allows either certified teachers or people licensed under the Child Care Act to operate the programs. I would ask for your favorable consideration. I know of no opposition to the amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Maitland.

SENATOR MAITLAND:

Well, thank you, Mr. President. I...is this the amendment that was somehow agreed to? I was not made aware of it at all and I...I know we had the question on certified teachers, I...I recall those, but is this the only area we're covering with this amendment?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Bruce.

SENATOR BRUCE:

As you remember, Senator, there was a requirement in the bill that the people who operate a program shall be certified teachers. That word was...was used was administer the program. The thought was in the House, frankly, that the word, administer, was not really to administer the program as to be the administrator. So to clarify the issue, we divided into two questions, that is the administrator shall be a certified teacher or a licensed child care person, the staff can be a certified teacher or a licensed child care individual. And we...we took out the language which was in the original legislation concerning after exhausting all teachers. And so, that...that language is removed and I think, Senator Maitland, I'm sorry that they have not gotten back to you individually, but I believe that the...the questions that were brought up in committee and the Child Care Association and the people who are presently operating programs in the State of Illinois are now signed on. The, or, is the critical question, and that is, either/or.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR MAITLAND:

Well, thank you, Mr. President. This...this certainly makes it much better and it's...it's...we have a short period of time here to...to review this, it would have been much better had this been brought to us. We're trying to expedite things, and I wish we could have seen it before we brought it on.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

Yes, thank you, Mr. President. I had some concerns about this bill in...in committee. The concerns about certified teacher, I think that amendment has taken care of that objective...objections; however, there was another problem and I...I would like at this time to ask a question of the sponsor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR COLLINS:

Senator Bruce, in committee you indicated that this would be paid for by the parent?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Bruce.

SENATOR BRUCE:

That is correct. The school district can charge a fee up to the amount of the cost of the program and that was in the bill originally.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

Senator Bruce, do you have any idea as to the cost of a...that type of program or would it not cost about what it

would cost to run a...a preschool and after school program?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Bruce.

SENATOR BRUCE:

Senator, we have about five or ten of these programs operating. In one of the school districts they charge twenty-five dollars per week, per pupil; if there is more than that in the family, they charge a little less. These are reasonable charges, we believe. We talked about it in committee. If they are charging unreasonable fees then the people will not leave their children there. The...the whole intent of this is to open up the school buildings a little earlier, leave then open a little later at a reasonable cost to the parents.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

Chicago is still out of the bill as of now, right?

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Bruce.

SENATOR BRUCE:

I'm sorry, Senator, would you repeat your question.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Collins.

SENATOR COLLINS:

I...Chicago is still out of the bill?

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Bruce.

SENATOR BRUCE:

It came over from the House without the coverage of the City of Chicago. I understand Senator Jones is...has an amendment filed to include Chicago. As I mentioned in committee, this is mainly a...a bill that has received debate without regard to the Chicago/non-Chicago issue, and I had

left it in the hearts and minds of those from the Chicago School District as to what they should do. And so the bill in this form only relates to our problems. I believe it does not relate to Chicago in its present form, but you may...you may, and I emphasize the may, see an amendment that includes Chicago and you can debate that point at that...at that time.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? (Machine cutoff)...Bruce has moved the adoption of Amendment...Amendment No. 1 to House Bill 1178. Further discussion? All those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 2 offered by Senator Jones.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

Yes, thank you, Mr. President. Amendment No. 2 is an amendment that addresses the City of Chicago on this particular issue. It was...it was discussed briefly on Amendment No. 1, and all Amendment No. 2 is include the City of Chicago as far as the provisions of this legislation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones moves the adoption of Amendment No. 2 to House Bill 1178. Is there any discussion? Senator Bruce.

SENATOR BRUCE:

Well, I...I rise in support of the amendment. Senator Jones, I think, has done excellent work. As...as everyone knows this is discretionary with the board. I have received word that the board from the City of Chicago would like to be included. I think that it's reasonable that we do so. The amendment that he is proposing amends another section of the Code, and...and frankly puts...the amendment is in almost identical form to the downstate school system and I believe

it ought to be adopted. Then if we have questions about it, we can debate that later on. But I believe it...it is...Senator Maitland, it is absolutely discretionary. All the words that were "shall" are...are "may", and...and Senator Jones' amendment only applies to the City of Chicago, and I'm told with the language that they have prepared, they are in favor of the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Collins.

SENATOR COLLINS:

Thank you, Mr. President. I...I still have some...some concerns about Chicago being included in the bill. And...and the reason for that concern is that most of the students help to subsidize the existing preschool programs in the City of Chicago. Now those programs are struggling to survive. But once you can take away that population of students from them, many of them will have to close. I really would like to...to hear from some of the people back in Chicago. And the reason I have not informed any of the child care agencies back in Chicago as to how this would impact upon them because I was just assured that...in my mind, that they were not included. This is a good idea and I understand what you're trying to do, but at the same time, if we're going to kill the preschool programs for that population of people that have to go to work everyday, then we're not really solving any problems at all, we're just shifting them.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Maitland.

SENATOR MAITLAND:

Well, thank you, Mr. President. I'm not rising in opposition to the amendment, I...I am concerned that...that we...we left the same language in the amendment that...that Senator Bruce just amended out for...for downstate, and I...I wonder if, Senator Jones, if that's really what you want to

do.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

Yes it is.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Further...Senator Jones may close.
Oops, Senator Collins...for the second time.

SENATOR COLLINS:

The question of certified teachers, you...only certified teachers?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

It...the way the language of the amendment reads, Senator Collins, it say it may be, this is not mandatory...it may.
Okay.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...further discussion? Senator Jones.

SENATOR JONES:

Yes, thank you, Mr. President. This amendment is strictly permissive as it relate to the City of Chicago as well as downstate. And furthermore, Senator Collins, it does not relate to preschool as you addressed in your remarks regarding day care. This amendment only deals with kindergarten through sixth...through sixth grade. And I know many residents in the City of Chicago's north side, southwest side, far, far south have the same problems as the...as the suburbs has as it relate to latch-key, and I move the adoption of this amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Jones has moved adoption of Amendment No. 2 to House Bill 1178. All those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No.

2 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. House Bill 1305 is a hold. 1337, Senator Degnan. 1338, Senator Bloom. Senator Bloom on the Floor? 1402, Senator Egan. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 1402.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Egan.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Egan.

SENATOR EGAN:

Thank you, Mr. President and members of the Senate. If you'll recall, the underlying bill broadens the definition of taxable income for the State of Illinois Income Tax. What this amendment does, at the request of...in...in order to accommodate the Department of Revenue...from their fears of allowing carry-backs and carry-forwards in...in subsequent years, this amendment is designed to prevent the use of that in...the carry-back or carry-forward in subsequent years. What...what this will do will allow that deduction only for the one year. And I move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Egan moves adoption. Any discussion?
Senator Etheredge.

SENATOR ETHEREDGE:

Will the sponsor yield?

PRESIDING OFFICER: (SENATOR DEMUZIO):

Sponsor indicates he will yield. Senator Etheredge.

SENATOR ETHEREDGE:

Senator Egan the...do I understand correctly that the Department of Revenue now is in...in support of...of this amendment?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Egan.

SENATOR EGAN:

I don't know, they have not contacted me relative to this amendment. But it does...what I think they...their request was, it...it allows the deduction only for one year.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge.

SENATOR ETHEREDGE:

So this...this is the amendment which...which they requested. All right, very good. Does the...would you describe this amendment as...as tightening up the provisions and...specifically, what I want to get at is, does the amendment reduce the revenue loss?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Egan.

SENATOR EGAN:

Yes, in...insofar as you can only make the deduction applicable to the one year in question and their fear was that the carry-back or carry-forward could be used in subsequent years, this prevents that from happening.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Further discussion? Senator Egan moves adoption of...Amendment No. 1 to House Bill 1402. Senator Netsch. Senator Netsch.

SENATOR NETSCH:

No, I'm sorry. I was just attempting to confirm that this is...that the amendment was a tightening up. You may not like the bill anyway, but it certainly is better with

this amendment and it was the department's...amendment, Senator Etheredge.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Egan has moved the adoption of Amendment No. 1 to House Bill 1402. All those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Is there leave to return to 1338? Senator Bloom was on the Floor, I did not see him. Leave is granted. House Bill 1338. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 1338.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 1405, Senator D'Arco. 1412, Senator D'Arco. Read the bill, Mr. Secretary. On the Order of 2nd Reading, the bottom of page 47, House Bill 1412.

SECRETARY:

House Bill 1412.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator D'Arco. Oops, any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Schuneman.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schuneman. All right. Senator D'Arco.

SENATOR D'ARCO:

No, go...that's the...State mandate's exemption. Move to adopt Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator...Senator Schuneman moves to adopt Amendment No. 1 to House Bill 1412. Any discussion? All those in favor signify by saying Aye. Opposed Nay. The Ayes have it. The amendment is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Top of page 48, 1414, Senator D'Arco. Read the bill, Mr. Secretary, please. Top of page 48.

SECRETARY:

House Bill 1414.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator...any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator D'Arco.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator D'Arco.

SENATOR D'ARCO:

This is a technical amendment. It changes the age from twenty-five to twenty-three, and I would move to adopt Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator D'Arco moves the...the adoption of Amendment No. 1 to House Bill 1414. Is there any discussion? If not, all those in favor signify by saying Aye. Opposed Nay. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. House Bill 1489, Senator Lemke. Senator Lemke on the Floor? 1505, Senator Friedland. Senator Lemke, do you wish your bill moved? All right. 1505, Senator Friedland. 1526, Senator Jeremiah Joyce. 1653, Senator Welch. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 1653.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch. Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator...Welch.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. The purpose of this amendment is to merely clarify the bill. It's a four line amendment which says, "Nothing in the subsection shall limit the directors approval of ultimate methods of demonstrating an act of search for work based on regular reporting to a trade union office." The original bill requires that a person show that he was actively seeking work during the period for which he's seeking unemployment benefits. Certain trade unions do not report directly to an unemployment insurance office, but rather report directly to their trade union office. The bill merely referred to the unemployment offices so what this does is also add the proviso that the trade union offices can be places to report for those people who don't go to the unemployment offices for reporting. And I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch moves the adoption of Amendment No. 1 to House Bill 1653. Is there any discussion? If not, all those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. House Bill 1778, Senator Schaffer. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 1778.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Schaffer.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schaffer.

SENATOR SCHAFFER:

This adds to the definition section, definition of the term waterway to refer specifically to the Fox River and Chain of Lakes between the Algonquin Dam and the Wisconsin line to make it clear that we're not referring to some of the private or semiprivate lakes that are not part of that water system that happen to fall totally or partially in the system area.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schaffer moves the adoption of Amendment No. 1 to House Bill 1778. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. The amendment is adopted. Any further amendments?

SECRETARY:

Amendment No. 2, by Senator Schaffer.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schaffer.

SENATOR SCHAFFER:

This amendment clearly defines the areas in Lake and McHenry County to be included in the water management area. We have attempted to balance the population since the agency would elect three directors from each county, we've tried to come reasonably close to the one man-one vote concept and we think we do that. One area is slightly smaller than the other but it is the faster growing of the two areas, and I think it will meet the...any Federal testing of this type.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schaffer moves the adoption of Amendment No. 2 to House Bill 1778. Any discussion? All those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. House Bill 1814, Senator Holmberg. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 1814.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. House Bill 2012, Senator Netsch. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 2012.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Netsch.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. I have distributed to all of the membership not only the full text of the amendment but also an explanation from the State Board of Elections and a list of the changes made. All of the changes that are in this amendment were the result of suggestions and recommendations from the State Board of Elections to clean up some of the administrative and procedural provisions...and to make it consistent with some of the other Statutes that they administer. They did not get to it until this point because they wanted to wait and see the...the bill pass both Houses. What this does now is to put both this bill and Senate Bill 938, which the Senate has already passed, into exactly the same form. These amendments, while technically extensive, do not change the basic structure of the bill that we passed out of here as Senate Bill 938. They are administrative and procedural. I would move the adoption of Amendment No. 1 to House Bill 2012.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there any discussion? Senator Bloom.

SENATOR BLOOM:

At the proper time I want to make an...at the proper time I want to make an introduction.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Netsch has moved the adoption of

Amendment No. 1 to House Bill 2012. Any...discussion? If not, all those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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

SENATOR BLOOM:

He's gone, Mr. President. Thank you, anyway.

PRESIDING OFFICER: (SENATOR DEMUZIO)

House Bill 2014, Senator Rock...2251, Senator Netsch. Read the bill, Mr. Secretary, please. On the Order...of 2nd Reading, House Bill 2251, the bottom of page 48.

SECRETARY:

House Bill 2251.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. I will not be offering the committee amendment because I am, in fact, opposed to it. Senator Dawson will be offering it. I do want to make clear that we want to get this issue resolved...and there will be other amendments to this bill. They are not yet ready and it will be recalled when they are ready. I would now yield to Senator Dawson.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Netsch, that amendment does have your name on it. All right. Senator Dawson. Senator Dawson.

SENATOR DAWSON:

Mr. President and Ladies and Gentlemen of the Senate, this amendment is being offered by United Airlines in response to a Public Act dated 2-10-29 which...unitary bill which prohibited worldwide combined apportionment of income for Illinois tax purposes and required domestic combined...apportionment for the same line of businesses which are on the same apportionment. We talked with Senator Netsch about this before...and she's been opposed to it mildly, I hope.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Dawson has moved the adoption. Any discussion? Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. I am not, as I told Senator Dawson, arising in...in wild arm flailing opposition to this. I would like to point out that for two reasons it is probably...it is not a good idea. One is, that what we are now starting to do, having gone through the trauma of the combined apportionment or so-called unitary tax business last Session and having thrust upon us a major new law in the form of an amendatory veto, now all of those who did not get the law written exactly as they wanted it are beginning to come in one by one and rewrite the unitary provisions so that it takes care of their particular problem. In this case, it is United Airlines. I fully understand why they don't like the way it works right now. They are not able to engage in combined apportionment because it is restricted to only those who are in the transportation business, and the companies that they would like to bring into their combined apportionment are auxiliary services but not directly involved in transportation. And so they choose to rewrite the law so that they can, in fact, have the...in this case, advantage to them of the combined apportionment. It is a bad idea to write basic tax laws in terms of the interests of individual

companies. In addition, there is a strong suspicion that they have not provided enough guidance to the Department of Revenue as to how they are to combine a single factor company and multifactor companies; there just is no guidance at all in that respect. For that reason, I do oppose the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...is there further discussion? Senator Dawson may close.

SENATOR DAWSON:

Mr. President, Ladies and Gentlemen, this is trying to undo some of the things that the Governor created when he signed the unitary bill, and I feel that we should try to do anything we can to keep business and generate more business in our State and ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dawson has moved the adoption of Amendment No. 1 to House Bill 2251. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. House Bill 2290, Senator Rock. That's a hold. All right. Senator Bruce, for what purpose do you arise?

SENATOR BRUCE:

Thank you, Mr. President. If I might have the attention of the Body. It appears that we are at a logical stopping point. Although we are twenty minutes ahead of our schedule, we have only moved a little more than twelve bills in...since

we began work this morning. So I would think that the appropriate thing would be to Recess now and come back at...at one forty-five, start back in the Session on the Order of 3rd Readings. We...we adjourned yesterday...985, I believe, will be the first bill. We will not be going to recalls until later in the day. We will come back on the Order of 3rd Readings, and so before you leave, you might want to take a look at...the...on page 10 of your Calendar, we have Senators Welch, Zito, Fawell, Kustra, Fawell and Dawson will be the first members out of the box when we come back at one forty-five. And so I would move that we stand in Recess until the hour of one forty-five, and we'll start back up with 3rd's and get recalls once we get started back up and get a good run at it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The...the Chair would like to make an announcement that House Bill 1092 and House Bill 1356 have also been added to the recall list. House Bill 1092 and 1356. Senator Grotberg, for what purpose do you arise?

SENATOR GROTEBERG:

Question of the Chair or Senator Bruce. As you just...we will start with 3rd but when the troops are together will we move to recalls?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bruce.

SENATOR BRUCE:

The plan was that we would go to recalls right after 2nd, but we were to have completed all of our 2nd reading and all of the recalls before we broke for lunch; and so given our schedule, we're going to have to put the recalls and run some 3rd's until we get back in business. It may be a couple or two or three hours. We will try to do recalls before we go home tonight, but if...if we keep at the same...progress rate we are now, it's going to be very difficult to get to

recalls.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well,...Senator Bruce moves the Senate stand in Recess until one forty-five. All right. The Senate stands in Recess until one forty-five.

RECESS

AFTER RECESS

PRESIDING OFFICER: (SENATOR BRUCE)

The hour of one forty-five having arrived, the Senate will come to order. Resolutions.

SECRETARY:

Senate Resolution 269 offered by Senator Lemke and all Senators. It's...congratulatory.

Senate Resolution 270 offered by Senator Lemke and it's congratulatory.

PRESIDING OFFICER: (SENATOR BRUCE)

Resolution Consent Calendar. (Machine cutoff)...on page 10, page 10...(Machine cutoff)...does Senator Geo-Karis arise?

SENATOR GEO-KARIS:

Just a point of clarification, Mr. President. Are we starting on page 10 today?

PRESIDING OFFICER: (SENATOR BRUCE)

That's correct. The first bill will be Senate Bill 985 when we get...House Bill 985 on page 10.

SENATOR GEO-KARIS:

And we will be starting on 3rd reading and then we'll be...how far...just give me an...an idea, what time do you think we will finish tonight, sir?

PRESIDING OFFICER: (SENATOR BRUCE)

We hope to finish up around six again. We may have to go a little longer because of our progress this morning but

we're still shooting for six o'clock.

SENATOR GEO-KARIS:

And are we going to go back to the recalls then today too?

PRESIDING OFFICER: (SENATOR BRUCE)

We're going to get to it as early as we can today and handle some of the recalls. If we're in the middle of recalls at six, I think we'll go ahead and complete those today though, if we don't get to them until late.

SENATOR GEO-KARIS:

Okay, thank you, very much, sir.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Demuzio, for what purpose do you arise?

SENATOR DEMUZIO:

Well, thank you, very much, Mr. President and Ladies and Gentlemen of the Senate. I...I'd kind of like to know how you get on the recall list. I mean, you got a list out here now of about, I don't know, two legal size pages of bills on the recall list, and before we adjourned there were two additional bills that were added too, and I understand that there's a...a whole bunch of additional recalls on the Secretary's Desk. I mean, how do you get on the recall list? Could you explain that to me, Mr. President?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Demuzio, you were Presiding Officer and I believe, in error, added two bills to the printed recall list. And so with leave of the Body, we will take those two that Senator Demuzio added and...is there leave to remove those two bills from the printed list? Leave is granted. We will be preparing another recall list. The question has come out...come up a couple of times, how do you get on the recall list? All you have to do is file your amendment with the Secretary, and if you want to get on the next recall list do so by filing an amendment with the Secretary before we

HB 985
3rd Reading

adjourn today. And all he does is prepare the list from the amendments he has, and it's...it's that simple. Senator Demuzio.

SENATOR DEMUZIO:

Well, now that you've explained that, perhaps I can now move to reconsider those amendments that I lost on Senator Welch's bill early this morning on 1257. Is that in order, Mr. President?

PRESIDING OFFICER: (SENATOR BRUCE)

No, it's not in order. Senator Welch, you ready on 985? I believe we should start. Read the bill, Mr. Secretary, please, 985.

SECRETARY:

House Bill 985.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. This bill is a bill to which I've added an amendment. The main bill will require every electric utility to maintain a registry of customers dependent upon the electrical operated life support equipment. This is so that in case of an emergency the rescue squads and fire departments and police departments will know to what homes they should go to take care of individuals who may be in serious danger. The second part of the bill is an amendment that takes care of a problem concerning Illinois Commerce Commission members when they come up for a vote on the Senate Floor for reconfirmation and are defeated. In the last instance, we defeated a candidate for the Commerce Commission and she continued to serve for some three months afterwards. The purpose of this amendment is to put a termination time upon that service at two weeks after the date

upon which the Senate does not reconfirm that person. This doesn't apply to anybody currently having not been reconfirmed; it's something that will take place in the future; it probably should have been on the books anyway. And I would move for the adoption and the passage of this bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? Senator Grotberg.

SENATOR GROTBORG:

Well, thank you, Mr. President. As I recall, I got pretty excited about the amendment to this bill on 2nd reading whereby this legislation...the gentleman is indicating that once a term is expired for a Commerce Commission member, they've only got two weeks and they got to pack up and get out. I think that in the orderly process of things, that makes it very difficult not to have a...a...reasonable...I'm just talking about the daily operations of anything. How many commission members are there, five or seven? Five.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Welch.

SENATOR WELCH:

There are currently five commission members on the Commerce Commission.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Grotberg.

SENATOR GROTBORG:

Then you get down to a four man...supposing that there's an interim, we don't meet, we don't appoint, you have left any governor, any governor, under the current appointment procedures, with a four-man or a four-woman or a four-person board of an awkward number. It doesn't make sense...what...it doesn't make sense. We filled the position. Again, it's the ladies...we will be, I think there's

an appointment on the list. The orderly nature of the advise and consent thing...you start doing this, you got to do it for everybody, Senator, it just...it doesn't make sense that's all I'm saying. And I would ask the Body to vote No just based on that.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Keats. Senator Collins.

SENATOR COLLINS:

Yes, thank you, Mr. President. I had...discussed my concerns about this particular piece of legislation to the sponsor. If...if you recall, I...I think I was the first one who rose in opposition to the confirmation of Mrs. Switch on the Floor...Mrs. Schmidt. However, I think Senator Grothberg raised a very interesting point. I...I, personally, since I've been in this Legislature and I hope no other time in my life that I can recall did anything for any specific individual. And I think that when we do not confirm any appointee of the Governor, that we need some type of procedures by which that office is to be vacated and a time frame. I do not think that it is fair that we should target it on one individual or one commission, because I think the same thing would apply to all State departments and commissions and it's just a little unfair, I think, that we should target that. I think we made our point when we did not confirm that confirmation and I think that should be enough.

PRESIDING OFFICER: (SENATOR BRUCE)

Machine cutoff)...discussion? Senator Vadalabene.

SENATOR VADALABENE:

Yes, just briefly, as chairman of the Committee on Executive Appointments and Administration, presently we do have a vacancy on the Illinois Commerce Commission, as...as you well know, Helen Schmidt was not confirmed. Now, Senator Welch, though...on most of these commissions until there has been a replacement...or on...on these appointments, they stay on

until there is a replacement. Now what...in the position we are in now we are still waiting for the Governor to get the message up here to...to confirm the reappointment...or the appointment of the new person who is taking the place in Helen Schmidt. Now there is quite a bit of paper work involved in that...that type of an appointment. They have to have an ethic statement, a disclosure and I forget what all the procedure is. And are you saying if it's not...it has to be vacated in two weeks? Now it takes longer than two weeks to get the new person on board, whoever it may be.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Welch.

SENATOR WELCH:

Yes, two weeks after the date the Senate votes not to reconfirm a member, the office is declared vacant. In the interim period the Governor can send someone down to the Executive Committee to be confirmed as a new appointee.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Vadalabene.

SENATOR VADALABENE:

What if we're not in Session?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Welch.

SENATOR WELCH:

If...if we are not in Session, then we would not have voted to not reconfirm the person who is no longer in the...on the board.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Vadalabene.

SENATOR VADALABENE:

What if we adjourn June 30th and we don't have this...and we don't have this...this person on board?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Welch.

SENATOR WELCH:

Well, I think the Governor can read the Statutes very well and I think that he would have the person up for a reconfirmation hearing within plenty of time so that a new person could be confirmed within two weeks. So, if the Governor doesn't realize that the reconfirmation vote is held at a late date, that's going to be on his shoulders.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Vadalabene.

SENATOR VADALABENE:

Yes, Senator Welch, it doesn't work that easy. Now there may be a person appointed by the Governor and once he finds out that he has to go through all of the disclosure system, his financial status and whatever he has to go through, then he decides, hell, I don't want that job, he don't want to disclose. And so now he has to search and find again...now I'm not talking about Governor Thompson, I'm talking about any governor. You're straddling a governor to something that he can't do within two...the two week time frame that you're talking about. It sounds good, it sounds easy and it sounds popular, but you are straddling the Governor with something, whoever he may be, with something that he can't do within a two week time frame.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I rise in support of this. You know that if we keep putting off things...we had a person who was taken off in March and they served to June 1. Now there is no reason in the world, I don't care who the Governor might be, but he knew that we turned her down and he had ample time to put someone on. Now you can put a man on the moon and...and...in a few seconds...or today...with two weeks time, that's plenty

of ample time. And besides, there are a lot of major decisions being made by this Illinois Commerce Commission, and if they're not able to decide, they shouldn't make those decisions at this time. We're in annual Sessions, there's no reason, and that's some of the complaints that we get around here. We do all this paper shuffling, we do all this stuff. The Governor knows, he ought to have a list of people that is possible that they might be appointed by him. I think it's ample time and I don't think anyone should serve after this Senate has not advised and consent to his appointment. It's a good bill and I'm strongly in support of it.

PRESIDENT:

Further discussion? Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I think many of the members have gotten confused because of the...particular time frame that this happened in, and I beg to differ with many of those who have spoken, you're just wrong. The law is here like everywhere else, not the confirmation by the Senate that makes the person the member of the Commerce Commission, Senator Sam and others, it's the Governor's naming. From the...time they name, if we're not in Session, they serve until we meet and either confirm or nonconfirm, there is no vacancy once the Governor puts his pen to paper and said so and so is my nominee. Two weeks, two years, nothing, there is no vacancy once the Governor commits his pen to paper and sends us a nomination. That is the law, it's the existing law in the Commerce Commission, this amendment does nothing to change that. All this does, which to me makes eminent sense, is to say when the Senate has acted to reject the nominee, that's it, that's what the law said. The law says, shall serve until, you know, subject to the advice and consent of the Senate. In this case, this Senate denied its consent. That day the

person should be out. That day, in my opinion the legal efficacy of that person stopped. And to say that that person should continue on for any period of time I think is ludicrous especially when you have not denied the board its five members or any department a department head should that happen then. Because the Governor merely must commit his pen to paper and say here is my nominee and that person, under law, serves under certain time constraints until the Senate Executive Committee acts and either grants or denies its consent. I think this is a tremendous idea. In my opinion it was the law before, I'm surprised it wasn't followed, but let's clarify to make sure it happens in the future rather than as it happened in the past.

PRESIDENT:

Further discussion? Senator Johns.

SENATOR JOHNS:

Thank you, Mr. President. I think something else ought to be mentioned here. As sort of the historical background of confirmation of appointments to the Executive Committee. And I...if I'm not mistaken...I'm vice-chairman of that committee and I...I've been chairman of it in the past. Usually the person who's to be confirmed goes around and asks the people on the committee, am I all right, have we got any problems; and if not, the Governor's Office gets word right away that they are...that there are problems and he knows long in advance before they even come up for appointment and confirmation. So I say again, I think this is a great idea and it's exactly like Senator Carroll said, they serve until we deny them. The minute he puts his signature on that that person is confirmed. He's already picked one for Helen Schmidt. I read last night where she's from DuPage County, similar circumstances, et cetera, she's going from seventeen five or nineteen thousand to thirty-nine thousand as the Illinois Commerce Commission member, and I dare say there's

not many people that won't disclose under those kind of conditions of salary, and I dare say that this is a good amendment and I...I wholeheartedly...I mean a bill, and I wholeheartedly endorse it.

PRESIDENT:

Further discussion? Further discussion? The Chair would like to recognize the presence of an old friend, the Mayor of Elmwood Park and a former State Representative, Elmer Conti. Elmer, welcome. Senator Keats.

SENATOR KEATS:

I just rise to say that the bill I don't really think should be partisan, I rise in support of what Senator Welch is doing. I admit, I think two weeks is too short too. But trying to be realistic, if the Senate votes, we don't want somebody, you know what, we don't want them and that's it and that's the law and they ought to be off and that ought to be final. So for that reason, I think we, as Republicans, regardless of the...what party the Governor is, 'cause you know if Dan Walker were governor every Republican would be supporting this bill. Maybe we ought to just not be partisan on it and say when the Senate refuses to advise and consent that ought to be it, the two weeks is a little short but it isn't totally unreasonable, and I think we, as Republicans, ought to support the bill as a good measure regardless of what party the Governor is.

PRESIDENT:

Further discussion? Senator Vadalabene.

SENATOR VADALABENE:

Thank you for letting me get up the second time. What I understand now, Senator Welch, is after I've had some clarification, what you are saying two weeks after they've been rejected by the Senate that they're fired, they got to get out of office. You're not saying that the replacement has to be done within two weeks.

PRESIDENT:

Senator Welch.

SENATOR WELCH:

That's right. They have two weeks to pack their bags and go.

PRESIDENT:

Senator Vadalabene.

SENATOR VADALABENE:

That's all I wanted to know.

PRESIDENT:

Senator Coffey.

SENATOR COFFEY:

Thank you, Mr. President and members of the Senate. I rise in favor of this bill also. I agree with Senator Keats, regardless of which political party has the second floor, I think when the...if we're going to confirm or not confirm appointments, I think we...whatever we say should hold some...some strength and it certainly hasn't in the past and I think it's a good bill.

PRESIDENT:

Senator Collins.

SENATOR COLLINS:

Yes, thank you, Mr. President and I apologize for rising a second time. I think it's a good bill also; however, I think it should apply to any recommendation from the...Governor that we do not confirm. And that's my only objection, why just to the Commerce Commission? That's my objection. And if you really want to do it, I think we should include any appointment of a major department head and if we do not confirm, whether it's two weeks or three weeks or whatever you have in this bill, it should apply to all.

PRESIDENT:

Further discussion? Further discussion? Senator Welch may close.

SENATOR WELCH:

Thank you, Mr. President. In response to Senator Collins, I would say that because of the time frame surrounding the failure to confirm Mrs. Schmidt and because this bill was limited to the Commerce Commission itself, it would...I felt it would not be germane to expand it beyond Commerce Commission members. However, I think that your proposal is a good one and maybe we can work on that next year, but for now, we're dealing with just the Commerce Commission members and I would urge an affirmative vote.

PRESIDENT:

Question is, shall House Bill 985 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 44, the Nays are 12, 1 voting Present. House Bill 985 having received the required constitutional majority is declared passed. On the Order of House Bills 3rd Reading is House Bill 996. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 996.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Zito.

SENATOR ZITO:

Thank you, Mr. President and members. House Bill 996 provides that a county with a population of at least two hundred and seventy-five thousand inhabitants which does not have a county health department, that county board may establish a board of health to be managed by the...by such a county board. In such cases the board shall be advised by a committee. We're trying to establish permissive legislation with this House bill to provide an opportunity for counties

that do not have a county health department to establish one, and I would urge for passage of this bill.

PRESIDENT:

Any discussion? Any discussion? Senator Hudson.

SENATOR HUDSON:

Yes, thank you, Mr. President, Ladies and Gentlemen of the Senate. Would the sponsor answer a few questions?

PRESIDENT:

Sponsor indicates he'll yield, Senator Hudson.

SENATOR HUDSON:

Senator Zito, just...just a few things on my mind here. Looking at the analysis on this bill, is it true that Kane County, and this does affect Kane County I gather, principally, has rejected the establishment of a county health...department repeatedly? That so or not so?

PRESIDENT:

Senator Zito.

SENATOR ZITO:

I'm not sure...what those litigations or discussions were in Kane County and I can't comment on...I'm not capable of commenting on...on this time, Senator.

PRESIDENT:

Further discussion? Senator Hudson.

SENATOR HUDSON:

One...one or two more questions. Analysis also suggests that the electorate there has...there have...has disapproved two attempts to establish a county health department by referendum. Is...is that so? I...I'm just trying to understand what's happening here.

PRESIDENT:

Senator Zito.

SENATOR ZITO:

Senator Hudson, I'm not sure what happened in a specific county, you refer to Kane County. What I'm trying to estab-

lish with this piece of legislation is county board members are elected by the voting populous and the public. If, in fact, a county board who is elected by that same public chooses to establish a county health department, then I think they should be entitled and it's permissive legislation to allow them to do that. I...if you have a specific problem with Kane County, I am not aware of...of the ongoing negotiations or problems or questions in that specific county, but I think that certainly...referendums are favorable and I appreciate anytime we can go to the voters and ask them a specific question to get an answer. But we have to remember that county officials are elected...elected members, and if a county board feels that they need assistance from a county health department, they should be able to provide that service to their voters.

PRESIDENT:

Senator Hudson.

SENATOR HUDSON:

One more question. Greg, what...the Department of Public Health I guess opposes this. Do you know...why they...why they oppose it?

PRESIDENT:

Senator Zito.

SENATOR ZITO:

No, I'm not sure why they oppose it. I did not hear from that department, they did not testify in committee. The bill passed out of committee unanimously a...and if they were recorded, I don't remember. I know specifically they did not testify against the bill and don't know of their opposition.

PRESIDENT:

Further discussion? Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Perhaps I can shed a little light on some of the

questions that have been raised by Senator Hudson. I can report to you that the formation of a county health department as outlined under the terms of this bill has...has not been...been rejected in Kane County. They...there have been discussions in the past. I can report to you that the...Kane County Board and the Medical Society in Kane County is now in solid support of this legislation. This has not always been true in the past and I...but it is true now, and I would ask for your favorable consideration of this bill.

PRESIDENT:

Further discussion? Senator Grotberg.

SENATOR GROTBORG:

Thank you, Mr. President and fellow members. I, too, am from Kane County. And as I recall, following Senator Etheredge's statement, what this does is it makes the Kane County...which has a large unincorporated area, incidentally, eligible for a hundred and three thousand in basic health service grants when fully operational. St. Clair and Madison could also take advantage of the legislation, and all it does, it makes a concurrent board out of the board...the county board as a concurrent board of...of health and it is an efitree to a lot of things. As I understand there is no taxation involved in this, there is no levy, you don't need the referendum, but it would be a...a...a door open to county funding for health purposes in these three counties under two hundred and seventy-five thousand, in the face of the Kane County having rejected a big countywide health system all these years, I think we're the only one left. This does that much, makes grant funding available for the exercise of the...health laws and everything we would do at that level would be something that Bill Kempiners and the State Health Department doesn't have to do at this point. They have to inspect all the restaurants and everything.

PRESIDENT:

Page 102 - JUNE 23, 1983

Further discussion? Senator Joyce.

END OF REEL

REEL #4

SENATOR JEROME JOYCE:

Yes, thank you, Mr. President. Senator Zito, if...I...I guess I just want to make a comment. I...I realize this is just...I guess for Kane County, maybe Madison and St. Clair, but, you know, when you let the county board do this, they are elected officials, as you say, but they also come under a lot of pressure from restaurants, bars, what have you when the health department in...in downstate counties anyway, when there's a problem there, these restaurant keepers and...and so forth go to their county board member and say, you know, get the health department off of my back; but if you got the same people regulating the...the licensing and doing the checking on them, I...I submit that's not really the...the thing we're looking for. So, I...you know, I...I realize my counties wouldn't come under this but, you know, next year we'll be back lowering it to where they would be.

PRESIDENT:

Further discussion? Senator Weaver.

SENATOR WEAVER:

Just a question, Mr. President. Senator Zito, are you just bypassing the necessity for having a referendum in these counties over two hundred and seventy-five thousand in order to establish a health department?

PRESIDENT:

Senator Zito.

SENATOR ZITO:

Senator Weaver...Senator Weaver, I'm not sure that we're...our intent is to bypass a referendum because there's no taxing money. I...I didn't feel that...that maybe in a

decision of this nature, since we have elected officials in place presently, that we...we would need to go to a referendum.

PRESIDENT:

Senator Weaver.

SENATOR WEAVER:

Aren't they allowed to levy a tax within the district for the support of the...of the county health district?

PRESIDENT:

Senator Zito.

SENATOR ZITO:

I...I don't think that's correct.

PRESIDENT:

Any further discussion? Further discussion? Senator Zito may close.

SENATOR ZITO:

Well, thank you, Mr. President and members. In closing, I'd just like to comment in...and sum up, and if you can remember the remarks that Senator Etheredge and Senator Grothberg had made, also to Senator Joyce, I think that while he cites the same concerns that I had, let me explain to you a little bit about the...how the board's going to be appointed. The board would be appointed by the county board chairman or the president, consist of at least five members, at least one of the members licensed to practice in medicine in all of its...branches and a licensed dentist...well, that might...for the term of three years, well, that might seem to be somewhat political. I think we're taking...we're trying to fill those spots with experts and not necessarily leave the heat, as you would say, on...on the county board. I think it's a simple concept. It's permissive and a county board should have the authority to at least have a board of health in that county, and I would urge for a favorable vote.

PRESIDENT:

Question is, shall House Bill 996 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 48, the Nays are 2, 5 voting Present. House Bill 996 having received the required constitutional majority is declared passed. On the Order of House Bills 3rd Reading is House Bill 997. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 997.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Fawell.

SENATOR FAWELL:

Thank you, very much, Mr. President. This bill...permits school districts, including Chicago, to market and sell computer programs, which is software, developed by an employee when the school district resources or facilities have been used in developing the program. It provides that the district and the teachers shall share the proceeds as they negotiate, except that neither party shall receive more than ninety percent of the proceeds. This is based on the same type of legislation that we passed for the U of I, and I will answer any questions.

PRESIDENT:

Any discussion? Any discussion? If not, the question is, shall House Bill 997 pass. Senator Savickas.

SENATOR SAVICKAS:

Well, yes, I just want to know now these are programs that are developed on the public's time; they're being paid by...by the district and they're going to share in the profits?

PRESIDENT:

Senator Fawell.

SENATOR FAWELL:

No. No, they just use the...they may use the...the school computer but they do not do it on the...on the public time.

PRESIDENT:

Senator Savickas.

SENATOR SAVICKAS:

Well, they're using the public school computer to develop their program. Does anybody else have access to these computers to...use it to develop programs and make it available or is it just these teachers? So, we're giving them a...an advantage over anybody else, aren't we?

PRESIDENT:

Senator Fawell.

SENATOR FAWELL:

The purpose of this bill is to develop software for using computers...for teaching computer work in the schools. Right now, a number of the schools have got computers but there is not enough software going around...it...it just hasn't been developed. There are a number of teachers who are working on this after school and...and late at night because of the fact that they would like be able to use it to teach, that's all. And...and the amount of time that, you know, is...is...is all negotiable, it's between the board and the teacher, and the school may end up with ninety percent of the profits. It's a...it's an negotiated type thing.

PRESIDENT:

Question is, shall House Bill 997 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 53, the Nays are 3, none voting Present. House Bill 997 having received the required constitutional majority

is declared passed. Senator Kustra on 999. That's also on the recall. All right, on...on that vein...in that vein, if I can have the attention of the membership, we have...Senator Chew, for what purpose do you seek recognition?

SENATOR CHEW:

Would you have the record to record me on this, please. I was coming to my seat. If...if you can.

PRESIDENT:

Let the record reflect Senator Chew did not get to his desk in time to be voted affirmatively, which he would have done in the event he'd stayed in his seat. We have...on the recall list that has been distributed, there are sixty-nine possible amendments pending. Additionally, I'm told by the Secretary, that there are thirteen second recall lists. It's the Chair's suggestion that we get to it. It's an enormous amount of paper to plow through. It will be of some significant help to our over-worked employees in Enrolling and Engrossing if we can get this done. So, with leave of the Body, we'll move to the Order of House Bills 3rd Reading for the purpose of recalls, and I'd ask the members to...if the sponsor doesn't wish to call it back, please let the Chair know, and those who have amendments, please be ready, because we're going to move, I hope, as rapidly as possible. Senator Kelly, for what purpose do you arise?

SENATOR KELLY:

Yes, Mr. President, I've got two bills I'd...I'd like to request recommitting on.

PRESIDENT:

Recommitting. Oh, we're...or Tabling we're...that's always in order.

SENATOR KELLY:

To recommit. Okay.

PRESIDENT:

All right.

SENATOR KELLY:

All right, House Bill 1507.

PRESIDENT:

1-5-0-7. Where is that?

SENATOR KELLY:

Which is on the Agreed Bill List, and I'd like to have that recommitted to Judiciary I where it came from, and also House Bill 1463 recommitted to Revenue.

PRESIDENT:

1463, is where?

SENATOR KELLY:

If I can get leave for that, yes.

PRESIDENT:

All right, Senator Kelly seeks leave of the Body to rerefer 1463...House Bill 1463, it's on 3rd reading on page 20, to the Committee on Revenue. Is leave granted? Leave is granted. And he wishes to recommit House Bill 1507 to the Committee on Judiciary. Is leave granted? Leave is granted. All right, if you'll turn to the front of the Calendar...top of page 4 on the Calendar is House Bill 104. Senator Zito seeks leave of the Body to return that bill to the Order of 2nd Reading of purposes of an amendment. Is leave granted? Leave is granted...as soon as we get all of the...we've got eighty amendments pending here. We'll also be distributing the second list, so those who have filed amendments or the bill sponsor, please take a look at both lists and be ready. On the Order of House Bills 2nd Reading, House Bill 104, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Zito.

PRESIDENT:

Senator Zito.

SENATOR ZITO:

Thank you, Mr. President and members. Amendment No. 1

adds the director of public aid to the Commission on Health Assistance Programs, and I would ask for its adoption.

PRESIDENT:

Any discussion? Any discussion? Is this Amendment No...all right, Senator Zito has moved the adoption of Amendment No. 1 to House Bill 104. Any discussion? If not, all in favor signify by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. If you'll turn to page 29, on the Order...on the Agreed Bill List is House Bill 107. Senator Lemke seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading is House Bill 107. Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Lemke.

PRESIDENT:

Senator Lemke.

SENATOR LEMKE:

What this bill does is it makes it public policy for the State and the health and safety and welfare of all children attending any school grades from kindergarten to twelve to afford a safe and convenient transportation to and from schools they lawfully attend. I think this is a good bill. I ask for its adoption.

PRESIDENT:

Any discussion? Senator Lemke has moved the adoption of Amendment No. 1 to House Bill 107. Any discussion? If not, all in favor signify by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. It comes off the Agreed List, I'm sure everybody is aware. 3rd reading. Top of page 5, on the Order of House Bills 3rd Reading is House Bill 320. Senator Bruce seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading, House Bill 320, Mr. Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Bruce.

PRESIDENT:

Senator Bruce.

SENATOR BRUCE:

Thank you, Mr. President. This amendment deals with the rate for adult education reimbursement for both community colleges and for school districts. I wish Senator Berman were on the Floor.

PRESIDENT:

He is. He's right there paying attention.

SENATOR BRUCE:

Fine. Thank you. I'm glad that he is here. Senator Berman worked as hard as anyone could, I think, in the State of Illinois in trying to get adult education people, community college people, State Board people, the community college board people together in trying to draft, and did in fact, draft and pass a...a proposal which will go in effect July 1st of this year. In the intervening time, I have been contacted by those in adult education and the school districts stating that that formula which this Body has already enacted will be inadequate to continue adult education in school districts in the State of Illinois. We have faced this issue several times. In 1979, we raised the rate to two dollars and seventy-five cents; we then lowered it to two

dollars in 1980. In '81, we found that rate was inadequate and at midyear in 1981 we increased it from two dollars to three fifty. The problem is, is under the current Statute we will go to a rate of a dollar ninety-six cents, four cents lower than what we found in FY '81 to be an adequate amount. The...the proposal contained within this amendment is to go to a three dollar per hour rate of instruction, which would be forty-five dollars a credit hour, which I think will do two things. It will strike a mid-point between Senator Berman's proposal which was adopted and the need to keep these programs going on in high school districts. Adult education is contained both in high schools and in community colleges and there has been a great deal of dispute over this formula, and I am certain as I stand here today that the...the question of this formula has not been resolved and there will be ongoing discussions as this bill moves forward. I would like to put the amendment on. I am still open for any suggestions, alterations and proposals. But Senator Davidson's district, my district, other districts, high school...Senator Buzbee's district are going to be harmed to the point that we are going to be getting out of the business of having adult education GED programs in school districts. I don't think we want to do that. I don't think it was the intention of anyone on the School Problems Commission or in that group that when the figures started to fall out, they were using 1981 figures which were changed at mid-year...at January, they did not understand or could not...could not have known the impact that this formula is going to have. So, I would like to move the adoption of Amendment No. 2 to House Bill 320.

PRESIDENT:

All right, Senator Bruce has moved the adoption of Amendment No. 2 to House Bill 320. Discussion? Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I understand what Senator Bruce is trying to do but let me just tell you that last year we spent, if I say dozens of hours I'm sure I'm understating it, between the junior college people and the...high school adult education people and that's where this dispute is arising. It's an argument between the adult educators that teach in our high schools and your junior colleges, and that's where the argument is. Now a year ago after interminable amount of time, we reached a solution that was put into the Statute, and I want you to honestly know, I relied upon the...the...the professionals. I relied upon the professionals at the State Board of Education and at the Junior College Board. They reached the agreement. It was not a Berman agreement. It was not a Bruce agreement. It wasn't a Maitland agreement or a Davidson agreement. It was an agreement reached by the professionals that deal in this day in and day out. They all signed off on this agreement. Now they come back, one part of that group, and they say they can't live with it. I've held meetings with them and I want to share with you my conclusion. My conclusion was that the difference that was involved didn't justify undoing everything that we went through last year, and I told them that. I said, I'm not going to take this whole damned thing back to the members of a...of the Legislature and take them through something that most of the people, including myself, didn't understand in many situations; and that if they agreed on it last year, let it work for a year or two and don't come in at the eleventh hour and ask us to redo it, especially if you can't reach agreement again by both sides of the professionals. Now, I am told that the junior colleges throughout this State are very much opposed to this amendment. They want to stick with the agreement that both sides reached a year ago. This amendment will require, in order for your junior colleges not to be hurt, will require

an additional 3.3 million dollar appropriation...an additional 3.3 million dollar appropriation. Now, if anybody on this Floor can tell me today that that additional three million dollars is going to be there to take care of the adult educators, I'm all for the amendment. I have no problems, and I'm sure Senator Bruce and others will concur. My problem is, if the three million dollars additional money is not there, somebody's going to lose and those losers are your junior colleges, and I don't think it's fair to impose a loss on your junior college programs that was agreed to by both sides if we can't add new money to the pot. So, that's why I stand in opposition to this amendment. Let me add one more thing and, Terry, shake your head one way or the other if I'm wrong. I see that there is an amendment on this bill already. This is Amendment No. 2. Amendment No. 1 is already on this bill. I would suggest that we defeat Amendment 2; 320 will probably then pass out of here. If the House wishes they can nonconcur and we'll have another week to hear from the junior colleges as well as your adult educators in your high schools and the bill will be in Conference Committee and it'll give us another week. I am just concerned, Ladies and Gentlemen, that if you approve this amendment today, it'll be concurred in in the House and it's going to cost...your junior colleges are going to lose three million dollars for their programs on a reneging of an agreement that everybody agreed to a year ago, and that's the reason I'm standing in opposition. If we pass an income tax and we've got another three million dollars to sweeten the pot, I'm...I'm with Bruce. If we don't, I'm against him because I don't think it's fair to try to redo an agreement that was signed off on a year ago. Today, I'm going to vote No. I think the fair approach on today's vote is a No vote. Keep the pot boiling. Let's keep talking. Hear what it's going to do to each of your junior colleges and a week from

now we can address it again.

PRESIDENT:

Further discussion? There are a number of members who've...are seeking recognition. Senator Davidson.

SENATOR DAVIDSON:

Mr. President and members of the Senate, I rise in support of this amendment. Two items; one, yes, all of us were involved in those negotiations that went on last year but there's one other proviso that was included in that little negotiations that if the numbers didn't work out we would change it, and the numbers don't work out. Second, twenty-seven out of the fifty-one public school programs in the State of Illinois will suffer losses under this program. Bad enough in many instances, it will stop the program, the one which I know the most about, of course, is the one that's in my district. This spring the largest graduating class to get either a diploma or a GED certificate was not from anyone of the five major high schools in Springfield, Illinois; it was from the adult education program, eight hundred and some odd plus students. Now you want to talk about dollars, we done quite well. We've put two dollars back for every dollar spent. We've put two hundred people to work. They're, one, paying income tax, and two, we took them off public aid rolls just from this program. I urge a strong vote Yes for this amendment.

PRESIDENT:

Further discussion? Senator Fawell.

SENATOR FAWELL:

Thank you, Mr. President. First, a...a question of the sponsor.

PRESIDENT:

Sponsor indicate he'll yield, Senator Fawell.

SENATOR FAWELL:

Is this just for GED classes or is this for all adult

education classes?

PRESIDENT:

Senator Bruce.

SENATOR BRUCE:

It would be for all ABE-GED, Adult Basic Education and GED, not vocational ed. It's just of ABE-GED.

PRESIDENT:

Senator Fawell.

SENATOR FAWELL:

All right, to the bill. I just would like to tell my colleagues on my side of the aisle that happen...happen to represent the County of Dupage, I have heard from our President Hal MacInish from COD and he is violently against the amendment.

PRESIDENT:

Further discussion? Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President and Ladies and Gentlemen of the Senate. I rise in support of Amendment No. 2 to House Bill 320. Much of the area has been covered and, Senator Berman, I, too, appreciate as everyone else is complimenting you for your work on this issue and you did spend many, many weeks on the issue, but what Senator Davidson said is true. If the numbers didn't work out, adjustments would have to be made. I wish some of you on this Floor could see what is happening to your own particular school district. In some areas it's very, very, very, very critical, and it appears as though many of the opponents of this concept are talking about the inefficiency of the adult ed. programs that are operated in these schools. Let me tell you what happens, the sparser the population, the further you are away from the community college, the more the necessity to count upon the public school system for adult ed., and clearly the public secondary system is not going to run it as

efficiently, if you want to use effeciently in that...in that category, as the community colleges; but the fact of the matter is the adult ed. program is necessary and in some areas of the State it's going to be less efficient, as Senator Davidson just mentioned the number of schools that are seriously impacted. This is a good amendment. It's a necessary one if adult ed. is going to survive in Illinois, and I urge your support.

PRESIDENT:

Further discussion? Senator Etheredge.

SENATOR ETHEREDGE:

Mr. President and Ladies and Gentlemen of the Senate, I rise in opposition to...to this amendment. My information that indicates that the...the net result of the implementation of the amendment is to shift 3.3 million dollars away from the community colleges in the State. I think that a review of the...of the...enrollments in the community college will show that the serve a large number of students in the...in the adult ed. programs. I think the last thing in the world that we want to do is to...is to take money away from...from those programs. I would urge the rejection of the amendment.

PRESIDENT:

Further discussion? Further discussion? Senator Bruce, you wish to close? Senator Vadalabene.

SENATOR VADALABENE:

Yes, just briefly, what has been said in regard to favoring adult education, I think it's one of the finest programs that we have and there's nothing that...that we can do to further their causes, but let me tell you what it does to Venice, Illinois to the adult program which is rated as one of finest in...in the State, they in...they're anticipated loss, if this amendment fails, they would lose a hundred and eight thousand two hundred and one dollars. I rise in sup-

port of this amendment.

PRESIDENT:

All right, further discussion? Senator Bruce.

SENATOR BRUCE:

Yes, thank you, Mr. President and members of the Senate. I can't imagine how much time Senator Berman has spent on this amendment. I know that I've got more than a hundred hours logged in on the matter. The...the question really is a policy decision for this Body of whether or not we want adult basic education, GED, where they are teaching people how to get jobs, teaching people on public aid on Title Twenty who go back and get reimbursed, whether we want those people to continue to be educated in high schools across the State of Illinois. When we passed the formula a year ago, there was an implicit agreement that if the formula did not work out properly, we would come back and face the issue. This is the time to face the issue. I don't believe that anybody wants to slash the wrists of those high school districts and watch them slowly bleed to death. If we want to terminate the programs in high schools, let's say, all the programs in high schools for adult basic...for all the people on public aid are going to be run by the...by the community colleges. I think that I am a...a strong supporter as anyone here of community colleges. I don't want to hurt them in any way, but I think this amendment tries to strike equity between the two factions. I am in a very difficult situation myself because there are people in my own community that would prefer this amendment not go on. I have sat down with those adult basic education and I have been persuaded that if we are going to keep a school district program, this amendment must go on. If we decide to terminate the program, then we ought to just say to...by Statute, get out of the business. Senator Davidson's program, Buzbee, Vadalabene, Senator Hall's programs ought to continue and the School Problems

HB 349
Recalled

Commission ought to take a look at whether or not we ought to continue those at all, but we ought to give them the money to stay alive, and I would...appreciate your support on Amendment No. 2.

PRESIDENT:

The question is the adoption of Amendment No. 2 to House Bill 320. 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 32, the Nays are 23. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. Senator Sangmeister, on the Order of House Bills 3rd Reading is House Bill 349. Senator Sangmeister seeks...page 5 on the Calendar, Senator Sangmeister seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading, House Bill 349. Mr. Secretary.

SECRETARY:

Amendment No. 6 offered by Senator Berman.

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is the bill that was debated yesterday or the day before, I forget which. It's the one that allows corporations to be represented in court by...certain named employees of the corporation. In the debate that was held two days ago, we tried to offer an amendment that would limit this privilege to what some people call ma and pa corporations, and I was...I offered an amendment that dealt with

corporations that had fifty or fewer employees and gross sales of four million dollars. The...the opponents to that amendment stood on this Floor and said that they could live with an amendment that still dealt with ma and pa corporations but that we should define ma and pa corporations a little more broadly, and that's what this amendment does. It would allow corporations that have one hundred or fewer...that have one hundred or fewer employees or gross sales of less than twenty million dollars to take advantage of the provisions in this bill. If you're a larger corporation, you'd have to have an attorney to represent the corporation. This is in conformity with the suggestions from Senator Schuneman and Senator Bloom at the time of that debate. I would hope that this can be put on as a...on noncontroversial or a...a agreed amendment. I'd move the adoption of Amendment No. 6.

PRESIDENT:

All right. Senator Berman has moved the adoption of Amendment No. 6 to House Bill 349. Discussion? Senator Collins.

SENATOR COLLINS:

Not on that. I want a point of personal privilege.

PRESIDENT:

All right. Senator Geo-Karis on the Amendment No. 6.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, I rise to speak against this amendment. I think if we're going to allow individuals to go ahead and represent themselves up to the point of twenty-five hundred dollars, I don't see any sense why we don't allow the corporations. I think in these times, particularly, we have to consider costs, and you and I both know that any time any an lawyer handles it, fine, it's expensive. Why add more cost on which is passed eventually on to the consumer? I rise to speak against the amendment.

PRESIDENT:

Further discussion? Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, Senator Geo-Karis basically gave my speech. I think it is important that we have lawyers speaking on this bill against the amendment because I think it's...it's often seen that...that...that there's an...an importance in having lawyers who might have something to gain by...by limiting the ability of corporations to represent themselves in...in small claims courts speaking against an amendment of this kind. As Senator Geo-Karis said, what's...what's good for one party is good for the other. There's no...there's no reason that...that one individual or entity ought to be able to represent themselves in small claims court and not another. We got into a debate the other day, I think this the third time we've talked about this bill at the amendment stage. We got into a debate the other day when there was a suggestion that...that a corporation ought to have to prove in small claims court who the officers or agents were or who were qualified to represent that corporation in court, and it was pointed out that that would require the court to maintain records or...or a list of registered corporations and registered agents in order to establish who those individuals were. I think in this particular case, we'd run into the same kind of problem because a...a court would...would have to be able to establish one way or another whether the particular corporation had the...had a low enough number of employees, I guess it's less than a hundred in this bill, or...or sufficiently low sales, under a hundred million dollars, in order to be represented by a...a employee of that corporation rather than outside counsel; and we'd run into the same problems of proof in this situation as we would in the amendment that we were entertaining the other day. For all of these reasons, I strongly urge the members to vote

against this amendment.

PRESIDENT:

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

SENATOR BERMAN:

Thank you. Let me just refresh your memory for another moment. When we offered amendment the other day, the opponents to that amendment made a suggestion. This amendment is that suggestion. I'm trying to put this bill into a fashion that helps the ma and pa corporations. The giant corporations...and let me tell you, we're talking about corporations here that have sales of an excess of twenty million dollars and employees of over a hundred. They can afford to have lawyers. That's the question here, and if you think that there is no merit to allowing nonlawyers to handle legal matters, then we ought to abolish all the law schools. There's a purpose here that is...that is served...I knew that would bring some responses...there is a purpose served to our system of law. This law...this bill makes a dramatic departure in that system. I want to see and I suggest this amendment in full good faith because I don't think you should make radical changes in our system of jurisprudence and the judicial system of this State without very careful evaluation. This allows the bill to go into a...into effect and affords to the small corporations the right to have this benefit. Let's start slowly before you open up the floodgates. I ask for an Aye vote on this amendment that was suggested by the opponents to the one the other day. I solicit your Aye vote.

PRESIDENT:

Senator Berman has moved the adoption of Amendment No. 6 to House Bill 349. 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 Aye are 16, the Nays

are 37. Amendment No. 6 fails. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. On the Order of House Bills 3rd Reading, bottom of page 5, is House Bill 390. Senator Demuzio seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading, House Bill 390, Mr. Secretary.

SECRETARY:

Amendment No. 3 offered by Senator Marovitz.

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. This amendment has been recommended by the Commissioner of Banks and Trusts to further define the ability for savings and loan branches to purchase and join the network within the district facility or branch that it's located in. An ambiguity exists in the present law which prohibits these respective branches from joining the network within which the branches lie and this would correct that ambiguity. I reiterate that it is supported by the Commissioner of Banks and Trusts. I know of no opposition. I would ask for the adoption of Amendment No. 3.

PRESIDENT:

Senator Marovitz has moved the adoption of Amendment No. 3 to House Bill 390. Any discussion? If not, all in favor signify by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. UPI has asked...Senator Sam, pay attention. Senator Sam. Senator Sam. Senator Sam, UPI has asked permission to take your picture, is leave granted? Turn the left a little bit, Sam...that's good. Leave is granted. On the Order of House Bills 3rd Reading, on the Agreed List, House Bill 446. Senator Maitland seeks leave of the Body to return that bill...top of page 30, to return House Bill 446 to the Order of 2nd Reading for purposes of an amendment. Is leave granted? On the Order of House Bills 2nd Reading, House Bill 446, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Maitland.

PRESIDENT:

Senator Maitland.

SENATOR MAITLAND:

Thank...thank you, very much, Mr. President and Ladies and Gentlemen of the Senate. This is the...the amendment that we debated...this is the amendment we debated the other day relative to the placement of the U of I trustees on the ballot. You may recall, Senator Bruce had some questions. Those...those questions have been answered. We have an understanding now and I believe it's probably not worth the...the time to...further debate the amendment.

PRESIDENT:

Senator Bruce.

SENATOR BRUCE:

Fine. I was...I was wrong in debate. We changed the rotation system without my remembering it, and Senator Maitland's amendment is certainly in order, given the number of congressional districts we have.

PRESIDENT:

All right, Senator Maitland has moved the adoption of Amendment No. 1 to House Bill 446. Any discussion? If not, all in favor signify by saying Aye. All opposed. The Ayes

have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. 475, Senator Darrow. On the Order of House Bills 3rd Reading, top of page 6, House Bill 475. Senator Darrow seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading, House Bill 475, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Darrow.

PRESIDENT:

Senator Darrow.

SENATOR DARROW:

This legislation pertains to the Illinois Farm Development Authority. What the amendment does is reduce the amount of money a farmer can borrow for purchase of real estate from two hundred and fifty thousand to one hundred and fifty thousand. The Illinois Farm Development Authority Board requested this amendment, and that's why I'm offering it.

PRESIDENT:

Senator Darrow moves the adoption of Amendment No. 1 to House Bill 475. Any discussion? If not, all in favor signify by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. 628, Senator Bruce. On the Order of House Bills 3rd Reading, middle of page 7, is House Bill 628. Senator Bruce seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd

Reading, House Bill 628, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Bruce.

PRESIDENT:

Senator Bruce.

SENATOR BRUCE:

Thank you. This relates to transfers to the retirement system of the Chicago Teachers' Retirement and the State Teacher Retirement System. The present procedure is to transfer one twenty-fourth of the amount due the system. We...that is not statutory. The...the amendment makes that clear. It was one-twelfth in the bill. I think Senator Rupp suggested in committee that we conform the bill to current practice and that is exactly what the amendment does, and with the amendment it has the support of the State Board, the Comptroller and the Treasurer.

PRESIDENT:

Senator Bruce has moved the adoption of Amendment No. 1 to House Bill 628. Any discussion? If not, all in favor signify by saying Aye. All opposed. The Ayes have. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. Senator Watson, 674. On the Order of House Bills 3rd Reading, page 7, is House Bill 674. Senator Watson seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading, House Bill 674, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Watson.

PRESIDENT:

Senator Watson.

HB 690
Recalled

SENATOR WATSON:

Amendment No. 1 changes from a Class D Misdemeanor to a Class A Misdemeanor.

PRESIDENT:

Senator Watson moves the adoption of Amendment No. 1 to House Bill 674. Any discussion? If not, all in favor signify by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. On the Order of House Bills 3rd Reading is House Bill 690. Senator Sangmeister seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading, House Bill 690, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Sangmeister.

PRESIDENT:

Senator Sangmeister.

SENATOR SANGMEISTER:

Thank you, Mr. President and members of the Senate. This bill deals with the theft of public services, and in order to properly establish the crime we have to have a presumption in there and the amendment puts the presumption into the bill and we can discuss it on 3rd reading. Move its adoption.

PRESIDENT:

Senator Sangmeister has moved the adoption of Amendment No. 1 to House Bill 690. Any discussion? If not, all in favor signify by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. Senator Macdonald, 691. On the Order of House Bills 3rd Reading, the bottom of page 7, is House Bill 691. Senator Macdonald seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading, House Bill 691, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senators Vadalabene and Weaver.

PRESIDENT:

Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. Senate Amendment No. 1 to House Bill 691 establishes a natural resource information fund to allow the State geological survey, water survey and natural history survey to meet the increased demands for mass publications and data from industry, universities and...citizens, and I would move for its adoption.

PRESIDENT:

Senator Vadalabene moves the adoption of Amendment No. 1 to House Bill 691. Any discussion? If not, all in favor signify by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. 708, Senator Joyce. On the Order of House Bills 3rd Reading, top of page 8, is House Bill 708. Senator Joyce seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd, House Bill 708, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Jerome Joyce.

PRESIDENT:

Senator Joyce.

SENATOR JEROME JOYCE:

Yes, thank you, Mr. President. This amends the backdoor referendum provision of this bill to conform with those that were put on all backdoor referenda last year. It was suggested by the Taxpayers' Federation. I'd move for its adoption.

PRESIDENT:

Senator Joyce moves the adoption of Amendment No. 1 to House Bill 708. Any discussion? If not, all in favor signify by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. On the Order of House Bills 3rd Reading is House Bill 709. Senator Joyce seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd, House Bill 709, Mr. Secretary.

SECRETARY:

Amendment No. 1, by Senator Jerome Joyce.

PRESIDENT:

Senator Joyce.

SENATOR JEROME JOYCE:

Thank you, Mr. President. It's exactly the same amendment as the one on the last bill. I'd move for its adoption.

PRESIDENT:

Senator Joyce moves the adoption of Amendment No. 1 to House Bill 709. Any discussion? If not, all in favor signify by saying Aye. All opposed. The Ayes have it. The

amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. Turn to page 30 on the Calendar, on the Agreed List, Senator Bruce seeks leave...on the Order of House Bills 3rd Reading, Senator Bruce seeks leave of the Body to return House Bill 721 to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading, House Bill 721, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Bruce.

PRESIDENT:

Senator Bruce.

SENATOR BRUCE:

Thank you, Mr. President. This is a bill that relates to the publication of police...police publications and the approval of those for solicitation of funds by the Attorney General. There was a question about the publication of a particular police officer's directory, and all this says is that they also can publish but they do not have to be published four times a year but just at least annually. I move its adoption.

PRESIDENT:

Senator Bruce has moved the adoption of Amendment No. 1 to House Bill 721. Any discussion? If not, all in favor signify by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. If I can have the attention of the membership, Kelly Smith from Channel 20 has requested permission to

shoot himself. Is leave granted? Leave is granted. On the Order of House Bills 3rd Reading is House Bill 751. Senator Chew seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading, House Bill 751, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Chew and Becker.

PRESIDENT:

Senator Chew.

SENATOR CHEW:

Thank you, Mr. President. This is an amendment that was requested by the Senator on...from Cicero. It's an inclusion of Cicero. We have no objection and would ask its adoption.

PRESIDENT:

All right, Senator Chew has moved the adoption of Amendment No. 1 to House Bill 751. Any discussion? If not, all in favor signify by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. Senator Lenke on 755. On the Order of House Bills 3rd Reading is House Bill 755. Senator Lenke seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading, House Bill 755, Mr. Secretary.

SECRETARY:

Amendment No. 1, by Senator Lenke.

PRESIDENT:

Senator Lenke.

SENATOR LEMKE:

This bill is the same as House Bill 428 which seemed to

HB 757
Revised

be some confusion and got mixed up in committee. It increases the death benefit from three thousand to six thousand. I think it's a good amendment. We also put the clause in here that any cost to the city is not...reimbursable by the State. I ask for its adoption.

PRESIDENT:

Senator Lemke has moved the adoption of Amendment No. 1 to House Bill 755. Any discussion? If not, all in favor signify by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. Senator Philip on 757. All right, with leave of the Body, Senator Grotberg will handle that. On the Order of House Bills 3rd Reading, the bottom of page 8, Senator Philip seeks leave of the Body to return House Bill 757 to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd, House Bill 757, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Grotberg.

PRESIDENT:

Senator Grotberg.

SENATOR GROTBORG:

Thank you, Mr. President and fellow members. This...merely allows townships on their public notice...publication and notice provisions to publish in newspapers that may not be published in that township. There are many townships where the newspaper has little local publications but it's published perhaps in another county, like in Cook, and DuPage, and Kane, et cetera, and this merely allows them to advertise in such a publication. I move the adoption.

PRESIDENT:

Senator Grotberg has moved the adoption...we're on 757, Mr. Secretary. Senator Grotberg has moved the adoption of Amendment No. 1 to House Bill 757. Any discussion? If not, all in favor signify by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. Middle of page 9, Senator Schaffer...Senator Schaffer. On the Order of House Bills 3rd Reading is House Bill 813. Senator Schaffer seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading, House Bill 813, Mr. Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Schaffer.

PRESIDENT:

Senator Schaffer.

SENATOR SCHAFFER:

Mr. Chairman...President, this is the little gem the township officials foisted off upon me. I believe Amendment No. 2, which corrects a problem that Senator Lemke spotted, it deletes the offending language and puts the bill in shape.

PRESIDENT:

All right, Senator Schaffer has moved the adoption of Amendment No. 2 to House Bill 813. Any discussion? Senator Netsch.

SENATOR NETSCH:

Mr...Senator Schaffer, if it puts it in shape, it will be for the first time.

PRESIDENT:

Senator Schaffer has moved the adoption of Amendment No.

2 to House Bill 813. Any discussion? If not, all in favor signify by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. 848, Senator Schuneman. On the Order of House Bills 3rd Reading is House Bill 848. Senator Schuneman seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of Tabling an amendment. Is leave granted? Leave is granted. Mr. Secretary, on the Order of House Bills 2nd Reading, House Bill 848.

SECRETARY:

Amendment No. 1.

PRESIDENT:

Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. Amendment No. 1 was given to me by the Department of Revenue. We put the amendment on the bill and then later discovered that the amendment would have repealed sections of the Voluntary Health Services Act, the Vision Service Plan Act, the Dental Service Plan Act, and it was never our intention to do that; therefore, we'd like to Table that amendment, and I think the proper motion would be, having voted on the prevailing side, I move to reconsider the vote by which Senate Amendment No. 1 was adopted.

PRESIDENT:

All right,...Senator Schuneman, having voted on the prevailing side, moves to reconsider the vote by which Amendment No. 1 to House Bill 848 was adopted. Any discussion? If not, all in favor signify by saying Aye. All opposed. The Ayes have it. The motion carries. Senator Schuneman now moves to Table Amendment No. 1 to House Bill 848. Any discussion? If not, all in favor signify by saying Aye. All opposed. The

Ayes have it. The motion carries. Amendment No. 1 is Tabled.
Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. Bottom of page 9, Senator Lemke, on the Order of House Bills 3rd Reading is House Bill 869. Senator Lemke seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading, House Bill 869, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Lemke.

PRESIDENT:

Senator Lemke.

SENATOR LEMKE:

Okay. This is the amendment asked for by the contractors and it states that the employees inform the contractor in writing of their wages due prior to payment by the contractor to a subcontractor. I think it's a good amendment. I ask for its adoption.

PRESIDENT:

Senator Lemke moves the adoption of Amendment No. 1 to House Bill 869. Any discussion? If not, all in favor signify by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

Amendment No. 2, by Senator Lemke.

PRESIDENT:

Senator Lemke.

SENATOR LEMKE:

What this...amendment does is makes...makes it clear that the contractor's liability is ended when payment under the terms of the contractor is made to the subcontractor. I'd

ask for its adoption.

PRESIDENT:

Senator Lenke moves the adoption of Amendment No. 2 to House Bill 869. Any discussion? If not, all in favor signify by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. Senator Holmberg on 884. On the Order of House Bills 3rd Reading, the top of page 10, House Bill 884. Senator Holmberg seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading, House Bill 884, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Holmberg.

PRESIDENT:

Senator Holmberg.

SENATOR HOLMBERG:

This adds counties to the word municipalities so that either may apply for possible weatherization grants.

PRESIDENT:

Senator Holmberg moves the adoption of Amendment No. 1 to House Bill 884. Any discussion? If not, all in favor signify by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. 963, Senator Savickas. Senator Savickas seeks leave of the Body to return House Bill 963 to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd

Reading, House Bill 963, Mr. Secretary.

SECRETARY:

Amendment No. 1...offered by Senator Etheredge.

PRESIDENT:

Senator Etheredge.

SENATOR ETHEREDGE:

Mr. President, could I ask how the sponsorship of that amendment is shown?

SECRETARY:

Etheredge-Netsch.

SENATOR ETHEREDGE:

Mr. Secretary, I would like for that...the sponsorship to be shown as Netsch-Etheredge-Geo-Karis.

PRESIDENT:

The Chair doesn't ordinarily comment, but this has got to be a lulu. Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. It is a lulu. This is designed to put House Bill 963 into a posture that it may be used in the fall as the vehicle bill for any resolution that may be reached on the consolidation of alcoholism and drugs into a substance abuse combined program. We have the permission of the House and Senate sponsors of the bill. It strikes everything and inserts a simply innocuous section saying that the Department of Mental Health and the Dangerous Drugs Commission shall jointly develop treatment prevention and education programs and so forth. It is intended simply to get the bill into a position where it can be used as the vehicle for the consolidation agreement if it is reached. I would move the adoption of Amendment No. 1 to House Bill 963.

PRESIDENT:

All right, Senator Netsch, Etheredge and Geo-Karis have moved the adoption of Amendment No. 1 to House Bill 963. Any discussion? If not, all in favor signify by saying Aye. All

opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. 999, Senator Kustra. On the Order of House Bills 3rd Reading, bottom of page 10, is House Bill 999. Senator Kustra seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading, House Bill 999, Mr. Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Kustra.

PRESIDENT:

Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President and members of the Senate. This particular amendment attempts to address some of the concerns which have been raised by the bill. It leaves the duty to hold title to school property in the hands of the township school trustees rather than transfer it to the regional board of trustees. It also leaves the township school treasurer office intact. I move for its adoption.

PRESIDENT:

Senator Kustra has moved the adoption of Amendment No. 2 to House Bill 999. Any discussion? If not, all in favor signify by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. On the bottom of page 10, House Bill 1001 3rd Reading is House Bill 1001. Senator Dawson seeks leave of the Body to return that bill to the Order of 2nd Reading for pur-

poses of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading, House Bill 1001, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Dawson.

PRESIDENT:

Senator Dawson.

SENATOR DAWSON:

Mr. President and Ladies and Gentlemen of the Senate, the amendment deletes the State having the power and authority to tell a company how to control their production or their company procedures.

PRESIDENT:

Senator Dawson has moved the adoption of Amendment No. 1 to House Bill 1001. Any discussion? Senator Collins.

SENATOR COLLINS:

I'm sorry. A point of personal privilege. I don't know whether a good time to do this but I...

PRESIDENT:

Let me...let me just adopt the amendment and then we'll put you right on. Senator Dawson has moved the adoption of Amendment No. 1 to House Bill 1001. Any discussion? If not, all in favor signify by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. Senator Collins on a point of personal privilege.

SENATOR COLLINS:

Yes, thank you, Mr. President. Several bills back, on Senate...Senate...House Bill 320, I mistakenly punched the...the wrong switch. Had I'd been paying closer attention, I would have voted Yes; I was recorded as No.

HB 1002
Recalled

PRESIDENT:

The record will so reflect, Senator Collins. On page 31 of the Calendar, on the Order of House Bills 3rd Reading is House Bill 1002. Senator Coffey seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading, House Bill 1002, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Coffey.

PRESIDENT:

Senator Coffey.

SENATOR COFFEY:

Thank you, Mr. President and members of the Senate. Amendment No. 1 amends House Bill 1002 on page 1, line 11, by deleting "notice" and inserting in lieu of "prior notice," and lines 13 and 14, by deleting "at least one week in advance of the meeting" and inserting "in the manner provided pursuant to the rules of the county board." This amendment is being requested because...as I understand on certain county board regulations and pursuant to their rules they have a different notice times to be given in regards to meetings to be held, and so that's the reason for this amendment.

PRESIDENT:

All right, Senator Coffey has moved the...adoption of Amendment No. 1 to House Bill 1002. Any discussion? If not, all in favor signify by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

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

SENATOR CHEW:

On bill 320, on the amendment, I believe I'm recorded as Aye. Would the record...show that my...I want to change my vote to No?

PRESIDENT:

The record will reflect your change of heart. Page 11, Senator Kelly, you wish to call back 1017? He does not. Does everybody have a list in front of them, so we're all on the same wavelength? On the Order of House Bills 3rd Reading is House Bill 1017. Senator Kelly seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading, House Bill 1017, Mr. Secretary.

END OF REEL

REEL #5

SECRETARY:

Amendment No. 1 offered by Senator Buzbee.

PRESIDENT:

Senator Buzbee.

SENATOR BUZBEE:

Thank you, Mr. President, and I do appreciate Senator Kelly's agreeing to allow this bill to come back for my amendment. This is an amendment which affects one constituent that I'm aware of in the whole State of Illinois, happens to be a gentleman in my district. When he became disabled as a member of the Illinois Teachers' Retirement System, he became disabled with nine and a half years of...of service in. The law at that time said you had to have at least ten years in before you're able to...draw a disability pension. Since then the law has been changed and had he been...become disabled a year or two later he would have been fine, but because of the...the law as it was at the time he became disabled he is not eligible to participate. So all I'm doing is I'm opening the window for him to get in with nine and a half years of service, back to June 30th, 1977; the current law says July 1, 1979, so, I'm moving it back by two years to allow this one gentleman to be able to draw disability pension, and I would ask for your favorable consideration.

PRESIDENT:

Senator Buzbee has moved the adoption of Amendment No. 1 to House Bill 1017. Any discussion? If not, all in favor signify by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

HB 1121
Recalled

No further amendments.

PRESIDENT:

3rd reading. Middle of page 12, Senator Egan. On the Order of House Bills 3rd Reading is House Bill 1081. Senator Egan seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted? On the Order of House Bills 2nd Reading, House Bill 1081, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Egan.

PRESIDENT:

Senator Egan.

SENATOR EGAN:

Thank you, Mr. President and members of the Senate. This amendment is an agreed amendment. The state's attorneys originally fashioned the bill for only state's attorneys. It was amended to include public defenders. We've agreed to take the public offenders out. I move its adoption.

PRESIDENT:

Senator Egan has moved the adoption of Amendment No. 1 to House Bill 1081. Any discussion? If not, all in favor signify by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. On the Order of House Bills 3rd Reading is House Bill 1121. Senator Egan seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading, House Bill 1121, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Davidson.

PRESIDENT:

Senator Davidson.

SENATOR DAVIDSON:

Mr. President and members of the Senate, this amendment says a licensed physician is any physician licensed under the Illinois Medical Practice Act. Move the adoption of the amendment.

PRESIDENT:

Senator Davidson has moved the adoption of Amendment No. 1 to House Bill 1121. Any discussion? If not, all in favor signify by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

Amendment No. 2 offered by Senator Egan.

PRESIDENT:

Senator Egan.

SENATOR EGAN:

Thank you, Mr. President and members of the Senate. Amendment No. 2 allows for...mail orders sales which originally the bill did not provide for...after lengthy negotiations and after all kinds of discussion, relative to the antagonists, we've come to an agreed amendment. I move its adoption.

PRESIDENT:

Senator Egan has moved the adoption of Amendment No. 2 to House Bill 1121. Any discussion? If not, all in favor signify by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

Amendment No. 3, by Senator Egan.

PRESIDENT:

Senator Egan.

SENATOR EGAN:

Thank you, Mr. President and members of the Senate.

Amendment No. 3 just changes the enforcement authority from the Department of R and E to the Department of Public Health, and I move its adoption.

PRESIDENT:

Senator Egan moves the adoption of Amendment No. 3 to House Bill 1121. Any discussion? If not, all in favor signify by saying Aye. All opposed. The Ayes have it. The Amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. Bottom of page...no. Do you want to take it off the list? All right, take 1143 off the list, Mr. Secretary. The Chair has been informed that the next one, 1156, is also off the list. Top of next...top of the next page. That one, Senator Bruce informs me, that also is off the list. Senator Collins on 1179. Senator Kustra on the Floor? It's his amendment. Have you spoke...withdrawn. Take it off the list. 1192, Senator Bloom. Senator Bloom on 1192. On the Order of the Agreed Bill List House Bills 3rd Reading, page 33, is House Bill 1192. Senator Bloom seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading, House Bill 1192, Mr. Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Bloom.

PRESIDENT:

Senator Bloom.

SENATOR BLOOM:

Yes, thank you, Mr. President and fellow Senators. Briefly, this adds language to Section 5 of the Court Reporting Act. Some courts do use audio or video recording systems, and this amendment specifies that in the event that a court

utilizes audio or video recording systems to record the proceedings, a court reporter shall be the person in charge of the system. That makes it clear where the responsibilities lie for the purpose of...preparing records for appeals. Answer questions; otherwise, seek adoption.

PRESIDENT:

All right, Senator Bloom has moved the adoption of Amendment No. 2 to House Bill 1192. Any discussion? If not, all in favor signify by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. On the same page on the Agreed Bill List, page 33, is...on House Bills 3rd Reading, House Bill 1208. Senator Barkhausen seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading, House Bill 1208, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Barkhausen.

PRESIDENT:

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, Amendment No. 1 to House Bill 1208 is...basically straightens out the language in this bill, it's on the Agreed Bill List. The bill is intended to exempt various local governmental units from antitrust liability under Federal antitrust laws by expressing our clear legislative intent that local governmental units not suffer antitrust liability as long as they're engaged in traditional activities permitted by the Constitution and by Illinois Statutes. The bill is...is required as a result of a U.S. Supreme Court case, Community Communications Company

HB 1208
Recall

HB 1264
Revised

versus the City of Bolder, a 1982 case, and the...the amend-
ment basically cleans up the language so as to track the home
rule language of the Illinois Constitution and otherwise make
clear our legislative intent. Move the...

PRESIDENT:

Senator Barkhausen moves the adoption of Amendment No. 1
to House Bill 1208. Any discussion? If not, all in favor
signify by saying Aye. All opposed. The Ayes have it. The
amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. Senator Kelly on 1237. All right, withdraw
the amendment. Mr. Secretary, take it off the list. Top of
page 16, 1264, Senator Watson. On the Order of House Bills
3rd Reading is House Bill 1264. Senator Watson seeks leave
of the Body to return that bill to the Order of 2nd Reading
for purposes of an amendment. Is leave granted? Leave is
granted. On the Order of House Bills 2nd Reading, House Bill
1264, Mr. Secretary.

SECRETARY:

Amendment No. 3 offered by Senator Berman.

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

Thank you. This amendment deals with the programs involv-
ing psychologists at...particularly at Northwestern Univer-
sity. At the present time, the State approves programs at
colleges and universities, in addition to examining the indi-
vidual candidates for certification. There...there was a
duplication in these efforts. The amendment makes it clear
that an applicant for certification as a psychologist shall
be judged qualified to take the examination based on the
applicant's transcript, not on the school attended by the

applicant. I move the adoption of Amendment No. 3.

PRESIDENT:

Senator Berman has moved the adoption of Amendment No. 3 to House Bill 1264. Any discussion? If not, all in favor signify by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

Amendment No. 4 offered by Senator Watson.

PRESIDENT:

Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. Amendment No. 4 simply clarifies who may assist and work under the direction of a psychiatrist...or a psychologist, excuse me, in a corporation, association or a partnership, and the second part of it changes the makeup of the board. It's an agreed amendment between the association and the department.

PRESIDENT:

Senator Watson moves the adoption of Amendment No. 4 to House Bill 1264. Any discussion?. If not, all in favor signify by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. The sponsor does not wish to recall at this time 1470. 1495, Senator Geo-Karis. Turn to page 36, on the Order of House Bills 3rd Reading is House Bill 1495. Senator Geo-Karis seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading, House Bill 1495, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senators Etheredge, Netsch and

HB 1530
Recalled

Geo-Karis.

PRESIDENT:

Senator Etheredge.

SENATOR ETHEREDGE:

Mr. President and Ladies and Gentlemen of the Senate, a few moments ago you heard Senator Netsch amend House Bill 963 in order to create a...vehicle which will carry the recommendations of House Joint Resolution...committee...22 Committee in regard to the consolidation of alcoholism and drug abuse services. What I wish to do now is to amend the content of what was House Bill 963 into...add it onto House Bill 1495. I would so move.

PRESIDENT:

Senator Etheredge, Netsch and Geo-Karis has moved the adoption of Amendment No. 1 to House Bill 1495. Any discussion? If not, all in favor signify by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. 1530, Senator Bruce. 1650, Senator...I'm...I'm asking...page 21, on the Order of House Bills 3rd Reading is House Bill 1530, Senator Bruce seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading, House Bill 1530, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senators DeAngelis, Keats and Kustra.

PRESIDENT:

Senator...Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President and members of the Senate. Mr. Secretary, that's the one page amendment, right?

SECRETARY:

Yes, sir. That and now there's...there's...on yours, yes.

SENATOR DeANGELIS:

All right...let me read the amendment first and then I will explain why I would like to have it adopted. The amendment...the amendment simply says that, "Except that a collective bargaining agreement may contain provisions and conflict or inconsistent with the provisions of Article XXIV of the School Code and such conflicting or inconsistent provisions shall prevail over the provisions of Article XXIV." In the entire discussions regarding collective bargaining, it has been pointed out to me repeatedly that the reason that collective bargaining should, in fact, be adopted by the General Assembly is that those people engaged in employment in the public sector should not, in fact, be treated as second class citizens. I very much agree with that statement; therefore, that statement indicates that they ought to be on parity with private citizens in private employment, and what this amendment simply says, that those items that in Article XXIV will, in fact, be items for collective bargaining whenever those items might be sought as collective bargaining items. After all, I do not think that we ought to have a duoprocess if we're going to insure due process in the collective bargaining system, and that's all this amendment says and I urge its adoption.

PRESIDENT:

All right. Senator DeAngelis has moved the adoption of Amendment No. 1 to House Bill 1530. Any discussion? Senator Bruce.

SENATOR BRUCE:

Thank you, Mr. President and members of the Senate. I

rise in opposition to the amendment. What Senator DeAngelis proposes to do is really change all the powers and duties of the boards, the rights of teachers to have hearing, the tenure provisions, several obligations of the board under...all under Article XXIV of the Illinois School Code. I see no reason, having not yet even enacted a collective bargaining bill which allows teachers to have the right to organize and bargain collectively, that we would then, before its very inception, gut all the powers of the board and all the rights of the teachers and...and allow a warfare to begin over tenure, all kinds of notices, requirements for rifting for when you have reduction in force, discrimination, all the other problems that arise under Article XXIV; and what I think this amendment would do, if adopted, is mean that those of you who are very concerned about the possibility of conflict between teachers and boards, this is what they would be fighting over. Everything is up in the air and I think that we ought to adopt a bill in its present form and then find out what kind of rights and powers of the board and rights and duties of the teachers ought to be changed by statutory action of this Body.

PRESIDENT:

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

SENATOR DeANGELIS:

Thank you, Mr. President. Just for the record, this is not being done in advance of its being done simultaneously with. The justification for Chapter 24 was that there was no collective bargaining and, therefore, these guarantees had to be guaranteed by the State. With collective bargaining, we would have an agreement and we need not have those guarantees. I don't think that it's proper to give extraordinary...extraordinary guarantees to people in the public sector. If they want collective bargaining, I am for it; but

they ought not to have collective bargaining and then the protection of the State Statutes, particularly...particularly when they run in conflict with the collective bargaining agreement anyhow. I urge the adoption of Amendment No. 1 on House Bill 1530.

PRESIDENT:

All right. Senator DeAngelis has moved the adoption of Amendment No. 1 to House Bill 1530. Those in favor of the amendment 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 32, the Nays are 21. Amendment No. 1 fails. Further amendments?

SECRETARY:

...Amendment No. 2 offered by Senator Keats.

PRESIDENT:

Senator Keats.

SENATOR KEATS:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Extremely short amendment, I'll explain it very briefly. All it says is that it puts House Bill 1530 back under the Mandates Act. By and large, your local people do not wish mandatory State-wide collective bargaining. We say, or you say, you do. If they don't want it and we do, then we should pay for it, that's what fair. I would ask for your affirmative vote.

PRESIDENT:

Senator Keats has moved the adoption of Amendment No. 2 to House Bill 1530. Any discussion? Senator Bruce.

SENATOR BRUCE:

I rise in opposition. Basically, what Senator Keats is doing is trying to change my bill to mandate costs that need not be mandated. These are problems that can be worked out between the teachers and the local boards and the colleges

and their local boards much more effectively than we can here, and I would ask for a negative vote.

PRESIDENT:

Further discussion? Further discussion? All right, Senator Keats has moved...I'm sorry, do you wish to close, Senator Keats?

SENATOR KEATS:

Okay, I just ask for your affirmative roll call. If we want it we pay for it; if they're asking for it, they ought to pay for it; but if we want it, we ought to pay for it. So, I ask for your affirmative roll call.

PRESIDENT:

All right, Senator Keats has moved the adoption of Amendment No. 2 to House Bill 1530. Those in favor of the amendment 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 21, the Nays are 32. Amendment No. 2 fails. Further amendments?

SECRETARY:

Amendment No. 3, by Senator Kustra.

PRESIDENT:

Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President and members of the Senate. Amendment No. 3 will remove the regional superintendents' jurisdiction in the area of unfair labor practices and give the State Board of Education the responsibility of administering the unfair labor practice provisions with respect...with respect to all educational employers. Under House Bill 1530, the regional superintendent has the authority to investigate, prosecute, hold hearings, and issue orders or decisions on unfair labor practice charges. The regional superintendent does not have the training in public

sector labor law nor the necessary staff to administer it. Also, there would be numerous inconsistent decisions among the fifty-seven regional superintendents necessitating costly appeals to the board and courts to reconcile these...inconsistencies. Instead, it makes good sense, I think, to give this responsibility first and foremost to the State Board of Education. I move for this amendment's adoption.

PRESIDENT:

All right, Senator Kustra has moved the adoption of Amendment No. 3 to House Bill 1530. Discussion? Senator Pawell.

SENATOR FAWELL:

Thank you, very much, Mr. President. I stand...I stand in favor of this amendment. Our regional superintendent has absolutely no desire whatsoever to worry about whether the community college labor relationships are good ones or not. This is not his function. He's got enough to do with taking care of the public...schools, including the high school and the grammar schools, that's where his training is, that's his job that we elect him to. We have absolutely no business having him get in any way involved with community colleges, and I suggest if you look at this amendment on both sides, you would agree and would vote for it.

PRESIDENT:

Further discussion? Senator Bruce.

SENATOR BRUCE:

Well, one of the problems that I'm told about collective bargaining for community colleges and for school boards is the fact that we try to enact legislation way up in Springfield and it's scattered throughout the State of Illinois. I believe that the person who's closest to the local issues, the person that has to live there, work there, be elected there, be responsible there is a person that ought to know

what..what's involved in his own home community and that's what the bill says. What the amendment says is we ought to have some board, not elected, not aware of the local issues making decisions on what is an unfair labor practice. Let's leave it at the local level, let's let the regional superintendents who know, work with these boards five days a week, three hundred and sixty-five days a year, they know what's going on, let's let them continue. I rise in opposition to the amendment.

PRESIDENT:

Senator Kustra, do you wish to close? All right. Senator Kustra has moved the adoption of Amendment No. 3 to House Bill 1530. Those in favor of the amendment 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 18, the Nays are 37. Amendment No. 3 fails. Further amendments?

SECRETARY:

Amendment No. 4, by Senator DeAngelis.

PRESIDENT:

Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. These amendments are like moving the rock of Sisyphus. You move it one foot forward and it comes back two. However, I would like to get this amendment off the record for no other reason other than when it...the Governor reviews the bill, perhaps he might find some of the elements in this amendment acceptable. Amendment No. 4 deletes everything after the enacting clause and, in fact, writes a collective bargaining bill. And let me point out to you that the difference between this collective bargaining bill and the one you are looking at...I will...I will give the...the contrast very quickly. The major flaw in that collective bargaining bill is that it has absolutely no man-

agement rights. Now I have seen a lot of collective bargaining bills in my life, I have never seen even the crassest one not have a management right, not say this is the right of management. The...the bill as currently written makes everything subject to negotiations, curriculum, demotion, transfer, layoff, everything; and I got to tell you, I know of no agreement anywhere in the world that doesn't at least delineate, even if in two lines and this one does it in about a paragraph, the rights of management in a collective bargaining agreement. That's one of the things on here. It...defines the scope, it's a little more enlarged in terms of the scope of House Bill 1530. It creates a new area and it's called discussions. Anybody that's familiar with collective bargaining knows that once you get involved in the process and positions become hardened, then you have no other choice other than to go to grievance or arbitration. What we're trying to do here is say, look, maybe we ought to create another ground, it's not mandatory, but why not have an area in which you might discuss issues rather than find yourself in the uncomfortable position of having to go ahead with arbitration or some other process that almost makes it a legal process? It does have binding arbitration. It has impasse agreements. It does, in fact, strike out Article XXIV. It has a no right to strike. Now the one you have right now, I think, has it in here, but this has penalties for not striking...for striking. It also...and I think this is a very critical part, because in the past, one of the reasons that teacher strikes have occurred and nothing has really happened is that we have a thing call make-up days; and this simply says, if you go out on strike and you violate the contract, as you would violate it in 1530, you can't, in fact, make up those days; because under law, there is really no penalty if you go on strike and you come right back and make up the days, then you don't lose anything. I told Pen-

tor Bruce, when I first discussed this before him in his committee, that if this went on, I would, in fact, support the bill and encourage others to do likewise; but I want to tell you, the collective bargaining bill, House Bill 1530, as constructed is way out of balance. It is not a collective bargaining bill, in my estimation or in anyplace else I've ever seen a collective bargaining bill. So, I move for the adoption of Amendment No. 4 to House Bill 1530.

PRESIDENT:

Senator DeAngelis has moved the adoption of Amendment No. 4 to House Bill 1530. Discussion? Senator Schaffer. Discussion? Senator Collins.

SENATOR COLLINS:

Yes, thank you, Mr. President. I rise in opposition to Amendment No. 2 to House Bill 1530. Senator DeAngelis, I...I guess if we adopted this amendment there would be something else wrong with this bill. This year I have spent ninety percent of my time down here on collective bargaining, and as of this minute, I have not...we have not come up with a collective bargaining agreement for teachers, for public employees, for no one that everyone agrees to. Now, it is true that this bill in its current form has some problems, but the Governor has his amendatory veto...veto authority and, therefore, he will take care of some of those minor issues, we recognize that. We're in the late part of the Session, and there's no need to get all bogged down in Conference Committee reports. At this time we do not know the fate of 536, because every day there's a new amendment and something else and something else and something else. So, I...I suggest that we reject all of the amendments to this bill, and we send this one to the Governor's Desk.

PRESIDENT:

Further discussion? Further discussion? Senator Bruce.

SENATOR BRUCE:

...my earlier comments about abolishing Article XXIV of the School Code would just, I think, cause warfare, and that is in here and I...the other thing of it is, I...I believe that they are within this bill, there are some gems of good thought. I hope that Senator DeAngelis next year follows through and puts this bill in if 1530 and 536 are not law of the land, that you ought to put this in, let us have hearings, debate, discuss, amend, propose amendments to your bill and then we will...except...Senator Collins says don't put it in her committee, she...she's had all of these she wants, but we'll put it in Pensions and Personnel or something, but I...I would think that this bill ought to start out on its own. I would rise in opposition to the...to the amendment which is really an entirely different concept of collective bargaining.

PRESIDENT:

All right. Senator DeAngelis, do you wish to close?

SENATOR DeANGELIS:

Yeah, almost futilely, but I do want to comment that it is not that different, Senator Bruce. I was there the night you had the hearings and I do want to commend you for doing that. I think what this has in it, however, is the answer to a lot of the problems that people expressed at that political hearing...at that public hearing. Contrary to some of the comments they made, I would stand in support, and I know some of the them said they would not support even if they were corrected; but I will tell you, I would stand in support. Now, to turn around and use the excuse that we don't want this to go to conference, I don't know that it would, for not making those changes, Senator Collins has admitted the bill, 1530, is not in the form she would like it and perhaps leaving it up to the Governor. You know, I happen to be a good friend of the Governor's. I'm not so sure the Governor might, in fact, be courageous enough to do that; and then he

does, he'd have to withstand the General Assembly's decisions on whether they want to accept it or not. We ought not to, when the opportunity arises, send something when we admit that it isn't the way it should be. We ought to attempt...and that's why we're having these recalls and that's why we put amendments on, we ought not to send to the Governor something that we are less than fond of. Now, you said you've put a lot work in it, Senator Collins. I want to tell you, I spent a lot of nights up with some people doing this; and I have to tell you, we had to twist some arms to get the people who are, in fact, participating in this to ultimately agree in a collective bargaining agreement. So, I mean, I don't think this is frivolously as maybe the roll call might show but, Mr. President, roll it.

PRESIDENT:

All right, Senator DeAngelis has moved the adoption of Amendment No. 4 to House Bill 1530. Those in favor of the amendment will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 33, the Nays are 23. Amendment No. 4 fails. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

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

SENATOR VADALABENE:

Yes, I rise on a point of personal privilege, please.

PRESIDENT:

State...state your point, sir.

SENATOR VADALABENE:

Well, you know, you always alert me when the cameras are here and when they're taking pictures and so forth, and I try

to adjust myself, but I don't know how to handle my colleague, Kenny Hall, who's in front of me ever since you made that announcement.

PRESIDENT:

We'll take the appropriate action, Senator Sam. Senator Johns, for what purpose do you arise?

SENATOR JOHNS:

A point of personal privilege.

PRESIDENT:

Yes, sir. State your point.

SENATOR JOHNS:

It's a very happy occasion this date for Senator Demuzio. I think it's his twenty-first anniversary, and I just thought we ought to recognize it.

PRESIDENT:

Senator Demuzio, Happy Anniversary. All right, we'll pick up on the recall list. On House Bills 3rd Reading, Senator Lechowicz. On the Order of House Bills 3rd Reading, the bottom of page 22, is House Bill 1650. Senator Lechowicz seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading, House Bill 1650, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Lechowicz.

PRESIDENT:

Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President and members of the Senate. Amendment No. 1 adds the language contained in House Bill 1651. The subject matter of both bills is technical language requested by IHDA's bond counsel to clarify when a contract is made with respected bonds and notes. The amendment also adds an effective immediate date. I move for its adoption.

PRESIDENT:

Senator Lechowicz has moved the adoption of Amendment No. 1 to House Bill 1650. Any discussion? If not, all in favor signify by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. On the Order of House Bills 3rd Reading is House Bill 1651. Senator Lechowicz seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading, House Bill 1651, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Lechowicz.

PRESIDENT:

Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. Amendment No. 1 allows the municipality to voluntarily cede to IHDA the municipality's portion of the State ceiling on mortgage revenue bonds which is set by the Internal Revenue Code. The amendment provides that the authority's board shall set the interest rate to be paid on bonds and notes which are not exempt from taxation. The amendment does not affect interest rate ceiling on tax exempt bonds. This amendment also provides for an immediate effective date. I move for its adoption.

PRESIDENT:

Senator Lechowicz has moved the adoption of Amendment No. 1 to House Bill 1651. Any discussion? If not, all in favor signify by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. If you'll turn to page 38, on the Order of House Bills 3rd Reading is House Bill 1704. Senator Davidson seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading, House Bill 1704, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Davidson.

PRESIDENT:

Senator Davidson.

SENATOR DAVIDSON:

Mr. President and members of the Senate, this amendment on this bill...those of you have some questions earlier about provisional license want to listen to this. This amendment will put some modified provisional licensing for sixteen and seventeen year old into this bill. This protects the grandfather clause which Senator Berman had asked that we amended on the Senate bill, that went out of here. That bill has got hung up over in a committee in the House. It is not as restrictive or as severe as the one we sent out of here. It has a two-month suspension on the result of one conviction on a fifteen points or more, that's a severe moving penalty which those of you who are acquainted with them; fortunately, I haven't had that...three moving violations. A six months suspension if there's two convictions within twelve months, and a twelve-month suspension if it...have the third or...violation within twelve months. This is the same as what would happen to the other people if you were not sixteen or seventeen years old. Give you an idea what's involved in this. The question has been asked in the past, accident rate for sixteen year olds is a hundred and twenty-seven per thousand drivers, for seventeen year olds it's hundred and seven-

H.B. 1707
Recalled

ty-five thousand per thousand, for drivers of all age it's a hundred and eight. This hope is a situation were we can get at those serious offenders. It'll be...this would affect approximately thirty-one thousand five hundred of age...under eighteen on a two month and another seventy-eight hundred on the six month or twelve month out of the four hundred and some odd thousand. Giving a chance to those who are the bad drivers who would be punished and the good drivers would be rewarded. Move the adoption of the amendment.

PRESIDENT:

Senator Davidson has moved the adoption of Amendment No. 1 to House Bill 1704. Any discussion? If not, all in favor signify by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. 1707, Senator Schuneman. On the Order of House Bills 3rd Reading, at the top of page 23, is House Bill 1707. Senator Schuneman seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading, House Bill 1707, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Schuneman.

PRESIDENT:

Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. This bill sets reserve requirements for reinsurance companies in Illinois, and after the introduction of the bill, it was found that the reserve requirements would be impossible to comply with by at least one reinsurer in the State within the time limit set in the

HB 1725
Recalled

bill. So, Amendment No. 1 simply grants a temporary extension so that these reserve requirements have to be acquired by the company at least prior to...1988, and I move adoption of the bill.

PRESIDENT:

Senator Schuneman has moved the adoption of Amendment No. 1 to House Bill 1707. Any discussion? If not, all in favor signify by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

Amendment No. 2 by Senator Schuneman.

PRESIDENT:

Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. Amendment No. 2 simply expands the uninsured motorist coverage to include a minimal amount of uninsured property damage coverage. It...it would provide for five thousand dollars property damage subject to two hundred and fifty dollar deductible. Move adoption of the amendment.

PRESIDENT:

Senator Schuneman has moved the adoption of Amendment No. 2 to House Bill 1707. Any discussion? If not, all in favor signify by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. Senator Fawell on 1725. On the Order of House Bills 3rd Reading is House Bill 1725. Senator Fawell seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading, House Bill 1725, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Barkhausen.

PRESIDENT:

Senator Barkhausen. Senator Barkhausen.

SENATOR BARKHAUSEN:

The amendment is not in order at this time.

PRESIDENT:

All right, withdraw the amendment. Take it out of the record. 1760, the Chair has been informed should be stricken from the list. Senator Savickas on the Floor? Senator Savickas on the Floor? Senator Keats, 1880. All right, top of page 25, on the Order of House Bills 3rd Reading is House Bill 1864. Senator Savickas seeks leave of the Body to return that bill to the Order of 2nd Reading. Senator Savickas.

SENATOR SAVICKAS:

Well, Mr. President, it was returned yesterday and we did amend it unless someone else has...

PRESIDENT:

Is there an amendment filed, Mr. Secretary? Senator Savickas, you have an amendment on file up here.

SENATOR SAVICKAS:

I...I thought it was put on yesterday. It was the amendment that would read...it's LRB8304069MRCBAM?

SECRETARY:

Right.

SENATOR SAVICKAS:

That was adopted yesterday, wasn't it?

PRESIDENT:

All right, take it out of the record, Mr. Secretary. 1880, Senator Keats. Bottom of page 39, on the Order of House Bills 3rd Reading is House Bill 1880. Senator Keats seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading,

House Bill 1880, Mr. Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Keats.

PRESIDENT:

Senator Keats.

SENATOR KEATS:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is a courtesy amendment. What it does, we may be passing some legislation that will make a present practice among insurance agents inoperable. If that legislation pass...passes, this takes care of the short-term problem. If that amendment...and if that bill doesn't pass, this amendment is irrelevant and doesn't do anything to anybody. It's just a safeguard and I would be more than happy to answer any questions.

PRESIDENT:

Senator Keats has moved the adoption of Amendment No. 2 to House Bill 1880. Any discussion? If not, all in favor signify by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. Senator Schuneman on 1944. On the top of page 26 is House Bill 1944. Senator Schuneman seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading, House Bill 1944, Mr. Secretary.

SECRETARY:

Amendment No. 3 offered by Senator Schuneman.

PRESIDENT:

Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. This is the bill that adopts the new investment article for life insurance companies doing business in the State of Illinois. The amendment is strictly technical in that the bill refers to first mortgages and...first or second mortgages and there was a reversal of those terms in the original bill and this makes the correction of those terms, and I move for the adoption of the amendment.

PRESIDENT:

Senator Schuneman has moved the adoption of Amendment No. 3 to House Bill 1944. Any discussion? If not, all in favor signify by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. On the Order of House Bills 3rd Reading, bottom of page 41, is House Bill 1972. Senator Grothberg seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading, House Bill 1972, Mr. Secretary.

SECRETARY:

Amendment No. 4 by Senator Sangmeister.

PRESIDENT:

Senator Sangmeister.

SENATOR SANGMEISTER:

Thank you, Mr. President. Inadvertently, when we adopted...and I thought, Mr. Secretary, that we had adopted Amendment No. 4 and that this was No. 5.

PRESIDENT:

That is correct...

SENATOR SANGMEISTER:

Okay. Well, when we adopted Amendment No. 4, I knocked

out Senator Schuneman's Amendment No. 3, we certainly didn't want to do that. So, at this point, in order to get the amendments on there properly, having voted on the prevailing side, I now move that Senate Amendment No. 4 to House Bill No. 1972 be Tabled.

PRESIDENT:

All right, Senator Sangmeister has moved to reconsider the vote by which Amendment No. 4 to House Bill 1972 was adopted. All in favor of the motion to reconsider indicate by saying Aye. All opposed. The Ayes have it. The vote is reconsidered. Senator Sangmeister now moves to Table Amendment No. 4 to House Bill 1972. Any discussion? If not, all in favor...Senator Fawell.

SENATOR FAWELL:

Could you just tell us what the amendment does?

SENATOR SANGMEISTER:

Am I on?

PRESIDENT:

Yeah. Senator Sangmeister, for the second time.

SENATOR SANGMEISTER:

This is a conveyance of some property by the Will County Forest Preserve District. It was really put on once but I...I knocked out Senator Schuneman's amendment when I did that, now...we're okay. All right.

PRESIDENT:

Senator Sangmeister moves to Table Amendment No. 4 to House Bill 1972. Any discussion? If not, all in favor of the motion to Table indicate by saying Aye. All opposed. The Ayes have it. Amendment No. 4 is Tabled. Further amendments?

SECRETARY:

Amendment No. 5, by Senator Sangmeister.

PRESIDENT:

Senator Sangmeister.

SENATOR SANGMEISTER:

Now I move the adoption of Amendment No. 5 which puts everything in the order and preserves Senator Schuneman's Amendment No. 3. Move for its adoption.

PRESIDENT:

All right, Senator Sangmeister has moved the adoption of Amendment No. 5 to House Bill 1972. Any further discussion? If not, all in favor signify by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. Senator Coffey on 1978. If you'll look on the bottom of page 41, on the Order of House Bills 3rd Reading is House Bill 1978. Senator Coffey seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading, House Bill 1978, Mr. Secretary.

SECRETARY:

Amendment No. 2, by Senator Coffey.

PRESIDENT:

Senator Coffey.

SENATOR COFFEY:

Thank you, Mr. President and members of the Senate. This amendment amends the Civil Administrative Code to clarify the fact that counties are eligible to receive State capital grant assistance for public transportation purposes. It's a clarification of the...of the Act, and I'd just ask for a favorable roll call.

PRESIDENT:

All right, Senator Coffey has moved the adoption of Amendment No. 2 to House Bill 1978. Any discussion? If not,

H. B. 2035 recalled

all in favor signify by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. 2035, Senator Dawson. The bottom of page 27. On the Order of House Bills 3rd Reading is House Bill 2035, 2-0-3-5. Senator Dawson seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. IS leave granted? Leave is granted. On the Order of House Bills 2nd Reading, House Bill 2035, Mr. Secretary.

SECRETARY:

Amendment No. 2, by Senator Marovitz.

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. Amendment No. 2 is a technical agreed amendment which corrects something that was adopted in an earlier amendment. It exempts medical records, which were supposed to be exempted and it excludes...university level peer review documents while still retaining elementary documents, and I would ask for the adoption of Amendment No. 2 to House Bill 2035.

PRESIDENT:

Senator Marovitz has moved the adoption of Amendment No. 2 to House Bill 2035. Any discussion? If not, all in favor signify by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. 2071, Senator Rigney. Turn to page 42 on

MS 2081
Recalled

the Calendar. On the Order of House Bills 3rd Reading is House Bill 2071. Senator Rigney seeks leave of the Body to return House Bill 2071 to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading, House Bill 2071, Mr. Secretary.

SECRETARY:

Amendment No. 1, by Senator Rigney.

PRESIDENT:

Senator Rigney.

SENATOR RIGNEY:

Well, the purpose of this amendment is to clarify at the request of JCAR that the Department of Agriculture will, when amendments are made to Federal rules pertaining to meat and poultry inspection, file a notice of such adoption in accordance with Section 503 of the Illinois Administrative Procedures Act.

PRESIDENT:

Senator Rigney has moved the adoption of Amendment No. 1 to House Bill 2071. Any discussion? If not, all in favor signify by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. Senator Maitland on 2081. Top of page 43, on the Order of House Bills 3rd Reading is House Bill 2081. Senator Maitland seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading, House Bill 2081, Mr. Secretary.

SECRETARY:

Amendment No. 2, by Senator Maitland.

PRESIDENT:

Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President. Amendment No. 2 to House Bill 2081 is simply a...a technical amendment. It corrects some drafting error in Amendment No. 1. I move for the adoption.

PRESIDENT:

Senator Maitland moves the adoption of Amendment No. 2 to House Bill 2081. Any discussion? If not, all in favor signify by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. 2182, Senator Holmberg. On the Order of House Bills 3rd Reading, page 28, House Bill 2182. Senator Holmberg seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading, House Bill 2182, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Holmberg.

PRESIDENT:

Senator Holmberg.

SENATOR HOLMBERG:

This amends the Rockford only garbage disposal bill requested by the legal director. It adds some Federal anti-trust related language to the method of garbage disposal ordinances.

PRESIDENT:

Senator Holmberg moves the adoption of Amendment No. 1 to House Bill 2182. Any discussion? If not, all in favor signify by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

HB 2182
Revised

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. 2219, Senator Nedza. On the Order of House Bills 3rd Reading, bottom of page 28, House Bill 2219. Senator Nedza seeks leave of the Body to return that bill to the Order of 2nd Reading for the purpose of Tabling an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading, House Bill 2219, Mr. Secretary.

SECRETARY:

Amendment No. 1.

PRESIDENT:

Senator Nedza.

SENATOR NEDZA:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Not having voted on the prevailing side, I yield to Senator Keats.

PRESIDENT:

Senator Keats.

SENATOR KEATS:

Thank you, Senator Nedza. Having voted...first of all, I'll explain in a moment, having voted on the prevailing side, I would move we reconsider the vote by which the amendment was passed. I will quickly explain, Senator Nedza has been a hundred and one percent cooperative. I've appreciated his cooperativeness, but when we passed on a vote of 34 to 19, a bipartisan vote, based on the merits of the argument that if you have principle and it collects interest, the interest should follow the principle; I still believe we were correct in that vote; but something I discovered is we rather irritated the superintendent of the Chicago Park District. He seemed to be upset on that principle, and he has stated that he will not assist certain parks that the court says he should and be even less cooperative with some museums that

concern many of us, and I have to concede when it comes to the Chicago Parks, Ed Kelly's got a lot more clout than I do, so to avoid what might happen to some friends, I think it might be the better part valor to turn around and exit for the moment, but you never know, there may be another day, and I would appreciate that we remove this amendment.

PRESIDENT:

Senator Keats, having voted on the prevailing side, moves to reconsider the vote by which Amendment No. 1 to House Bill 2219 was adopted. All in favor of the motion to reconsider indicate by saying Aye. All opposed. The Ayes have it. The vote is reconsidered. Senator Keats now moves to Table Amendment No. 1 to House Bill 2219. Any discussion? If not, all in favor signify by saying Aye. All opposed. The Ayes have it. Amendment No. 1 is Tabled. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. If you'll now get to your second recall sheet, we will keep right on going. On the second recall list, on the Order of House Bills 3rd Reading is House Bill 43. Senator Netsch seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading, House Bill 43, Mr. Secretary.

SECRETARY:

Amendment...Amendment No. 1, by Senator Netsch.

PRESIDENT:

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. The bill originally required that...that notices be sent out by boards of review when they're...particularly to catch what is known as the...the rollover equalization factor...multiplier which can just kind

of quietly sneak up on people otherwise. There was considerable opposition...not considerable, but some question was raised by some of the assessors that it was going to be very costly to them. As a result of that, Representative Hastert and I met with some of them and this was the language that was worked out. It will no longer require that notice to be sent out, it will in effect be picked up in the notice of assessment that is already going to have to be sent out but it will, hopefully, provide the same information to those in the townships where there is a township multiplier being applied. I would move the adoption of Amendment No. 1 to House Bill 43.

PRESIDENT:

All right, Senator Netsch has moved the adoption of Amendment No. 1 to House Bill 43. Any discussion? If not, all in favor signify by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. Top of page 7, Senator Buzbee, on the Order of House Bills 3rd Reading is House Bill 620. Senator Buzbee seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading, House Bill 620, Mr. Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Buzbee.

PRESIDENT:

Senator Buzbee.

SENATOR BUZBEE:

Thank you, Mr. President. This is an amendment which the department had requested. It basically says that nothing in this Act shall be interpreted so as to prevent an immediate

temporary reduction in occupancy where an emergency situation exists and where such immediate reduction is necessary to protect the facility's occupants or employees. For the purpose of this section, emergency situation means a situation that represents a clear and present danger to the occupants or employees of the facility, and I would move its adoption.

PRESIDENT:

All right, Senator Buzbee has moved the adoption of Amendment No. 2 to House Bill 620. Any discussion? If not, all in favor signify by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. On the same page, on the Order of House Bills 3rd Reading is House Bill 621. Senator Lemke seeks leave of the Body to return that bill to the Order of 2nd Reading of purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading, House Bill 621, Mr. Secretary.

SECRETARY:

..Amendment No. 1, by Senator Lemke.

PRESIDENT:

Senator Lemke.

SENATOR LEMKE:

What Amendment No. 1 does is inserts Senate Bill 563, which passed out of here 46 to nothing, it was lost in the House committee over there because of...not enough attendance and...on the vote, and under their rules it did not get out of committee. I ask for its adoption.

PRESIDENT:

Senator Lemke has moved the adoption of Amendment No. 1 to House Bill 621. Any discussion? If not, all in favor signify by saying Aye. All opposed. The Ayes have it. The

amendment is adopted. Further amendments?

SECRETARY:

Amendment No. 2, by Senator Lemke.

PRESIDENT:

Senator Lemke.

SENATOR LEMKE:

Amendment No. 2 is a proposal that Representative McGant and the Medical Society reached to make some changes. I ask for its adoption. Take...(machine cutoff)...some of their objections to the bill.

PRESIDENT:

Senator Lemke moves the adoption of Amendment No. 2 to House Bill 621. Any discussion? If not, all in favor signify by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

Amendment No. 3, by Senator Lemke.

PRESIDENT:

Senator Lemke.

SENATOR LEMKE:

This...this inserts an immediate effective date.

PRESIDENT:

Senator Lemke moves the adoption of Amendment No. 3 to House Bill 621. Any discussion? If not, all in favor signify by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

Amendment No. 4, by Senator Lemke.

PRESIDENT:

Senator Lemke.

SENATOR LEMKE:

Amendment No. 4 is a severability clause. If any part of the Act is struck down, the other Act...other parts will exist. Ask for its adoption.

PRESIDENT:

Senator Lemke moves the adoption of Amendment No. 4 to House Bill 621. Any discussion? If not, all in favor signify by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. Same page, Senator Berman, on the Order of House Bills 3rd Reading is House Bill 633. Senator Berman seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading, House Bill 633, Mr. Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Berman.

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. In reviewing this bill we found that the way it came out of the House it did not make sense. There were technical faults in it. This amendment puts the bill in the way that we've been explaining it as it has been moving along; namely, the...the ability of the Chicago Board of Education to utilize the difference between the fifty cents allocated to the Finance Authority and the amount that is not utilized by the Finance Authority. I move the adoption of Amendment No. 2.

PRESIDENT:

Senator Berman has moved the adoption of Amendment No. 2 to House Bill 633. Any discussion? If not, all in favor signify by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

HB 1092
Recalled
H.B. 747
recalled

No further amendments.

PRESIDENT:

3rd reading. 747, Senator Egan. On the bottom of page 8 is House Bill...on House Bills 3rd Reading is House Bill 747. Senator Egan seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading, House Bill 747, Mr. Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Egan.

PRESIDENT:

Senator Egan.

SENATOR EGAN:

Thank you, Mr. President and members of the Senate. This amendment will correct an oversight in the original bill wherein it allows that only felons in serving in State institutions can get one day for one day good time served, overlooking any...misdemeanant serving in State institutions. This corrects that and I move its adoption.

PRESIDENT:

Senator Egan has moved the adoption of Amendment No. 2 to House Bill 747. Any discussion? If not, all in favor will signify by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. Turn to page 12 on the Calendar, on the Order of House Bills 3rd Reading is House Bill 1092. Senator Jones seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading, House Bill...1092, I'm sorry. Mr. Secretary.

SECRETARY:

Amendment No. 3 offered by Senator...Amendment No. 3, by Senator Jones.

PRESIDENT:

Senator Jones.

SENATOR JONES:

Yeah, thank you, Mr. President and members of this Senate. Amendment...Amendment No. 3 to House Bill 1092 is the acceleration for the tax collection. The amendment makes the tax in the bill applicable to FY '83 or school year '83-'84. I move its adoption.

PRESIDENT:

Senator Jones has moved the adoption of Amendment No. 3 to House Bill 1092. Any discussion? If not, all in favor signify by saying Aye. All opposed. I beg your pardon, Senator Joyce. I'm sorry, I didn't see the light.

SENATOR JEREMIAH JOYCE:

Accelerate what?

PRESIDENT:

Sponsor indicates he'll yield, Senator Jones.

SENATOR JONES:

The amendment makes the provisions of this bill applicable to the school year '83-'84, where with tax they would be generated after the board...the Chicago School Board acts. It would be applicable to FY '83...'84 rather.

PRESIDENT:

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Are...are you talking about the Chicago School Board, Senator?

PRESIDENT:

Senator Jones.

SENATOR JONES:

I am talking about the Chicago School Board. I'm talking about the provisions in this legislation. This is the accel-

eration as to the tax to be levied, make it applicable for the school year '83-'84.

PRESIDENT:

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Does that mean that we would pay a little more?

PRESIDENT:

Senator Jones.

SENATOR JONES:

What this means that if the Chicago Board approves the legislation, you will pay a little more.

PRESIDENT:

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Well, I rise in opposition to this amendment. We just can't afford to pay a little more out in my neighborhood, Senator Jones.

PRESIDENT:

Further discussion? Senator Keats.

SENATOR KEATS:

I was just going to say that for most of us who foreviewed this, we're supportive of Senator Jones because what he's doing is saying those who wish it are willing to pay for it which is an exemplary position to be in, and I think we should commend him for his efforts.

PRESIDENT:

Further discussion? Senator Lemke.

REEL #6

SENATOR LENKE:

...means of putting the tax on the people in my neighborhood twice, and this is the means...if this is the Republican's party's platform on the Southwest side of Chicago to tax us to death not only with income tax, not only with a tax raise on beer and wine; but now, you want to tax everything that our people slave for and work, their house, their castle, and that's what you're doing. So, I would say that we resist this amendment and leave it up to the people, and as I say to you, Senator Keats, what...happens in our area eventually next year happens in your area. So, remember that. I'd ask for a No vote.

PRESIDENT:

Further discussion? Senator Newhouse.

SENATOR NEWHOUSE:

I rise to respectfully disagree with my comrade and seatmate. The people in my neighborhood will pay this tax too, and as a matter of fact, the people in my neighborhood are saying they will pay it. They do want the schools to stay open. They do want them to be fully funded. So, I rise in support of the amendment.

PRESIDENT:

Further discussion? Further discussion? Senator Joyce.

SENATOR JEREMIAH JOYCE:

I'm sorry for a second time, but let me tell you, Senator Jones, you know, you're...you're throwing your oar in the water and you're starting off and you're going to get us postured in a position where we're going to get saddled with this real estate tax; you're not going to get a fair share out of whatever comes out of whatever we do before we leave this place in terms of increased revenue, and this is a mis-

HB 1144
Recall

Page 182 - JUNE 23, 1983

take and, Senator Newhouse and all of you other Senators from the City of Chicago, there are a lot of people who are willing to pay, but they're not will to pay two or three or four times; they're willing to pay their fair share, and I'm telling you, we are posturing yourselves in a bad...in a bad position by doing this this way and I'd ask you to rethink it.

PRESIDENT:

Any further discussion? Senator Jones may close.

SENATOR JONES:

Yes, thank you, Mr. President and members of this Senate. I wish the previous Senators would have addressed themselves to the amendment rather than the bill itself. All...all the amendment does is accelerate the collection of the taxes. The...the meaning of the bill is in 1092 and you can address that on 3rd reading. This is the posture that I wish this piece of legislation to be in. I also live in Chicago; I also pay taxes. My father who lived in Chicago, he also paid taxes. We're talking about the entire City of Chicago and not one select corner of the city. So, I move the adoption of this amendment.

PRESIDENT:

Senator Jones has moved the adoption of Amendment No. 3 to House Bill 1092. Those in favor of the amendment 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 39, the Nays are 8. Amendment No. 3 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. Senator Savickas on 1144. Bottom of page...on the bottom of page 13, on the Order of House Bills

3rd Reading is House Bill 1144. Senator Savickas seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading, House Bill 1144, Mr. Secretary.

SECRETARY:

...Amendment No. 1, by Senator Savickas.

PRESIDENT:

Senator Savickas.

SENATOR SAVICKAS:

Yes, we want to amend it to include any person who has at least eight years of service credit in the fund may establish service credit in the fund for any period during which he served as executive...director of the Chicago Land Clearance Commissioner. It would call on employee contributions based on the actual compensation received and the rate of contribution in effect on the date of payment plus an amount representing the employer contributions equal to the amount specified in the subdivision plus the interest compounded annually from the date of service to the date of payment. I would move your...move its adoption.

PRESIDENT:

Senator Savickas moves the adoption of Amendment No. 1 to House Bill 1144. Any discussion? If not, all in favor signify by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. 1255, page 34. On the Order of House Bills 3rd Reading on page 34 is House Bill 1255. Senator Maitland seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading,

HB 1356
Recalled

House Bill 1255. Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Maitland.

PRESIDENT:

Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President. Amendment No. 1 to House Bill 1255 simply adds an immediate effective date. I'd move for the adoption.

PRESIDENT:

Senator Maitland moves the adoption of Amendment No. 1 to House Bill 1255. Any discussion? If not, all in favor signify by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. Page 17, Senator Jones. On the Order of House Bills 3rd Reading is House Bill 1356. Senator Jones seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading, House Bill 1356, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Jones.

PRESIDENT:

Senator Jones.

SENATOR JONES:

Yes, thank you, Mr. President and members of the Senate. Amendment No. 1 to 1356 comes in two parts. One part relates to persons who has at least fifteen years of credit with the County Retirement System and at least five years of credit with the General Assembly, that those persons can...average out one year...one percent per month of the

HB 234
Recalled

last year's salary and have that applied to their pension. Currently...currently, right now, those persons who are in the pension system will get a three...three percent annual increase and this will allow those persons to qualify. Also those persons who have worked with the county and also worked...served in the General Assembly will allow those persons to participate on a full-time basis if they would pay into six percent of their income what their base salary was for their county into the pension system. And I move its adoption.

PRESIDENT:

Senator Jones has moved the adoption of Amendment No. 1 to House Bill 1356. Any discussion? If not, all in favor signify by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. 1760 was stricken from the list at the request of the sponsor. 1877, Senator Kustra. Yes, Senator Kustra.

SENATOR KOSTRA:

I'm awaiting one more change to that second amendment.

PRESIDENT:

All right. If...if you have a pencil handy, we have four additional numbers I would like to give you, requests that just arrived. We might as well deal with them while we're waiting for Senator Kustra's technical change. House Bill 234, Senator Bruce. House Bill 758, Senator Newhouse. On the recall list, 758. 1355...wait just a minute now, wait just a minute. 1355, Senator Demuzio and 1414, Senator D'Arco. All right. Well, we'll start at the top of the list. 234, 758, 1355 and 1414. On the Order of House Bills 3rd Reading is House Bill 234, bottom...middle of page 4.

H/10234
Recalled

Senator Bruce seeks leave of the Body to return that bill to the Order of 2nd Reading for the purpose of Tabling an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd reading, House Bill 234, Mr. Secretary.

SECRETARY:

Mr. President, we have six amendments on this bill right now.

PRESIDENT:

Senator Bruce.

SENATOR BRUCE:

Senator Maitland and I have been talking about Amendment No. 4 which was Senator Maitland's amendment, if I...if I recall. That deals with a penalty under this legislation. I have been working with the House sponsor and the other interested groups in the Open Records Act. Senator Maitland has agreed that the amendment was put on in error and we should withdraw it so that the two bills pursuant to the agreements that I have made and many other parties that the two bills would leave the Chambers in identical form, that way we will avoid a Conference Committee. So I would move to reconsider the vote by which Amendment No. 4 was adopted and then I will move to Table.

PRESIDENT:

All right. Senator Bruce, having voted on the prevailing side, has moved to reconsider the vote by which Amendment No. 4 to House Bill 234 was adopted. Is there any discussion on the motion to reconsider? If not, all in favor signify by saying Aye. All opposed. The Ayes have it. The vote is reconsidered. Senator Bruce now moves to Table Amendment No. 4 to House Bill 234. Any discussion? If not, all in favor signify by saying Aye. All opposed. The Ayes have it. The motion prevails. Amendment No. 4 is Tabled. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. You turn to page 9 on the Calendar, on the Order of House Bills 3rd Reading is House Bill 758. Senator Newhouse seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading, House Bill 758, Mr. Secretary.

SECRETARY:

Amendment No. 2, by Senator Newhouse.

PRESIDENT:

Senator Newhouse.

SENATOR NEWHOUSE:

Thank you, Mr. President. Mr. President, this is a bill that has been...this amendment, rather, to 758 has been agreed upon by members of the fire department union and the City of Chicago. It's acceptable to both sides, and in view of the difficulty they had with other bills, I would move its adoption and commend to this Body.

PRESIDENT:

All right. Senator Newhouse has moved the adoption of Amendment No. 2 to House Bill 758. Any discussion? If not, all in favor signify by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further...

PRESIDENT:

Senator Newhouse. Senator Newhouse.

SENATOR NEWHOUSE:

Thank you, Mr. President. I'd seek leave of the Body to have Senator Jeremiah Joyce listed as...as a hyphenated co-sponsor on the bill.

PRESIDENT:

Further amendments?

SECRETARY:

...no further amendments.

PRESIDENT:

3rd reading. Senator Newhouse seeks leave of the Body to show Senator Jeremiah Joyce as cosponsor. Is leave granted? Leave is granted. 1355. The middle of page 17, on the Order of House Bills 3rd Reading is House Bill 1355. Senator Demuzio seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading, House Bill 1355. Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Demuzio.

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

Yeah, thank you, very much, Mr. President. What this amendment does, it stipulates that no hazardous waste may be transported or disposed of which does not meet the standards approved by the Nuclear Regulatory Commission, and I would move adoption of the amendment.

PRESIDENT:

All right. Senator Demuzio has moved the adoption of Amendment No. 1 to House Bill 1355. Any discussion? If not, all in favor signify by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. If you turn to page 48 on the Calendar, this...earlier today we moved 1414 to the Order of House Bills 3rd. On the Order of House Bills 3rd Reading is House Bill 1414. Senator D'Arco seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an

amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading, House Bill 1414, Mr. Secretary.

SECRETARY:

Amendment No. 2 offered by Senator D'Arco.

PRESIDENT:

Senator D'Arco.

SENATOR D'ARCO:

Mr. President, I, having voted on the prevailing side, move to reconsider the vote by which Amendment No. 1 was adopted.

PRESIDENT:

All right. Senator D'Arco, having voted on the prevailing side moves to reconsider the vote by which Amendment No. 1 to House Bill 1414 was adopted. All in favor of the motion to reconsider indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY

Amendment No. 2, by Senator...all right.

SENATOR D'ARCO:

Wait a minute.

PRESIDENT:

I beg your pardon...I beg your pardon.

SENATOR D'ARCO:

I want to...

PRESIDENT:

Senator D'Arco moves to Table Amendment No. 1 to House Bill 1414. All in favor of the motion to Table indicate by saying Aye. All opposed. The Ayes have it. Amendment No. 1 is Tabled. Further amendments?

SECRETARY:

Amendment No. 2, by Senator D'Arco.

PRESIDENT:

Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. This is the same agreement that was worked out for the policemen in this bill that was worked out for the firemen in the previous bill. And I would move to adopt Amendment No. 2 to House Bill 1414.

PRESIDENT:

All right. Senator D'Arco has moved the adoption of Amendment No. 2 to House Bill 1414. Any discussion? If not, all in favor signify by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. Senator Kustra, how are we doing on 1877, nothing yet, huh? All right, with leave of the Body, we'll move back to the regular order. The bottom of page 10, we'll move to the Order of House Bills 3rd Reading. We will work until, again, six o'clock, start again tomorrow morning at nine thirty. On the Order of House Bills 3rd Reading is House Bill 1000. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 1000.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Fawell.

SENATOR FAWELL:

Thank you, very much, Mr. President. This is identical to a bill that we passed out earlier, 59 to nothing. It's a cleanup bill. It just puts the Statutes that talk about the tax levies for sheltered care, detention homes, historical museums and emergency services and disaster operations...under the section that it properly belongs in. I will answer any questions. It's no tax increase, it's just

cleaning up the Statutes.

PRESIDENT:

Any discussion? Any discussion? If not, the question is, shall House Bill 1000 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. All voted who wish? All voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 48, the Nays are none, none voting Present. House Bill 1000 having received the required constitutional majority is declared passed. The next two are recalled. Senator Bruce on the Floor? 1020, Senator Bruce. Top of page 11. 1017 was just recalled. Give me a break. We're on the Order of House Bills 3rd Reading, passage. How about Senator Demuzio, 1023? On the Order of House Bills 3rd Reading is House Bill 1023. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 1023.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

Yes, thank you, very much, Mr. President. This bill...House Bill 1023 would provide that an elected official of a unit of local government and a school district must be given time off from employment without compensation for the purpose of attending an official meeting of the unit of local government or...or a school district. The official must notify the employer in advance of his intent to attend the meeting. The bill is similar to...time off for jury duty, applies only to elected officials. I know of no opposition, move for its favorable passage.

PRESIDENT:

Any discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Question of the sponsor, Mr. President.

PRESIDENT:

Indicates he'll yield, Senator Schuneman.

SENATOR SCHUNEMAN:

Senator, is there any...what's the provision now if a member of...for example, if a school teacher decides to run for the county board and then the county board meetings happen to conflict with the school schedule, what's the law now pertaining to that situation? Does the school district have to go out and hire another teacher to replace that teacher or...what is the current situation and how are you changing it?

PRESIDENT:

Senator Jones...Senator Jones...Senator Jones. Senator Demuzio is having difficulty responding to the question 'cause he can't hear it. Senator Collins. Senator Schuneman.

SENATOR SCHUNEMAN:

I asked a question of the sponsor.

PRESIDENT:

I understand. Senator Demuzio.

SENATOR DEMUZIO:

Well, I wish you hadn't of done that, I...was learning a lot here. I think your question was, what is the law currently now that pertains to a school teacher who requests time off to attend...an official...elected capacity if he's an elected official? I really can't answer the question, I do not know.

PRESIDENT:

Senator Schuneman.

SENATOR SCHUNEMAN:

Well, Mr. President and members of the Senate, I suggest to you that...I'm not sure where this bill came from but it

might have arisen because of a situation in my district. I know of an instance where a school teacher, of his own volition, decided to run for the county board. Now the county board meetings in my county are held in the daytime. Upon the election of that person to the county board there ensued a brouha as to whether or not county board meetings should be continued to be held in the daytime. And of course the...the elected teacher wanted the county to conform to...to their...to his wishes and hold the county board meetings at night. I'm not sure, frankly, what the final understanding was upon...of all of that. But it seems to me that...that if a public employee decides to run for public office, that...they should run for those offices which they can attend to without interferring with their employment by the public. And I question whether this is really a good idea to change the law in this respect, particularly since the...the sponsor isn't able to tell me what the current law is on it. But...but I would question whether we really ought to be doing this, and I would invite some of the other members to take a look at what is being asked for here.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Maitland.

SENATOR MAITLAND:

Well, thank you, very much Mr. President. This is a concept that's been talked about and...and been around from time to time, and I guess I really have no real problem with...with the county board meetings. But...but this particular legislation extends itself beyond that. This extends itself to...to all officially called meetings of the county board, committee meetings as long as there's a quorum present...present. And I...I really think we...I think we open ourselves up to too much abuse here, and...and too much of a problem created within the school district and a problem created for the kids. Again, I think...and I have no real

serious problem with giving them the time off for the...for the officially called county board meeting. But this does, in fact, extend itself to all officially called meetings and in some counties there are a lot of these during the day, and I think for that reason House Bill 1023 probably should be rejected.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Darrow.

SENATOR DARROW:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. The gentleman from Prophetstown told us about an incident where a member of the county board also was with the...a teacher in the school system. The legislation needed to correct that situation has already passed the Senate, I sponsored that bill, it's over in the House. A similar bill passed the House of Representatives. That pertained to the situation where you had a school teacher who is also serving on the county board. So we don't have to worry about the problems up in Prophetstown with this legislation. It's good legislation and I'd ask for an Aye vote.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Grotberg.

SENATOR GROTEBERG:

A question of the sponsor, if he would.

PRESIDING OFFICER: (SENATOR BRUCE)

Indicates he will yield, Senator Grotberg.

SENATOR GROTEBERG:

Senator, what committee heard this bill?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Demuzio.

SENATOR DEMUZIO:

Labor and Commerce.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Grotberg.

SENATOR GROTBERG:

Can you tell me why it...it has nothing to do with Labor and Commerce, it should have gone to Local Government. Correct? And I'm sure Education would quarrel with that but it wound up in Labor and Commerce...I've tried that with some of my bills but I never got by with it.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Demuzio.

SENATOR DEMUZIO:

It came out on the Agreed Bill List in Labor and Commerce before I could even get to the meeting.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Grotberg...Senator Grotberg.

SENATOR GROTBERG:

Before you get to the meeting to have it rereferred to a logical committee. I think the whole thing is...is not worthy of our discussion. Let's just kill it before it has little ones.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Mahar.

SENATOR MAHAR:

Yes, thank you, Mr. President and members of the Senate. This is the first time...was called to my attention. It seems to me that what we're doing here is picking out one aspect of local government. We're talking about county board and school teachers that might be on the county board. We have a lot of other units of local government that are also involved in these type of meetings which might cut into their work time, municipalities and townships and others. It just seems to me that this is a very...going to be a difficult thing and you're starting a precedent for one agency. And it seems that if you're doing it now without pay, the next thing you're going to be paying them. And part of the service at the local level is a voluntary type service. There's a lot

of us who serve for many, many years at the local level and on a volunteer basis and as far as our time is concerned. I think you go into the job with the idea that there's a volunteer element in your service, you don't go in there to make a lot of money as a county board member or a village board member or park board or whatever, it ought to stay on that vein. If you just can't handle the job, if you're a traveling salesman it's very, very difficult to have that...to be elected to that type of office, so it seems to me that we ought to stop it right here.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Further discussion? Senator Demuzio may close.

SENATOR DEMUZIO:

Well, thank you, very much, Mr. President. As I indicated, it only applies to elected officials. It's intent is similar to that to the time off that we give for jury duty, and I would ask for a...a favorable vote.

PRESIDING OFFICER: (SENATOR BRUCE)

The question is, shall House Bill 1023 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. (Machine cutoff)...who wish? Have all voted who wish? (Machine cutoff)...voted who wish? Take the record. On that question, the Ayes are 33, the Nays are 22, none voting Present. House Bill 1023 having received the required constitutional majority is declared passed. For what purpose do you arise, Senator Schuneman?

SENATOR SCHUNEMAN:

To request a verification, Mr. President.

PRESIDING OFFICER: (SENATOR BRUCE)

There's been a request for a verification. Will the members please be in their seats and when the Secretary calls your roll...name on the roll, will you please respond. Call the roll, Mr. Secretary, please, of the...of those who voted

in the affirmative.

ACTING SECRETARY: (MR. FERNANDES)

The following voted in the affirmative: Berman, Bruce, Buzbee, Chew, Collins, D'Arco, Darrow, Davidson, Dawson, Degnan, Demuzio, Hall, Holmberg, Johns, Jones, Jeremiah Joyce, Jerome Joyce, Kelly, Lechowicz, Lenke, Luft, Marovitz, Nedza, Netsch, Newhouse, Sangmeister, Savickas, Schaffer, Smith, Vadalabene, Welch, Zito, Mr. President.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Schuneman, do you question the presence of any member?

SENATOR SCHUNEMAN:

Senator Buzbee.

PRESIDING OFFICER: (SENATOR BRUCE)

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

SENATOR SCHUNEMAN:

Senator Chew.

PRESIDING OFFICER: (SENATOR BRUCE)

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

SENATOR SCHUNEMAN:

Senator Degnan.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Degnan. Senator Degnan is sitting in his seat.

SENATOR SCHUNEMAN:

Senator Lechowicz.

PRESIDING OFFICER: (SENATOR BRUCE)

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

SENATOR SCHUNEMAN:

Senator Jeremiah Joyce.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Jeremiah Joyce. Jeremiah Joyce. Strike his

name.

SENATOR SCHUNEMAN:

Senator Carroll.

PRESIDING OFFICER: (SENATOR BRUCE)

I don't...Senator Carroll is not recorded.

SENATOR SCHUNEMAN:

Okay. Senator Newhouse.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Newhouse is sitting...seated at his seat. Senator Buzbee has returned to the Floor, restore his name to the roll call.

SENATOR SCHUNEMAN:

Senator Savickas.

PRESIDING OFFICER: (SENATOR BRUCE)

Is Senator Savickas on the Floor? Senator Savickas. Senator Chew has returned to the Floor. Add his name back to the roll call. Senator Buzbee, for what...what purpose do you arise? All right.

SENATOR BUZBEE:

I'm...I'm back on the Floor, Mr. President.

PRESIDING OFFICER: (SENATOR BRUCE)

Right. You're here.

SENATOR BUZBEE:

Thank you.

PRESIDING OFFICER: (SENATOR BRUCE)

All right. On a verified roll call, there are 31 Ayes, 22 Nays, none voting Present. House Bill 1023 having received the required constitutional majority is declared passed. House Bill 1024, Senator Jones. Read the bill, Mr. Secretary, please.

SECRETARY:

House...excuse me, House Bill 1024.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Jones.

SENATOR JONES:

Yes, thank you, Mr. President and members of the Senate. House Bill 1024 is a bill to amend the Insurance...Law as it relate to brokers. For those brokers who due to their job have a conflict of interest, it allows those...those brokers to place their license in limbo for...for up to four years and they in turn will be able to...will have to pay the annual fee for registration, and at the end of a four-year period if they do not go back on the active list as far as doing business, then they would have to go through reexamination. And I move the passage of House Bill 1024.

PRESIDING OFFICER: (SENATOR BRUCE)

Discussion? Discussion? Senator Schuneman, did you seek recognition? The question is on the passage of House Bill 1024. Those in favor 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. House Bill 1024 having received the required constitutional majority is declared passed. House Bill 1026, Senator Watson. Read the bill, Mr. Secretary, please.

SECRETARY:

...House Bill 1026.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. Ladies and Gentlemen of the Senate, the bill requires that a member of the Teacher Retirement System retiring before December 31st, 1983 must have at least ten years of service and therefore change his

or her minimum retirement to...allowance to two hundred dollars a month. The bill also requires that the...a survivor's minimum allowance be two hundred dollars per month and that the deceased member had at least ten years of service. There's been some concern with this legislation over the actual cost and I have with me a letter from Chuck Wozniak, the Assistant Director of the Teachers' Retirement System of the State of Illinois which I would like to...to read into the record. The second paragraph of the letter states, "that the minimum retirement allowance for those individuals with at least ten years of service will affect approximately one thousand two hundred and ninety-nine individuals with an additional cost of five hundred and eighty-six thousand dollars. The minimum survivor benefit for beneficiaries of a teacher who had a minimum of ten years of service would affect approximately seven hundred and sixty-two individuals at a cost of approximately five hundred and eight thousand dollars. Therefore, the total approximate cost of this legislation would be one million dollars." There was some concern not only in the committee but among members as to the actual cost of this legislation. The bill is designed to help those people who need it most. We have some individuals who are drawing a pension of twenty-three dollars and seventy-seven cents a month and this would increase that to two hundred dollars. It is...it is costly; I generally don't support this kind of legislation, but the...the individuals that we are trying to help are those, as I mentioned, who need it the most. The...it will be a decreasing cost factor because as those people expire and pass on, why, of course, the cost will no longer be present. And it's primarily those older individuals, retired teachers of ten...ten years of service. I'd be glad to answer any questions.

PRESIDING OFFICER: (SENATOR BRUCE)

The question is on the passage of House Bill...26.

Discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President and members of the Senate. There seems to be some difference as to what the actual cost of this measure will be. The Pension Laws Commission estimates that the annual cost of this bill would be a million five and that the unfunded accrued liability would be about twenty-three million. Now, I speak against a lot of pension bills and...and I think that...that by and large what we're doing on pensions is kind of dumb because we're increasing pensions all the time and not putting the money in to fund them. But I'd have to say that of all the pension bills we look at, what we have here is a situation of teachers most of whom have retired many years ago at very low pensions. If anybody needs an increase in pension these people do, and in spite of the cost, I'm going to vote in favor of this one without relenting in my general opposition to constantly increasing pensions without doing something about funding.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Further discussion? The question is, shall House Bill 1026 pass. Those in favor 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 4, none voting Present. House Bill 1026 having received the required constitutional majority is declared passed. House Bill 1032, Senator Smith. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 1032.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Smith.

SENATOR SMITH:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Bill 1032 creates a new Explosive Disposal Unit Act which authorized the creation of regional explosive disposal units. This is a bill that is prepared for war in time of peace. This bill will alleviate a frightening situation, for at present the closest trained explosive disposal unit is located in Champaign, Illinois. If a situation arose in the Capitol Complex, the Secretary of State who is in charge of security has two trained officers who have no equipment. The Senators and legislators would practically be held hostages because of our ill-preparedness to handle such a crisis. This is a dangerous situation. Something must be done to train and equip at least two State-wide units for these services. In addition to the bomb problem, high schools, hospitals and...environmental agencies all have explosive acids and other explosive materials in need of transportation and disposal. These entities have no State agencies to call for disposal of these materials, and those who do dispose of such materials are jeopardizing their lives each time. The closest one that we have next to Springfield, presently, is Champaign. And other small areas who are close to larger cities, they have no way of getting any relief from bombs and disposals. The Illinois Times of May 18th has a article on it, a complete and it says, "You've been warned and the clock is ticking but nobody knows who to call." I ask that...that you think in terms of a favorable vote for this bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Discussion? Senator Fawell.

SENATOR FAWELL:

Thank you, very much, Mr. President. A question for the sponsor, please.

PRESIDING OFFICER: (SENATOR BRUCE)

Indicates she will yield. Senator Fawell.

SENATOR FAWELL:

Senator, we have according to our analysis a cost that's hooked up with this bill that the Department of Law Enforcement has come up with, and that cost they figure is going to be somewhere between 5.2 to 6.9 million dollars figuring twenty units at two hundred and sixty thousand to three hundred and twenty thousand dollars apiece. Have you got any idea if those figures are...my assumption is if this is the department that's going to run this...this bill they would have some idea of what the cost figure was. Got any idea where we're going to get this kind of money?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Smith.

SENATOR SMITH:

Thank you, Senator Fawell. That does sound enormous, doesn't it? But when I think it in terms of twenty units presently, if we could get one started, I think we would be doing quite well. And it would take...you'd have to have at least two men trained to have a complete unit in...in one section of a town would take assumption and...this is from Mr. Findley, James A. Findley, who is with Illinois Department of Law Enforcement. He said for a complete unit would be about two hundred and sixty thousand dollars. And of course you have to train these men. This is something that I think that we should be looking into because we're having all kinds of acids, all kinds of...of dioxins and all that are...are being...dumped in...in certain areas, and we have children that are going to schools, we have hospitals around and I think that we should prepare for war in time of peace. I ask for a favorable vote on this bill, please.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Fawell, had you concluded?

SENATOR FAWELL:

Well, I...you know, I just would...would hope my

colleagues would...would take a good look at this. I certainly approve of the...of the purpose, but...you know, we...we keep spending money over here like everybody is going to vote on the...on the...on the...on the tax. I...certainly hope we all do when it comes to that point, because according to the figures we've got it...we're looking at five to six million dollars on this bill.

PRESIDING OFFICER: (SENATOR BRUCE)

All right. Well, Senator, you can handle that in...in your closing. I have Senators Grothberg, Mahar, Schuneman and Hall. Senator Grothberg.

SENATOR GROTHBERG:

Thank you. I'll yield to Senator...to the spokesman on Exec., Senator Schuneman and Mahar.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator...Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. We did hear this bill in committee and the bill...the...the bill got out of committee on a 9 to 7 vote. The...the figures mentioned by the sponsor of two hundred and sixty thousand dollars are the figures that we have but they estimate that there...there would take twenty units...twenty such units. And so the total cost is estimated by the Department of Law Enforcement to be more likely five to six to seven million dollars. In a question to the sponsor, does the City of Chicago have a bomb...or explosive disposal unit now, Senator? Does...does the City of Chicago have an...an explosive disposal unit at the...present time?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Smith.

SENATOR SMITH:

Chicago has its own, and the closest that you have is Fort Sheridan.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Schuneman.

SENATOR SCHUNEMAN:

Yeah. I've...I've forgotten whether this bill would seek to establish these units in downstate Illinois or if this would also serve Chicago.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Smith.

SENATOR SMITH:

These are...what I'm talking about now is for downstate. You have such districts as Vermillion, Edgar, Champaign...how do you pronounce this, P-i-a-t-t, Piatt, Piatt, that's right, Douglas, Coles, Shelby, Macon, Moultrie and DeWitt. These are areas that are in jeopardy. Peoria, you have small farming community of Fisher, I think you recognize some of those faces. The closest place that they have to get any relief would have to send all the way to Champaign, Illinois. And Champaign, Illinois is not going to travel to a lot of those small areas. I think you've even had some bomb threats right here in the State Capitol Building and you didn't have anything to help you. Now you're thinking in terms of money and I think of money too, but what is most important, people or the money? If you get people...can't keep the people, you'll get the money, but if you could have all the money in the world you don't have the people, what have you got?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Schuneman.

SENATOR SCHUNEMAN:

Well, to the bill, Mr. President. Certainly the point made by the sponsor is a valid point that we have to consider people and not only money. But I'd suggest to you that...that people downstate have just as much concern about this issue as people from Chicago and I know of no one from downstate who's asking for this bill. Those communities that

you mentioned, Peoria, Rockford and others, to the best of my knowledge are not asking for this kind of protection from the State. And I think that until they do, we should not move in this direction; particularly, since we don't have five to seven million dollars to spend, and I'd ask that you oppose the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Mahar.

SENATOR MAHAR:

Yes, thank you, Mr. President and members of the Senate. I don't want to belabor the point or prolong the discussion. I agree with the Senator that we should prepare for war in time of peace; I'm not necessarily sure that this is the way we're going to really be doing it though. I...as I recall, this is a bill of the former Senator Taylor's, Representative Taylor, that has been working on this for quite some time. Is that correct, Senator?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Smith.

SENATOR SMITH:

Yes, sir.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Mahar.

SENATOR MAHAR:

Well, the...as I understand it, the...the guard was involved in this and the Adjutant General was involved in this, and it just seems to me that if you're going to try to set up a separate civilian unit in various cities throughout the State, there is going to be a sizable cost and lack of coordination and it takes a lot of time to...to get people trained. Now we do have people at Fort Sheridan that are available, it seems to me that movement is relatively fast and you can move those people out of there. I...I think that this is a more expensive way to go, and beyond that,

I...I haven't heard any real need at this point in time. You mentioned such things as dioxins and that sort of thing. Well, bombing us and disposal wouldn't be involved with dioxins in any way, shape...shape or form, you're talking about strictly a...strictly a bomb, not even arson, strictly a bomb squad trying to diffuse the various types of bombs and find them. I think there is a very...very highly specialized and at this point in time it seems to me that it would be better handled by our existing facilities rather than allowing municipalities or having...having expenditure of several hundred thousand dollars for a program like this. I think...it's...certainly we have to be aware of it and I'm not knocking the idea by any means and your efforts, but I think that this is probably the wrong way to go.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Kenneth Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I rise in support of this and I want to say to you that, Senator, I'm a downstater and I'm very much in favor of it. As a matter of fact, the second largest concentration of people outside of Cook County is in the Metro-east area. Now you're talking about Fort Sheridan, three hundred and some miles away from us. I want to tell you, Ladies and Gentlemen, none of you have ever seen a Brinks Express following a hearse. Now the important thing is that we're talking about lives of people. How would you...I've been here in this building when we have had bomb scares, more than one time, and you had to empty this place. And you mean to tell me with the type of people we have operating in this country today that we, at any moment, might have a bomb planted someplace, and if we were to imagine right now, if you had a bomb that would explode here, think of how much life an limb would be lost right in this place. Money is

what we talk about around here, but think how much money we waste around here. I often call to your minds that if you just think at the budget we're talking about, but the lives, safety and health of people are most important. We are community and people oriented and let's not close our eyes to the fact that lives of...and children's lives...suppose it was a large school and you know they've had those things. So let's forget the moneyside and let's start thinking about lives and limbs of people. This is a good and worthwhile bill and I think all of us should support it.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Zito.

SENATOR ZITO:

Thank you, Mr. President. Will the sponsor yield? Senator...Senator Smith, I...I'm quite concerned about the cost of the bill. I think the idea is a good idea but I'm...I'm concerned about the cost per unit. Did you say that was two hundred and sixty thousand dollars a unit?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Smith.

SENATOR SMITH:

That's a complete unit.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Zito.

SENATOR ZITO:

And then...so the discussion is that this bill would take...we would need twenty units at a cost of somewhere in the area of six million, seven million dollars. Does it say anywhere in the bill...and I looked through the bill and I can't find anywhere where it says that we have to use...have to install all twenty units. Is that correct or not correct?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Smith.

SENATOR SMITH:

That's correct. You do not have to install twenty, no.
PRESIDING OFFICER: (SENATOR BRUCE)

Senator Zito.

SENATOR ZITO:

Well, Mr. President, to the bill, I think that some of the members had mistaken the...the figure. While twenty units may cost six or seven million dollars, we can initiate this program with a cost of approximately two hundred and sixty thousand dollars, much less than the original figure that was bouncing around the Chamber; and I think that it's a good idea, we should start it and try it and if it doesn't work, we're certainly not going to be in jeopardy for six or seven million dollars. I...I think it's going to work. I think we can put at least one unit into practice where we need it the most, and I would support and solicit an Aye vote for this legislation.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Smith.

SENATOR SMITH:

Thank you, Mr. Chairman. This is from...taken from this article. I'd like to just read this, it says, "A part-time unit such as the university" which is the University of Illinois," costs approximately forty thousand dollars per year," according to Brinkley. That includes the cost of buying new and replacement equipment, transportation, continued training and overtime salaries for the four-man squad. Whether the squad answers the call on campus or in Tazewell County, the university pays the bill. So I am saying that to say this, let us not stand or sit here and idly think in terms of a lot of money. Get the bill passed, get something started and prepare yourselves in...for any uneventuality. I ask that you vote...vote favorable for this bill.

PRESIDING OFFICER: (SENATOR BRUCE)

The question is, shall House Bill 1032 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? Have all voted who wish? Take the record. On that question, the Ayes are 30, the Nays are 28, none voting Present. House Bill 1032 having received the required constitutional majority is declared passed. For what purpose does Senator Lemke arise?

SENATOR LEMKE:

Motion to reconsider.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Lemke has moved to reconsider the vote by which House Bill 1032 passed. Senator Zito moves to lie that motion upon the Table. On the Motion to Table, those in favor say Aye. Opposed Nay. The Ayes have it and the motion is Tabled. House bill 1034, Senator Nedza. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 1034.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Nedza.

SENATOR NEDZA:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 1034 is identical to...or House...or Senate Bill 573 which this Body passed out. It would...in effect what the bill does is reinstitutes the construction account for the Metropolitan Sanitary District. There was an objection to the bill in its original form by the Civic Federation. An amendment was placed onto the bill to reduce the outstanding indebtedness of the district and also to decrease the tax authorization so that it would be a wash so there would be no tax increase at all for this construction account. I know of no opposition. I move its adoption...or

your favorable consideration.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? Senator Netsch.

SENATOR NETSCH:

Thank you. Senator Nedza would you repeat that, there is no tax increase authorized in this bill, in its present form, is that correct?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Nedza.

SENATOR NEDZA:

That is correct.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Further discussion? The question is, shall House Bill 1034 pass. Those in favor 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. House Bill 1034 having received the required constitutional majority is declared passed. House Bill 1038, Senator Schaffer. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 1038.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Schaffer.

SENATOR SCHAFFER:

Mr. President and members of the Senate, for the last several years we have, in the Legislature, embarked on a series of pieces of legislation to get us out of the salary setting business. House Bill 1038 is another one of those bills that would allow the elected town board in township governments to set the salaries for assessors as they now do for clerks and road commissioners and get us out of the busi-

*HB 1045
3rd reading*

ness. I think it's a step in the right direction. I think we'll let the local officials make the decision and take the praise or heat as the case may be.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? Discussion? The question is, shall House Bill 1038 pass. Those in favor 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. House Bill 1038 having received the required constitutional majority is declared passed. House Bill 1045, Senator Marovitz. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 1045.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. House Bill 1045 is the Field Sanitation Act of 1983, and it would require clean, sanitary toilet facilities, cool drinking water and hand washing facilities to be available for agricultural workers employed in nursery or food production operations in Illinois. Every other group of workers in Illinois has this right by law to clean toilets and drinking water, and this would provide that kind of protection to the agricultural workers throughout the State of Illinois. The intent of this bill is that the drinking water will be cool throughout the day, not only when it's first brought out in the field. We have been working long and hard for months with everybody who is involved in the agricultural process in Illinois, and I'm very happy to say that as a result of that, the canners, the Farm Bureau, the nursery people are all on

board this legislation and are all in agreement as a result of the amendments that they have requested and the amendments that have been added to this legislation. The associate chairman of the Department of Family Medicine of Cook County Hospital in Chicago, Patrick Dowling, in talking about the necessity for sanitation requirements says, and I would quote, "There is substantial scientific evidence for well over a century and a half demonstrating that the prevention and control of communicable diseases is dependent upon sanitary control of human waste and the availability of clean drinking water and hand washing facilities." Agricultural workers have the second highest incidence of nonfatal occupational illnesses and injuries of all workers in the country and a large number of these are pesticide related. This bill, perhaps as...as important as protecting the agricultural workers, which is of course, of primary importance to everybody, will also...guarantee and protect consumer health because it reduces the risk of vegetable crops carrying bacteria left on the produce and in the fields as a result of human waste and bacteria and...unsanitary conditions. That's what this bill is all about. We've worked long and hard to make it an agreeable bill. I want to commend the Farm Bureau and the nursery people, the seed people, the canners all for working with us, Dean Sears and Art Gottschalk have worked long and hard and I think we have everybody on board, and I would be happy to answer any question. I solicit your Aye vote.

PRESIDING OFFICER: (SENATOR BRUCE)

The question is on the passage. The following Senators have sought recognition: Senators Rigney, Keats, Maitland, Hall and Buzbee. Senator Rigney.

SENATOR RIGNEY:

I have a few questions for the sponsor, if he'll yield.

PRESIDING OFFICER: (SENATOR BRUCE)

Indicates he will yield. Senator Rigney.

SENATOR RIGNEY:

I want to understand, now, are the canners and detassellers affected by this legislation?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Marovitz.

SENATOR MAROVITZ:

The detassellers are no longer affected, we've taken them out by an amendment which they prepared and which has been put on the bill. And that was...I had long discussions with the detasseling people, there's an amendment that's been put on the bill so that they have been satisfied. And the canners, who are represented by Art Gottschalk, I've been...had long discussions with him and they have agreed to ask for certain amendments. All those amendments have been put on the bill, they have agreed to them and they are all on the bill, and they are...have no opposition to this legislation.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Rigney.

SENATOR RIGNEY:

Well, one of the things I would point out then, that we conveniently took the detassellers out and apparently took care of their problem. Is it true though that Farmer Jones next door, if he had ten kids out walking his bean fields for over two hours, that he'd still be in?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Marovitz.

SENATOR MAROVITZ:

If he had ten kids walking his bean fields, there are still certain provisions of the bill that would apply to him, in...in as regards to...to...to supplying toilets for those ten kids and...and facilities for those ten kids to wash their hands.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Rigney.

SENATOR RIGNEY:

Now, does the legislation provide that that toilet must be within one-sixth of a mile?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Marovitz.

SENATOR MAROVITZ:

For those ten kids that you are talking about, the legislation provides that they would have to be within one-half mile.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Rigney.

SENATOR RIGNEY:

Well, I'd point out to you, it's not uncommon to have half-mile rows nowadays, what'll we do, put this thing on wheels and, you know, go down the road behind them, or...

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Marovitz.

SENATOR MAROVITZ:

As a matter of fact, the disposable toilet facilities are, in fact, portable and...and...and are, in fact, moved from facility to facility as the crews move from field to field.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Rigney.

SENATOR RIGNEY:

Well...do you have any patronage workers in your district that's going to get a job pulling these things around or something, following the crews. I find it amazing, you say that there's all this agreement within the agricultural industry on behalf of this legislation, that's not the communication that I had received; and, frankly, I'm kind of surprised about it, and I just can't imagine how much bureaucracy we're going to create here if we're going to somehow

get serious about policing this type of activity through the department.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Keats.

SENATOR KEATS:

As minority spokesman on Labor and Commerce, we originally let this bill on the Agreed Bill List with the understanding that Senator Marovitz would amend it; and after numerous long hours spent on it, the amendment has put it in as reasonable a shape as can be. I have to say, in all candor, there's no way we're ever going to be a hundred percent satisfied with the bill. But we are dealing with people who are working in fields all day long, and you know, believe it or not, a guy's out in the field all day long, sometimes the guy's got to go potty and, you know, you just got to do it. And while we may be able to argue certain provisions and I can see there's still a couple in here that I really don't agree with, hey, you got to supply some of this stuff and this is as enforceable and as reasonable as you can make it with the understanding that you got to take care of your workers. So as a Republican, I say, hey, we ought to support the bill. It's the best you're going to come up with, and if we argue and kill this one, you know, next time it's going to be worse and I think you guys should remember that.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Maitland.

SENATOR MAITLAND:

Well, thank you, so very much, Mr. President. I'm...I'm just delighted to listen to the debate that's persisting between the sponsor of this bill and the previous speaker. Neither one of them have been on a farm in this State, not once have you ever been on a farm in this State. No, you've never milked a cow, Senator Marovitz, you don't know what a cow is.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Maitland.

SENATOR MAITLAND:

You know, it's...it's too bad there is...there is some...some good in this bill. For...for consumable products the intent is very good, but, Senator Marovitz, you don't know what you're doing to the farmers of the State of Illinois. We have kids on our farm on a daily basis walking beans, as Senator Rigney has suggested. I can't imagine the Farm Bureau supporting this bill, it affects every single one of us. You know what's going to happen? These kids that are out there working for more than two hours won't be working there any longer, they simply won't be because we won't be able to afford...we can't even mechanically do what you're asking us to do. Senator Rigney, I have mile rows and I don't have any patronage workers to help out. This is a very serious issue, we've joked a bit about it, but this bill is absolutely unworkable in downstate Illinois and must be defeated.

END OF REEL

REEL # 7

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Hall. Senator Hall. Senator Hall, did you wish to comment?

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I want to compliment Senator Marovitz for this bill, and for Senator Maitland and Senator Rigney, you are true red-blooded Americans. Let's be the American way, think of this. And I'm just shocked, I'm just...flabbergasted, discombobulated, if you want to say. I just...whatever you want, we need this bill, they...need it. We always talking about this is America, the land of the free, the home of the brave. Let's show it with green lights upon...that's a good bill. Vote Aye.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Buzbee.

SENATOR BUZBEE:

Thank you, Mr. President, I'm going to hopefully help Senator Hall become uncombobulated or whatever it was that he was. I...I, like Senator Maitland, was a little amazed to hear the gentleman from the north shore of the City of Chicago, and...and his compadre from Wilmette, discussing field sanitary conditions in the farming community in this State. Now, Gentlemen, where I come from, we do some of the kind of farming that Senator Maitland was talking about, but that tends to be in the...in the black soiled Mississippi River bottom area. But the rest of the farming that we do in southern Illinois, an awful lot of it, is small fruit and produce farms. And I started working on those kinds of farms when I was eleven years old and I worked there every summer through...through my senior year in high school. And let me

tell you, on some of those kind of farms, you're going to put those farmers right straight out of business, there is absolutely no way possible. I'll tell you what, I used to work on some farms that were sixty-five and eighty acres big. Now that's not a big farm, but we'd be over in one field of a morning hoeing the tomato plants; and then in the midmorning we'd go over and we'd hoe the young apple trees, and then in the afternoon we might go over and we'd pick the peppers. If you're going to have that farmer...if you're going to have that farmer...carrying some sort of sanitation device where you can wash your hands everytime you go potty, there's no way that he can possible do it physically. You know, this is a fantastic idea. Senator Marovitz and Senator Keats, I'd like to bring you into southern Illinois sometime and let you see what happens to these farmers. And let me tell you something else, the farmers in my area...Illinois does not produce a big crop in...in apples and peaches, but it is a significant contributor to the economy in my area, even though overall we're not a Georgia or we're not a...an Oregon or a California in peach and produce production and apple production; but in my area, the peach crop last year was almost nonexistent, this year it's going to be about half. Those farmers that are able to survive are hanging on by their fingernails, they are just about to go under. With twenty-five percent unemployment in some of the counties in my district, we can't afford to have anybody else going under. Now this is a bleeding heart piece of legislation and I like to be a bleeding heart every chance I get. But this is a case where you're going to bleed the hearts of the farmers right out of existence. There is going to be no way for a farmer to exist if you require him to do these kinds of things. This is absolutely ludicrous. When I worked on those farms we used to take the...the old...the old crock jug out and that's what we drank out of all day long, now that's when

there were two of us. I worked for a farmer that hired two boys all summer long and that was his total help. Now is he going to have to put in a field sanitation system for two fifteen year old boys, like I was? Then when I worked for the big farmer, the guy that had a hundred acres, he had a...he had a...a metal jug out there that he put ice in, but you're going to require that the farmer keeps cold water all day long. You're...you're putting him out of business. This is...this is ridiculous.

PRESIDING OFFICER: (SENATOR BRUCE)

I have added to my list Senators Jerome Joyce, DeAngelis, Collins and Hall and it is five-seventeen. Senator Grotberg.
SENATOR GROTEBERG:

Well, I won't...thank you, Mr. President. I won't take that long because a lot of what I was going to say has been said by Senator Buzbee and Senator Maitland. But Senator Hall, my professional hit man on the other side, if you want to see the American way, that's the way it's been done since about the year zero on the farm and I'm not promoting it, I'm saying that a lot has been done in this day and age for this kind of service to those who work in fields. But it always amazes me, this is the annual bill, it's either Susan Catania from Lake Meadows, Senator Marovitz from the high-rise Lake Shore Towers, or wherever you live, or the distinguished gentleman from Wilmette...Glencoe, none of you know what the hell you're talking about, none of you. This is the dumbest piece of legislation that ever came to town. Good Lord. And besides even...I have sympathy for you in the peach business. You know, what we're talking about doesn't necessarily go up into trees and I...I understand that, Senator Buzbee, but you made a great point.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Jerome Joyce.

SENATOR JEROME JOYCE:

Thank you, Mr. President. I...I reluctantly...do not support this. I think that we've had, you know, the canners taken care of and the people that are raising the seed corn taken care of, we've had all of the...the corporate types that employ these people and...and we've, you know, we've met their needs because they had a lobbyist here telling us what...what they could live with, but I think we have...we have put young people going to work on regular farms out of business. You know, there's...it's...it's not uncommon that...that you have a field with mile rows of...of soy beans, now you'd have to put three...three potty houses out there, I believe, to get through the field...you know, that's unrealistic. I...I just...I think that the...the people that have lobbyists down here, their needs have been met, but...but we have just simply put farmers out of business as they have been doing it in the past; and I suppose to take care of this we'll put more chemicals on the...on what we grow and, you know, we don't seem to like that either. So, I'd...I'd suggest we defeat this for the time being and perhaps try and make some kind of a compromise that just plain old agriculture could live with.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator DeAngelis.

SENATOR DeANGELIS:

Senator Marovitz, for some...if you have never milked a cow, I would ask you to take a look at the udder side.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Collins. Senator Collins.

SENATOR COLLINS:

Yes, seriously enough, Senator Grothberg did tell the truth. Probably most of you really don't know what you're talking about. It is a good idea and believe me, I came up on a farm and it would be...almost impossible to do what you're asking them to do. Now, there...it...it is true that

you can use portable toilet facilities but it's impossible to have the...the water that you're talking about available there to watch...you know, to wash your hands at all times, it's impossible to do.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Hall, for the second time.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I apologize for getting up for a second time, but let's look at it from the humanitarian position. I've milked a cow, Senator, and I've been on a farm, and I've followed the plow and I'll tell you this, that we're talking about thirty thousand migrant people that farm workers that come into Illinois every year. I've seen places where women have to stand around and hold up sheets and covers for...for...for the ladies to go to a...a toilet or whatever you want to call it. And we talk about something portable. And if you ever seen these things...you...you went to an affair here the other day, they had portable toilets out there, just here in Springfield, that's no big deal. The point is that...and not only that, this is supported by the AFL-CIO, the Illinois Council of Churches, the Illinois Catholic Council, it's a humane thing, and what...what in the world are you talking about? In other words, this is something that's...and I'm saying this, and I get back to this, we're so quick to forget because we're easy living today, but you got to think of the other person that doesn't have the same opportunity you have. You know we're always talking about people should better their conditions and pull themselves up by their bootstraps, and then when you look around, if you don't have any damn boots, how you going to pull yourself up by some bootstraps. This is an important piece of legislation and you ought to be ashamed if you don't put a green light on this legislation. Senator Marovitz, again I commend you for this great piece of

legislation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Bruce.

SENATOR BRUCE:

Well, thank you, Mr. President and members of the Senate. I...I hope that no one...I know that there's been a little bit of fun with this bill, but I have had a chance to know and work with stoop laborers in...in the Hoopeston area and this is no joke. And I'll be quite honest with you, I...I don't give a damn about Senator Maitland or Senator Joyce or Senator Buzbee, you're all sitting in here and this is a pretty nice place to be. And we're not talking about you guys in this bill, it has nothing to do with you, college kids picking apples at Carbondale, I'm not worried about them. But I'll tell you, there are a lot of Mexicans that work in the northern part of Vermilion County that...that need this bill. Now we're talking about someone paying sixty dollars a month to rent a toilet, and I don't know who's going to bring up anybody if that toilet happens to be a little more than a half mile when you haven't had anything at all. And what's wrong with saying that a person who works for a living has a right to get a drink of water. Now, do we want to go on record here of saying that people who stoop and pick up fruit that we all eat on these fancy fruit plates that we have in this Body aren't entitled to wash their hands after they go to the bathroom? Well, you know, I...I just think that when you say ten or more hired workers, that most of the farmers in the State of Illinois who are riding around in sixty and eighty thousand dollar tractors and combines aren't going to be affected. I come from an agricultural area, I don't know one farmer in my district that hires ten people. I know canners that do and I know stoop laborers, and I know that some of them hire high school students, well-educated, going to college, kids to walk through bean

fields and if they sue anybody because they don't have a toilet in a half mile, I'll be surprised because most of them get back in a...in a Trans Am and go back home to go to the bathroom and that's not who we're talking about. I hope that this bill does get enough support to pass.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Chew.

SENATOR CHEW:

You know, just a few days ago, Mr. President, I was driving out on a country road; since we're benched down here for this Session I take a drive and look at the country and I see beautiful sights. I see the growth, the vegetation, and on my way back home I told Senator Jones, I said, "You know, Illinois is a gorgeous State, the land is level in this area, everything is green, beautiful." We passed a construction site, Mr. Jones asked me, "What are those little houses out there?" And my mind reflected back to the days when I was just a child and I said, "Those are called outhouses, those are sanitation pits, those are the ones that we had prior to indoor plumbing." They're still, in effect, good, because any major construction site, you'll find that those facilities are absolutely necessary. The City of Chicago has a contract with some firms that every site of building, they must be installed. Even at our State Fairs those facilities are available. What's so bad about those facilities? Nothing. They are there for a purpose and the purpose is, all human beings must delete what they complete, and it's just a way of making that available in the best terms and the most convenient places. This time that we're taking that is so vital to the people of the State of Illinois to get our schools back in shape, to get mental health back in shape, day care back in shape, welfare back in shape, this is a foregone conclusion that this bill should have not been debated, it should have been passed without any debate at all. We are and

women of class and culture and above all, the necessities of the people of the State of Illinois should be the priorities that we dwell on down here. We know they're necessary, you know they're necessary. Why don't we just get on and pass the bill and go on to another Act for the people of the State of Illinois. We, the people, representing the people, should find better things to do than to take an hour of this time, these busy men and women, to argue something so minute and so necessary. I would urge you to put an Aye vote on this and we'll go from there. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? We have three additional Senators. Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. I think we...we should use a little common sense here. The canners, the people that are affected by this bill have signed off on the bill. I mean, if you talk to their lobbyists, Art Gottschalk, he indicated to me that they're perfectly happy to live with this bill. I had a bill that created an agricultural commission, and he indicated to me that they didn't like that bill, there were certain provisions in the bill they couldn't live with and I didn't pursue that bill. And, in all due respect to the sponsor and...and to the canners, there is nothing in this bill that isn't reasonable for everybody. So please vote for it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Buzbee, for a second time.

SENATOR BUZBEE:

Well, I apologize for a second time, but, Senator Bruce, let me tell you, I'm just as very serious as you are. And I've done that stoop labor that you were talking about for ten hours a day, stooping down to pick tomatoes or to pick peppers or to climb trees and it's very difficult work,

it's...it's...it's not easy work at all, I know that, I know the problems that go along with it. I'm telling you that in my district and Senator...Senator D'Arco talked about the canners have signed off, fine. If you want to make this bill applicable only to canners, then fine, I'll go along with it. But in my district, there are a lot of little farmers and, Senator Bruce, let me assure you, they hire thirty and forty and fifty people at a time; when the crops come in you got to get them then or you never get them. And if you're going to put this kind of restriction on them, as I said earlier, they're hanging on by their fingernails right now. Now, if you want to make this applicable only to canneries and to cannery row crops and so forth, that's fine with me; but if you're going to start making it applicable to the little farmers in my district, you're going to put them out of business. Again, I don't think that any farmer in this State that hires migrant labor makes that labor go out there for ten hours a day without the ability to get a drink of water, without keeping water there for them or without the ability to get to some sort of sanitary facilities. But if you're going to specify that there has to be a sanitary facility with the ability to wash your hands when you get finished, by the way, Senator, I wonder if you'd be willing to take an amendment to this bill which says that every time we go to one of these functions around here where they have outdoor toilets, that there's a required washtub afterwards so we can all wash our hands before we go back to...to eat our food, because that isn't very sanitary either, but we all do it every day whenever we're...at these...at these functions. So, if you're...if you're really...if...if you think that I was making a joke of this, you're absolutely one hundred percent dead wrong. I'm not making a joke of it. I'm talking about a small industry in my part of the State that is just about to go under. I know of two peach and apple farmers who

live within a half a mile of me in either direction, one of them is a fifth generation farmer on the same farm, the other one is a third generation farmer on the same farm and they're both just about to go under and I'm not going to help them. I'm going to vote No on this lousy bill.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Further discussion? Senator Maitland, for a second time.

SENATOR MAITLAND:

Thank you, Mr. President. I apologize, too, for rising a second time; but, Senator Bruce, you're an excellent debater, but I tell you, I really resent the fact that you accuse Senator Buzbee and Senator Joyce and myself for sitting in this air-conditioned office down here with a total lack of interest in what we're doing here, makes no sense at all. I've been out there too, I've done that work, I'm serious about this bill too. Now, as a farmer, we also bail hay; and think about this, the distance between farm to field as we bale hay, and what are those young people going to do? You're going to put those people out of business also. And the farmers that ride around in the fifty thousand dollar tractors, you try to stir the emotion of this Body, that has nothing to do with the bill, whatsoever, not one thing. Sure, I've got a fifty thousand dollar tractor but I don't ride around in it all summer, not at all, it has nothing to do with this bill. The fact of matter is, as Senator Buzbee said, if you would tighten it up, Senator Marqwitz, to address the people that we're all concerned about, the dumb bill might be worth something, but now it's a terrible bill and must be defeated.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Further discussion? Senator Bruce, for a second time.

SENATOR BRUCE:

In my debate, I perhaps misspoke in saying that I did not care about Senator Buzbee, Senator...Jerome Joyce and Senator

Maitland. My point, however, is that you fellows have done very well and those...you are not the people to whom this bill is addressed; and for those of you who hire forty or fifty people to do row crops, I hope you're making a profit. I got on my tractor a little...a little after five-thirty in the morning last week-end and there weren't forty or fifty with me, and I won't show a profit on my farm this year probably. But if you can hire forty or fifty and do it, sobeit. Senator Maitland, all I...my point was, and I misspoke, perhaps, and that is, the fellows who are doing well, who have the large row crop equipment, aren't the people that are being concerned by this legislation. To a large degree it's the stoop laborer in the State of Illinois picking tomatoes and beans and corn, and they are the people that ought to have some protection, that's all. And I apologize if I stirred an emotion I should not have stirred.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Marovitz may close.

SENATOR MAROVITZ:

Thank you, Mr. President and members of the Senate. Well, I...I have a few things I want to say. First of all, I am proud to sponsor this bill, and I don't think it makes any difference where you're from to care about people and to care about the conditions that people have to work in and work under. And for someone to say, this terrible restriction that we're putting on people in this bill, yeah, we're really...we're really imposing very serious restrictions, a damn toilet and a place to wash your hands, and that's what we're sitting here arguing about and that really is a crime if you think that's a terrible restriction. I'm surprised that Senator Collins would rise and oppose this legislation. This bill was in her committee and she put it on the Agreed Bill List in her committee. I'm glad you...I'm glad you're going to vote for it. When I hear about other people and the

canners, the fact is, I spent hours with a lobbyist not only from the canners but from the Farm Bureau, Dean Sears. We spent time together yesterday, he asked for amendments for the Farm Bureau so that the Farm Bureau people wouldn't be put out of business. I am sure that that lobbyist who is well respected down here wouldn't be supporting this legislation if...if it was going to put the farmers out of business, if it were going to hurt business in...on the farms in Illinois. We sat with him yesterday and put the amendments on that they asked for, that's why they're supportive of this legislation, that's why the canners are supportive of this legislation, that's why the nursery people are supportive of this legislation, that's why the seed people are supportive of this legislation, in addition to the AFL-CIO and yes, in addition to the Catholic Conference. You know, I hear some people talking about how difficult it is to put portable...disposal facilities in rows where they're picking beans. If people have to go to the toilet, what's their alternative? Boy, I'd sure hate to think of the alternative when I bite into a sour peach. There is no serious restrictions in this legislation; otherwise, all these people who are here to watch out for the interest of farmers and the farming community in Illinois wouldn't now be in support of this legislation, because we put all their amendments on this legislation that they asked for. There is minimal restrictions here and no one's even go in and do any checking unless there's an actual complaint. So, unless these students that you talk about have a complaint, no one's going to be going in...with any disciplinary proceedings. I would ask for a...affirmative vote for this old farm boy. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

The question is, shall House Bill 1045 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? Have all voted who wish? Take the record. On that question, the Ayes are 32, the Nays are 22, 4 voting Present. House Bill 1045 having received the required constitutional majority is declared passed. Senator Buzbee, for what purpose do you arise?

SENATOR BUZBEE:

A verification of the affirmative roll call, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

All right. Senator Buzbee has requested a verification. Will all members be in their seats. The Secretary will read the affirmative votes.

SECRETARY:

The following voted in the affirmative: Becker, Berman, Bruce, Carroll, Chew, Collins, D'Arco, Dawson, DeAngelis, Degnan, Egan, Fawell, Hall, Holmberg, Johns, Jones, Jeremiah Joyce, Keats, Kelly, Kustra, Lechowicz, Lemke, Marovitz, Nedza, Netsch, Newhouse, Sangmeister, Savickas, Smith, Vadalabene, Zito, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Buzbee, do you question the absence of any members?

SENATOR BUZBEE:

Senator Becker.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

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

SENATOR BUZBEE:

Senator Dawson.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Dawson on the Floor? Senator Dawson is on the Floor.

SENATOR BUZBEE:

Senator Savickas.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...Savickas is...sitting in Senator D'Arco's seat.

SENATOR BUZBEE:

Senator Newhouse.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Newhouse on the Floor? Strike his name. Senator Buzbee, you question anyone?

SENATOR BUZBEE:

Yes, Senator Fawell.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Fawell. Senator Fawell on the Floor? Strike her name.

SENATOR BUZBEE:

I think that's enough, Mr. President, to defeat the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. On that question, the Ayes are 29, the Nays are 22, 4 voting Present. The roll call has been verified and Senator Marovitz.

SENATOR MAROVITZ:

...we'll request postponed consideration.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...sponsor requests postponed consideration. On the Order of 3rd Reading, House Bill 1048, Senator Lechowicz. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 1048.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Bill 1048 as amended provides for a minimum survivor's annuity benefit to members of the State

Employees' Retirement System in the amount of fifty percent of the member's earned pension at the time of death. This change would apply to all survivor benefits becoming payable as the result of debts occurring on or after January 1, 1984. This provision would also supersede the existing four to six hundred dollar maximum limitation currently a part of the survivor's benefit program. This type of provision is currently a part of the survivor's benefit program of other State funded systems such as a...a teachers' funding system and also our own system which is at sixty-six and two-thirds percent. A benefit change based on our actuary determination would have the following cost impact of approximately seven hundred and twenty-five thousand dollars. I would be more than happy to answer any questions, or ask for your support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there any discussion? Is there any discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield. Senator Schuneman.

SENATOR SCHUNEMAN:

Senator, the Pension Laws Study Commission form that I have in front of me indicates an increase in actuarial liability of twelve million dollars, increase in normal cost three to four million dollars. Was this bill amended or what...how do we account for the difference in the estimates of...that you have and the estimates of the Pension Laws Study Commission?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz.

SENATOR LECHOWICZ:

Well, I believe if you extend the...the figures to its actual cost payout it's seven hundred and twenty-five thou-

sand. The increase in the accrued liability is thirteen million eight...eight hundred and eighteen thousand. The normal cost percentage of pay is .26 percent, normal cost assumed payroll of 1.4 billion is three million six hundred and forty-one thousand, first year payout is seven hundred and twenty-five thousand. And let me also point out to you that this is the same fund that the Governor has borrowed six hundred million dollars over the past three years from.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schuneman.

SENATOR SCHUNEMAN:

Well, apparently the bill hasn't been amended then. So, I...I only point out to the membership that once again we have a bill that the Pension Laws Study Commission and...the actuary says is going to have an impact of twelve million dollars on unfunded liability and that the annual cost might be something like three to four million dollars. Now it seems that everytime we've got a pension bill we've got two sets of figures. So, I guess we have to decide which set we're going to believe. I'm sure the sponsor is using figures that he believes in; I only want the membership to know that not everybody agrees that those figures are accurate and it will have to use your own judgment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any other...any further discussion? Further discussion?
Senator Grotberg.

SENATOR GROTEBERG:

Yes, I note that the only opposition that this bill has are the Pension Laws Commission, the Governor, the Civic Federation, the State Employees Retirement System, are all opposed to this bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any further discussion? Further discussion? Senator Lechowicz may close.

SENATOR LECHOWICZ:

Well, Mr. President, I'm glad that all those people don't have the same figures because the figures that I have quoted to you came from the Pension...Pension Laws Commission. The House sponsor of this bill was Representative Terzich, who was the former chairman of that commission. And now if you want to compare your dollars and cents, I'll be more than happy to sit down with you and I'll put it right into the record. Again, for the record, and I responded to this question to...to Senator Schuneman. The increase in accrued liability is at thirteen million eight hundred and eighteen thousand dollars. The normal cost percentages pay is .26 percent, the normal cost of assumed payroll of 1.4 billion is three million six hundred and forty-one thousand. The first year payout at that rate is seven hundred and twenty-five thousand dollars. What we're talking about here is three different systems at three different payout levels. Now if you believe that the State employees should be in the same par as the teachers, then you should vote for this bill. If you believe that the State employees should be at fifty percent in lieu of our own sixty-six and two-thirds with the judges, then you'll vote Aye for this bill. That's what's the question over here, and I personally believe that State employees and the minimal cost on this bill is a good bill that should be supported by this Senate. It came out of the...as I pointed out, the sponsor the...in the House, was a former chairman of that commission. I think that he's a pretty reputable person on pensions; I think he knows what the fiscal cost impacts are. I've got the...the pension impact note in...in its entirety here and my figures...I will stand by my figures and I...believe me, and if anyone who knows me, knows that when I quote figures, they are substantiated, and I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator Schuneman, he was closing. The question is, shall House Bill 1048 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? 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, 8 voting Present. House Bill 1048 having received the required constitutional majority is declared passed. House Bill 1052, Senator Geo-Karis. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 1052.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, this bill as it was amended in the Executive Committee and the amendment remains on the bill is a permissive bill. It simply says that the board of library directors may establish and review at least biannually a written policy for the selection of library materials in the use of library materials and facilities. And also that the board of trustees of each district may establish and review at least biannually a written policy for the selection of library materials in the use of library materials and facilities. This bill is supported by the Illinois Library Association, and I ask for favorable consideration.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there any discussion? Any discussion? If not, the House...the question is, shall House Bill 1052 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? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. House Bill 1052 having received the required constitutional majority is declared passed. 1055, Senator Jerome Joyce. Senator Joyce, 1055. 1065, Senator Lechowicz. Okay. On the Order of 2nd Reading, bottom of page 11, House Bill...it's 3rd Reading, House Bill 1065. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 1065.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President and members of the Senate. House Bill 1065 as amended makes changes in professional licensure requirements to improve nursing home care. Forty-two states already require nursing home administrators to take training during the year. These states require between twelve to thirty-six hours of continued education per year. The amendment would require eighteen hours per year in Illinois. May I also point out to you that the Illinois Department of Registration drafted the language of this bill. It is consistent with the continuing education requirements of the Illinois Department of Registration for physicians, optometrists and podiatrists. The association representing homes of the aging and nursing homes support the concept of continuing education. There is no...no known opposition to this amendment from industry, consumer or government groups, and I ask for your support on House Bill 1065 as amended.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there any discussion? Any discussion? If not, the question is, shall House Bill 1065 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 54, the Nays are none, 1 voting Present. House Bill 1065 having received the required constitutional majority is declared passed.

PRESIDENT:

Top of page 12, on the Order of House Bills 3rd Reading is House Bill 1066. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 1066.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, this bill amends the Park District Code to permit park districts other than Chicago to refund revenue bonds through the issuance of general obligation bonds and it does require a front door referendum. And I move...and I move its favorable passage.

PRESIDENT:

Is there any discussion? Is there any discussion? If not, the question is, shall House Bill 1066 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. House Bill 1066 having received the required constitutional majority is declared passed. Senator Darrow, 1075. On the Order of House Bills 3rd Reading, top of page 12, is House Bill 1075. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 1075.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Darrow.

SENATOR DARROW:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This legislation removes the requirement that the owner...owners name and address and...certificate permit number be displayed on the side of a Class 2 vehicle...or vehicle of the second division...I guess it pertains to veterinarians second division vehicles so that they no longer have to have their name and address and certificate number printed on the side. It passed out of the House unanimously and I ask for a favorable roll call.

PRESIDENT:

Any discussion? Is there any discussion? If not, the question is, shall House Bill 1075 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. House Bill 1075 having received the required constitutional majority is declared passed. On the Order of House Bills 3rd Reading is House Bill 1076. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 1076.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Jones.

SENATOR JONES:

Yes, thank you, Mr. President and members of the Senate. House Bill 1076 provides that the State Board shall reimburse

the school districts not less than fifty cents for each free lunch and breakfast program to the eligible students. Also the bill provides that the State Board can enter into a contract for government commodities for processing and they can enter into contract with private individuals, corporations and school boards for the processing of...government surplus food, and I move its adoption.

PRESIDENT:

Any discussion? Is there any discussion? If not, the question is, shall House Bil 1076 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are 2, none voting Present. House Bill 1076 having received the required constitutional majority is declared passed. Senator Egan. On the Order of House Bills 3rd Reading is House Bill 1079. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 1079.

(Secretary reads title of bill)

3rd rEading of the bill.

PRESIDENT:

Senator Egan.

SENATOR EGAN:

Thank you, Mr. President and members of the Senate. House Bill 1079 is a request of the Board of Pharmacy to increase its own policing powers. They feel that the amount of available help that they have presently is inadequate for the job that they feel must be done in self-policing, and...its a good concept...they have worked hard at the...at the specifics, and I commend it to your favorable consideration.

PRESIDENT:

Any discussion? Any discussion? Senator Bloom.

SENATOR BLOOM:

Will the sponsor yield to a couple of questions here?

PRESIDENT:

Indicates he will yield. Senator Bloom.

SENATOR BLOOM:

Senator...write this bill...first the question is who's on the...on the Pharmacy Board?

PRESIDENT:

Senator Egan.

SENATOR EGAN:

I haven't the slightest idea...I...perhaps Senator Watson could help me. I have no idea who's on the board.

PRESIDENT:

Senator Bloom.

SENATOR BLOOM:

You have...well, one would assume, pharmacists, right? Right now this looks like quite a substantial change in powers and duties. Who would decide when to employ hearing officers under 1079?

PRESIDENT:

Senator Egan.

SENATOR EGAN:

The Department of Registration and Education.

PRESIDENT:

Senator Bloom.

SENATOR BLOOM:

No, no, I mean under the...that's the way it is now...right...that's the way it is now. Under this bill, it says the Board of Pharmacy may employ attorney and hearing officers; the department would compensate them, that's right, but they would be the ones that would employ it. It looks...there's...then over here, it seems to say that the department would need the action and report in writing of

this pharmacy board and there's somebody called a pharmacy coordinator that has exclusive control over the department's investigations. There is some concern expressed by the department that perhaps...perhaps having the Pharmacy Board, apparently then would administer the Pharmacy Act under this bill. Is...is that not the ultimate result?

PRESIDENT:

Senator Egan.

SENATOR EGAN:

The director shall appoint a pharmacy coordinator who shall be someone other than a member of the board. A pharmacy coordinator shall be a registered pharmacist in good standing and shall be a graduate of an accredited college of pharmacy or hold a Bachelor of Science Degree in Pharmacy and shall have at least five years experience in the practice. The pharmacy coordinator shall be the chief enforcement officer of the Act, and the language that is in the bill is, "The pharmacy coordinator shall have exclusive control over the department's investigations subject only to the approval of the director and the board." Now, we broadened that in with Amendment No. 1 to exclude some of those areas and I can enumerate those which remain. And...and we've removed the provision that, "the director shall in conformity with the Personnel Code employ not less than"...instead of seven, it's increased to nine. So we increased that...the number of investigators by two, but this is all within the department of R and E. However, it gives the...basically what the bill does is give the department or give the Board of Pharmacy more control and more direction over what the department is doing and that is a self-policing device that the Board of Pharmacy I think in all justification...deserves.

PRESIDENT:

Senator Bloom.

SENATOR BLOOM:

Well, I don't...I don't want to prolong this, there's obviously some concern expressed by the department because before your bill the Act read, "none of the functions, powers or duties enumerated in certain sections, shall be..." which had to do with some of the...some of the functions, the disciplinary functions. Now what you're saying is, the bill says none of the functions exercised in the Acts can be done without the Board of Pharmacy. You're saying now that Amendment 1 then basically sets out not just the certain disciplinary sections of the Act but various other sections as well. So it goes substantially beyond discipline and things like that, and I'm suggesting to you, Senator, that I understand where you're coming from but I think the bill goes a little too far and there's some real concern expressed by the department that perhaps the Board of Pharmacy, at least insofar as their duties relating to pharmacists are concerned, is usurping the...duties and prerogatives of the department itself, that's the concern. And I didn't mean to prolong it, but that's why I'm having trouble with 1079.

PRESIDENT:

Further discussion? Senator Egan. Further discussion? Is there any further discussion? Senator Egan may close.

SENATOR EGAN:

All right. Well I...I fully understand your concern for the department's attitude toward this bill, that's why we adopted Amendment No. 1. What the bill says basically, the bottom line is, that the department shall wait until they get in writing a report on their investigation in all areas before the bill was amended. Now, they only have to wait until they get a board's in writing report. And now there are one, two, three, four, five...well, the...the areas now the...its functions and duties with regard to these enumerated areas are the only ones now that the Department of E and E has to wait for. One of which, for example, is the main-

statement of licenses. So the department, or the...the Board of Pharmacy in self-policing, in doing its...the job in...in policing its own industry will investigate the reinstatement of licenses, and the department cannot make a reinstatement without the written report of the investigation on the individuals involved in pharmaceutical procedures and I...I think it's a commendable bill. I ask for your favorable consideration.

PRESIDENT:

The question is, shall House Bill 1079 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 52, the Nays are 3, 2 voting Present. House Bill 1079 having received the required constitutional majority declared passed. If I can have the attention of the membership, it is...the hour of six has...has arrived. There have been two requests made of the Chair. I understand that Senators Berman and Davidson have agreed to move off 2nd reading House Bill 1182 with the understanding that it will be called back pending the arrival of the computer printout for the...members' benefit, which I guess is due to arrive tomorrow. With leave of the Body, we'll move to House Bills on 2nd reading, page 47. House Bill 1182. Senator Davidson, do you want to explain the circumstance? Senator Davidson.

SENATOR DAVIDSON:

Mr. President, the request this morning from...members was the comparison of the printout of the two amendments by Senator Berman and myself. They have not arrived from IOE and we could not get a date or time certain. I've spoke to Senator Berman and to yourself and to Senator Philip and to Senator Schaffer who also had an amendment that we would move this bill to 3rd reading today with no amendments, with the understanding we would bring it back tomorrow when the

information arrived and we could deal with the amendments, yes or no tomorrow, and save this legislative day.

PRESIDENT:

On the Order of House Bills 2nd Reading, House Bill 1182. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 1182.

(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. You turn to page 54 on the Calendar, on the Order of Motions in Writing, there's a motion in writing with respect to House Bill 60. Mr. Secretary, read the motion, please.

SECRETARY:

Motion in writing. Having voted on the prevailing side, I move to reconsider the vote by which House Bill 60 loss. Signed, Senator Demuzio. Dated, June the 20th, 1983.

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

Thank you, very much, Mr. President and Ladies and Gentlemen of the Senate. This is, in fact, a motion to reconsider the vote by which House Bill 60 was defeated. Apparently there was some confusion over here on this side of the aisle about Senator Vadalabene's bingo bill, and I was prevailed upon to file a motion to reconsider this so that it could be debated and discussed again. So having voted on the prevailing side, I move to reconsider the vote by which House Bill 60 was defeated.

PRESIDENT:

All right. The motion is to reconsider the vote by which House Bill 60 was declared lost. Any discussion? Senator Buzbee.

SENATOR BUZBEE:

Well, first of all, Mr. President, you had assured us that we were going to quit at six o'clock. It's past six o'clock, you announced it a few minutes.

PRESIDENT:

Well, I...I...I understand that. I...I suggested very strongly that I had a couple of requests from the members and we make every legitimate attempt to honor a request.

SENATOR BUZBEE:

I...I understand that and my...my request would be that you not honor that request at this time. This is a bill that we defeated the other day and your normal modus operandi is that you save these kinds of motions until after everything on 3rd reading has...has been dealt with, and you, Mr. President, have lost bills in the past because you were in the same spot. I have lost bills in the past because you...I was in the same spot, but we seem to be changing the modus operandi at this point. At the proper time, I would like to speak to the...to the bill.

PRESIDENT:

Senator Hall.

SENATOR HALL:

Well, thank you, Mr. President and Ladies and Gentlemen of the Senate. Senator, we can't be acceding to every wish that Senator Buzbee wants. This is an august body, if we decide to do this, let's do that.

PRESIDENT:

All right. The motion is to reconsider the vote by which House Bill 60 lost. Any discussion on the motion? Those in favor of the motion will vote Aye. Those opposed will vote

May. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 31, the Nays are 19, none voting Present. The vote is reconsidered, House Bill 60 will be returned to the Calendar. Further business? Any announcements? Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. I now have, hot off the press, six complete copies of House Bill 606, enrolled copies with all of the amendments in. I will certainly get one to Senator Bloom and staff immediately. The others, they are still running off and they will be ready no later than first thing in the morning. I would call to your attention that the substance of the new law is in about the first fifteen pages, most of the rest of the bill is amendments to other provisions. But those who want a copy tonight to take for bedtime reading, there are six available now.

PRESIDENT:

Further announcements? Further business to come before the Senate? Senator Bruce.

SENATOR BRUCE:

Yes, Mr. President, House Bill 519 is on the Order of 2nd Reading under the sponsorship of Senator Welch. With an agreement with Senator Welch, I would like to take over as the principal sponsor of that bill and it should read, Bruce as opposed to Welch on the Calendar tomorrow, with leave of the Body.

PRESIDENT:

All right. With leave of the Body, on page 45 of the Calendar, House Bill 519, the Senator has asked leave to be shown as the chief sponsor of House Bill 519. Leave granted? Leave is granted. Further business? Further announcements? Senator Demuzio.

SENATOR DEMUZIO:

Yes, I would like to relinquish sponsorship of House Bill 390 and have Senator Marovitz shown as the principal sponsor.

PRESIDENT:

House Bill 390. The Senator seeks leave to have Senator Marovitz shown as the cosponsor. Leave granted? Leave is granted. Further business? Further announcements? If not, Senator Egan moves that the Senate stand adjourned until Friday, June 24, at the hour of nine-thirty. Tomorrow morning at nine-thirty, we'll go back on 3rd reading. The Senate stands adjourned.