

83RD GENERAL ASSEMBLY

REGULAR SESSION

JULY 1, 1983

PRESIDING OFFICER: (SENATOR JOHNS)

The Senate will come to order. Will all guests in the galleries please rise. Will...all those not entitled to the Floor please leave the Floor. The prayer this morning be...will be by Reverend Charles L. Kyle.

REVEREND CHARLES L. KYLE:

(Prayer given by Reverend Kyle.)

PRESIDING OFFICER: (SENATOR JOHNS)

The Chair recognizes Senator Rock. Reading of the Journals. Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. Mr. President, I move that the Journals of Wednesday, June 22nd; Thursday, June 23rd; Friday, June 24th; Saturday, June 25th; Sunday, June 26th; Monday, June 27th; Tuesday, June 28th; Wednesday, June 29th and Thursday, June 30th, in the year 1983, be postponed pending arrival of the printed Journals.

PRESIDING OFFICER: (SENATOR JOHNS)

You heard the motion. All those in favor say Aye. The Nays none. The motion is approved. Senator Rock is recognized.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. The appropriations conferees, I am told, will be meeting shortly. That is the most significant, obviously, part of business yet remaining. So, I would suggest in the meantime that we afford them the opportunity to meet and I'm going to suggest that we stand in Recess until the hour of two o'clock.

PRESIDING OFFICER: (SENATOR JOHNS)

Senator Rock says that we will stand in Recess until three o'clock. Senator Jeremiah Joyce.

SENATOR JEREMIAH JOYCE:

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

With leave of the Body, I ask that the sponsorship of Senate Bill 824 be reflected as Degnan-Joyce. On Senate Bill 728 be reflected as Degnan-Joyce.

PRESIDING OFFICER: (SENATOR JOHNS)

You heard the motion. All those in favor say Aye. All opposed Nay. Ayes have it. Motion is adopted. Now, I made an error, it's two o'clock instead of three o'clock. Thank you, Mr. President. Any further work? Yes, sir, Mr. President.

SENATOR ROCK:

Yes, for the benefit of everyone, everyone will be afforded, again, I hope, the opportunity to consider their bills or Conference Committee reports. Obviously, the vote requirement at this moment is different than it was yesterday, but we will at two o'clock get on the Calendar and afford everyone the opportunity to do what they feel is important. Two o'clock.

PRESIDING OFFICER: (SENATOR JOHNS)

Senator Rock...Senator Rock, the Secretary has some Messages, sir, that should be read. Mr. Secretary, will you read the 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 refused to concur with the Senate in the adoption of their amendment to a bill with the following title:

House Bill 556 with Senate Amendment 1.

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

Mr. President - I am directed to inform the Senate the House of Representatives has refused to recede from their Amendment No. 1 to a bill with the following title:

Senate Bill 332.

Further directed to inform the Senate the House requests

a Committee of Conference and the Speaker has appointed the members on the part of the House.

I have like Messages on the following Senate bills:

Senate Bill 346 with House Amendment 1.

Senate Bill 374 with House Amendments 1 and 2.

Senate Bill 378 with House Amendments 1, 2 and

3.

Senate Bill 384 with House Amendment 1.

Senate Bill 390 with House Amendments 1, 2, 3

and 4.

Senate Bill 394 with House Amendments 1, 2, 3,

4, 8, 9, 10 and 11.

Senate Bill...481 with House Amendment 1.

Senate Bill 714 with House Amendments 1 through

10, 12 through 20, 22, 23, 24, 26, 27 and 28.

PRESIDING OFFICER: (SENATOR JOHNS)

Senator Rock moves that we recede from the request to the House...accede to the request of the House on the following bills just read by the Secretary.

SECRETARY:

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

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

House Joint Resolution 33.

PRESIDING OFFICER: (SENATOR JOHNS)

Executive. Resolutions.

SECRETARY:

Senate Resolution 298 offered by Senator Kent.

Senate Resolution...and it's congratulatory...Senate Resolution 299 offered by Senator Berman, it's congratulatory.

Senate Resolution 300 offered by Senator Fawell, Geo-

Karis, and Macdonald, and others and it's congratulatory.

Senate Resolution 301 offered by Senate Lemke, and it's commendatory.

PRESIDING OFFICER: (SENATOR JOHNS)

Resolutions Calendar...Consent Calendar.

SECRETARY:

Okay. And Senate Resolution 302 offered by Senator Carroll.

PRESIDING OFFICER: (SENATOR JOHNS)

Executive. That's it, Mr. President, two o'clock. We will stand in Recess until two o'clock.

RECESS

AFTER RECESS

PRESIDING OFFICER: (SENATOR BRUCE)

Will the Senate come to order. Messages from the House.

SECRETARY:

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

Mr. President - I am directed to inform the Senate the House of Representatives has refused to adopt the first Conference Committee report on House Bill 28 and request the second to consider the differences between the two Houses. Senator D'Arco is the sponsor of House Bill 28. They request a second conference, they didn't adopt the first.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator D'Arco.

SENATOR D'ARCO:

Yeah, you might as well forget about it because House Bill 28 is not going anywhere.

PRESIDING OFFICER: (SENATOR BRUCE)

All right, Senator D'Arco, do you...we have a Conference Committee filed. Do think you will need a second Conference Committee report?

SENATOR D'ARCO:

No, but what I'd like to do on 380, I'd like to...refuse

to recede on 380 and have a Conference Committee be appointed.

PRESIDING OFFICER: (SENATOR BRUCE)

All right, but we're on 28 right now. Senator D'Arco, the...Senator D'Arco, the request is for a second Conference Committee. If you would accede to that request we can kind of move the paper along. Whether you do anything with it, we don't know. Senator D'Arco. Senator D'Arco moves to accede to the request of the House that a second Conference Committee be appointed.

SECRETARY:

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

Mr. President - I am directed to inform the Senate the House of Representatives has refused to recede from their Amendment No. 1 to a bill with the following title:

Senate Bill 57. And they ask for a conference and the Speaker has appointed the members on the part of the House.

A like Message on the following Senate bills with House amendments:

Senate Bill 620 with House Amendment 1.

Senate Bill 1135 with House Amendment 1.

Senate Bill 1315 with House Amendment 1.

And Senate Bill 513 with House Amendments 2, 3 and 6.

PRESIDING OFFICER: (SENATOR BRUCE)

On the Messages just...received, Senator Hall moves to accede to the request of the House. On the motion, those in favor say Aye. Opposed Nay. The Ayes have it and the Senate accedes to the request of the House. If I might have the attention of the Body, on the Order of Secretary's Desk Concurrence on page 5, the Chair will read those Senators who have bills back on concurrence one more time to see whether we can do any business on those. I've been informed that a

couple of gentlemen would like to move and...and have action on their bills. Senate Bill 242, Senator Bloom. Senate Bill...359, Senator Kustra. Senate Bill 419, Senator Berman. Senate Bill 834, Senator Degnan. Senator Degnan, did you wish to...on page 5? 836. 1000. 1017, Senator Vadalabene. Senator Vadalabene, that's creation of a tourism and convention bureau. 1067, Senator Schuneman. 1119, Senator Etheredge. Senator Bloom, you were off the Floor when we called 242. Maximum population of cities for voters. Do you want to run that one? All right. On page 5 of your Calendar is Senate Bill 242 and Senator Bloom is recognized for motion.

SENATOR BLOOM:

Yes, it's on concurrence and this is the bill that makes a...minor change in the Election Code for election commission communities, and for awhile it appeared that perhaps the Speaker had some use for it but I'm informed he does not. The House amendment...this bill sailed out of here without a dissenting vote. The House amendment delays the effective date by one year, so that if those communities want to change over to having the county clerk run the elections, it would not happen until well after the Presidential elections. I'd answer any questions; otherwise, move that we concur with the House amendment.

PRESIDING OFFICER: (SENATOR BRUCE)

Discussion? Discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

I'm sorry, I was on the telephone. Would the sponsor just yield? Could you just give me a brief explanation of what's happening?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Bloom, just a quick...quick explanation.

SENATOR BLOOM:

All right, one more time. It was a minor bill dealing

with those counties that have an election commission. There are only about nine of them outside Chicago. The House put on an amendment that would put the effective date of the bill until after the Presidential elections to give them the option as to whether they want the county clerk alone to run the jurisdiction. I've been holding it at the request of the Speaker 'cause he thought he might have some use for it. He does not so, therefore, I'd like to concur in the House amendment and send it off to the Governor. Thank you.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Further discussion? Question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 242. 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 55, the Nays are none, none voting Present. The Senate does concur with House Amendment No. 1 to Senate Bill 242, and the bill having received the required constitutional majority is declared passed. We were on page 6 of the Calendar. Senator Etheredge, we had just called Senate Bill 1119 and you were off the Floor. Do you wish to...no. 1122. Senator Lemke is recognized for a motion on Senate Bill 1122 with House Amendment No. 2.

SENATOR LEMKE:

I move to concur with House Amendment No. 2. This adds reference to Chapter 122 and a 1/2 and it provides that highway commissioners shall annually determine the amount to be raised for taxation for construction, maintenance and repair. This still leaves the power of approval of the budget in the township's hands, and I ask for its adoption.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Senator Lemke, is that the same amendment that we all

objected to violently?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Lemke.

SENATOR LEMKE:

No...no...no, it is not...Senator Schuneman got up and thought that we were preempting the township board from approving...having the power of approving the budget and he's...he can tell you that that was his only objection.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator DeAngelis.

SENATOR DeANGELIS:

Well, I'm...I'm not so sure I trust the board anymore than I trust the highway commissioner.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Well, thank you, Mr. President. I rose on this bill the other day out of a concern that we might be transferring power to the highway commissioner and away from the town board as far as the ability to control budgets. I later found out after talking to some of my highway commissioners and to members of town boards that the township officials, in fact, support this...this bill and that it does not detract from the power of the town board to set the budget, so I am now in support of the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Discussion? Discussion? The question is, shall the Senate concur with House Amendment No. 2 to Senate Bill 1122. 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 49, the Nays are 5, none voting Present. The Senate does concur with House Amendment No. 2 to Senate Bill 1122, and the bill having received the required constitutional majority is declared

passed. Senator Jones on Senate Bill 1153. Senator...Jones is recognized for a motion.

SENATOR JONES:

Yeah, thank you, Mr. President. I move that the Senate nonconcur in Amendments 8, 9 and 10 to Senate Bill 1153...change that...it should be Senate Bill 1153.

PRESIDING OFFICER: (SENATOR BRUCE)

The board is now correct. We are considering Senate Bill 1153, and the motion is to nonconcur with House Amendments...8, 9 and 10. On the motion to nonconcur, those in favor say Aye. Opposed Nay. The Ayes have it and the Senate nonconcur with amendments...House...House Amendments 8, 9 and 10 and the Secretary shall so inform the House. Senate Bill 1174, Senator Rupp. Senator Rupp is recognized for a motion.

SENATOR RUPP:

Thank you, Mr. President. First, I would like to...ask leave to add Senator Luft has a hyphenated cosponsor on Senate Bill 1174.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there leave? Leave is granted.

SENATOR RUPP:

And...1174,...Amendment No. 1 amends the Prevailing Wage Act to include in the definition that public works projects financed in whole or part with revenue bonds issued pursuant to the Municipal Code or Industrial Building Revenue Bond Act. I ask that this...we concur in this amendment...Amendment No. 1 to Senate Bill 1174.

PRESIDING OFFICER: (SENATOR BRUCE)

Discussion? Senator Keats.

SENATOR KEATS:

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

PRESIDING OFFICER: (SENATOR BRUCE)

May we have some order, please. Senator Keats.

SENATOR KEATS:

...I rise in opposition to this conference report. My opposition is not as much to the original bill of Senator Rupp's as that in conference it seems to have picked up a new mole. And the mole is the old Senate Bill 582 that we've already defeated twice. Now,...excuse me, House Bill 582 that we've defeated twice. As I say, my difference is not...is not really with the sponsor of the bill. My difference is with this sneaky amendment, not sneaky on his part, I do not mean it that way, but I would merely say to the members of the Senate, we've defeated this House bill twice, I think it would be the better part of valor and certainly show discretion on our part if we would avoid sticking it to the taxpayers on this unbelievable extension of prevailing wage in the private sector construction.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Rupp, before you speak, Channel 2 is seeking leave to film the proceedings. Is there leave? Senator Rupp grants leave. Senator Rupp is recognized.

SENATOR RUPP:

Well, there might be some connection between 582 and having added Senator Luft as cosponsor...there might be some, so I would like to yield to Senator Luft.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Luft.

SENATOR LUFT:

All I would say, Mr. President and members, that I don't...I don't think Senator Rupp was trying to be sneaky and I...I'm...I know that I wasn't trying to be sneaky. I don't know who put the amendment on to tell you the truth over in House, but I think whether it was here then or as it is here now, I still think it's a good idea, and if we get another shot to...to pass it, I think this would be a good

time to do it.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Schuneman.

SENATOR SCHUNEMAN:

Well, Mr. President, let's agree to nobody is sneaky here, first of all, but let's also agree that we voted on this issue twice before and rejected it twice. We're in the closing minutes, hopefully, of this General Assembly and it really, I think, is...is putting a special burden on this General Assembly when we keep bringing back bills that have been rejected on Conference Committee reports, and we shouldn't operate this way. Let's reject this request and consider the bill at another time.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Rupp may close.

SENATOR RUPP:

Thank you, Mr. President. Just ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR BRUCE)

Question is, shall the Senate concur with House Amendment No. 1 to Senate Bill 1174. 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 31, the Nays are 23, none voting Present. The Senate does adopt...the Senate does concur in House Amendment No. 1 to Senate Bill 1174, and the bill having received the required constitutional majority is declared passed. For what purpose does Senator Keats arise?

SENATOR KEATS:

I would...request a verification, but I...I would like to throw in it one second, my comment sneaky was said wrong. I did not mean sneaky the sponsors, I meant sneaky the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

All right. Been a request for a verification. Will the members please be in their seat. Will the Secretary please call those who voted in the affirmative and when your name is called, will you please respond.

SECRETARY:

The following...

PRESIDING OFFICER: (SENATOR BRUCE)

...just...there has been a question raised about whether or not the bill contains an immediate effective date and required thirty-six for passage. It does not and so thirty would be sufficient. All right. Senator Rupp, I'm informed that the last page of Amendment No. 1, in fact, does contain an immediate effective date, and so the bill to be effective immediately...being effective immediately would require thirty-six votes for passage, so the Chair was in error. There were...on the question of a concurrence in House Amendment No. 1 to Senate Bill 1174, there were 31 Ayes, 23 Nays, none voting Present, and the bill having failed to receive the required constitutional majority of thirty-six is declared lost. Senator Rupp, since you may be the first one, there is the option under our rules that you may reconsider that and go without the immediate effective date under Rule 20. Senator Rupp.

SENATOR RUPP:

I would request, Mr. President, that that move be made.

PRESIDING OFFICER: (SENATOR BRUCE)

All right, Senator, since this is a House amendment, we...we cannot follow that procedure, but if it were in a Conference Committee report, you could take it out. All right, the Senate nonconcur and the Secretary shall so inform the House. For what purpose does Senator Buzbee arise?

SENATOR BUZBEE:

On...on a point of personal privilege, Mr. President.

Now, Senate Bill 1174 was just concurred in...

PRESIDING OFFICER: (SENATOR BRUCE)

No, it...it was not, Senator. It...we had nonconcurred in 1174.

SENATOR BUZBEE:

Well, it had...it had concurrence up there and...and then there was a roll call.

PRESIDING OFFICER: (SENATOR BRUCE)

Right.

SENATOR BUZBEE:

Okay.

PRESIDING OFFICER: (SENATOR BRUCE)

But it takes thirty-six votes. It's a new day.

SENATOR BUZBEE:

All right, I understand that.

PRESIDING OFFICER: (SENATOR BRUCE)

Okay.

SENATOR BUZBEE:

My problem is that there are going to be some of us, in particular Senator Carroll and myself and Senator Schaffer and Senator Sommer, that are going to be off this Floor an awful lot today because we're working on getting the budget in the place where everybody wants it to be, and these kinds of votes that are taken at this time when we're off the Floor on sometimes an extremely controversial matters will reflect in the...in the Journal as our not having been here; and I don't know what we do about that, we don't expect the other fifty-five Senators to sit around here waiting on the four of us all day, but it...it does not look good on our voting record, and I, for one, am not very happy about that. I don't know what we do about it but I'd like for somehow or other it to be recorded that we're at the people's business.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Weaver.

SENATOR WEAVER:

Well, thank you, Mr. President. I think that we will certainly...if we have any verifications, we'll not verify the four individuals that you mentioned, Senator Buzbee. That'll solve your problem. If you'll just go back and get to work.

PRESIDING OFFICER: (SENATOR BRUCE)

All right, this might be a good point in which to indicate the direction of our proceedings today. Several gentlemen and ladies have asked where we are going to end. It appears with...in conference with the House leadership that we will try to conclude business today. Now today includes, I would think, a good deal of early morning, and so, we are not going to be out of here until probably twelve hours from now, but we are going to try to conclude today rather than coming back tomorrow; and the House has indicated they would like to come back on July the 14th, and we would like to conclude even more so today. So, we would like to finish the business of the Senate today. If you have Conference Committees be...be at it. All right, on the Secretary's Desk Nonconcurrency, we'll run down through the list. House Bill 265, Senator Zito. Senator Zito is recognized for a motion.

SENATOR ZITO:

Thank you, Mr. President. A proper motion to nonconcur with this so we can have a Conference Committee.

PRESIDING OFFICER: (SENATOR BRUCE)

Is to refuse to recede.

SENATOR ZITO:

That's what I'd like to do. Refuse to recede, Mr. President, so that a Conference Committee can be formed and appointed.

PRESIDING OFFICER: (SENATOR BRUCE)

Motion is to refuse. Discussion? Those in favor say Aye.

Opposed Nay. The Ayes have it. The Senate refuses to recede from Senate Amendments 1 and 2 and asks for a Committee of Conference. House Bill 280, Senator D'Arco...380.

SENATOR D'ARCO:

Yes, Mr. President, I would like to move to refuse to recede.

PRESIDING OFFICER: (SENATOR BRUCE)

All right, the motion is that we refuse to recede from Senate Amendment No. 1 and that a Conference Committee be appointed. On the motion, those in favor say Aye. Opposed Nay. The Ayes have it. The Secretary shall so inform the House. House Bill 1704, Senator Davidson. House Bill 1751, Senator Darrow. Senator Darrow is recognized for a motion.

SENATOR DARROW:

Thank you, Mr. President. Ladies and Gentlemen of the House, I would ask that we recede from Senate Amendment No. 1. This legislation pertains to sanitary districts. It does not pertain, however, to the Chicago Metropolitan Sanitary District. The bill itself authorizes the sanitary district to enter into annexation agreements not exceeding ten years with property owners for the provision of sanitary services. We had placed onto the bill an amendment that removes language...removes premissive language which allows any party of a sanitary district preannexation agreement to...initiate civil action, mandamus or other proceedings in order to enforce and compel performance of an annexation agreement. The House does not want to go along with that. They would like to throw this into a Conference Committee. It's my feeling...I have a gut feeling that the purpose in doing so would not be to the benefit of this Chamber or to its members or to some specific members of the Senate. I would, therefore, ask that we recede from this amendment.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is to recede. The motion is to recede. Is

there discussion? Question is, shall the Senate recede from Senate Amendment No. 1 to House Bill 1751. 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 55, the Nays are none, none voting Present. The Senate does recede from Senate Amendment No. 1 to House Bill 1704, and the bill having received the required constitutional majority is declared passed and is effective immediately upon its becoming a law. House Bill 1751, Senator Darrow. House Bill 2072, Senator Schuneman. Senator Schuneman is recognized for a motion.

SENATOR SCHUNEMAN:

Thank you, Mr. President. I move that the Senate refuse to recede from Senate Amendment No. 3.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is that we refuse to recede from Senate Amendment No. 3. Is there discussion of the motion? Those in favor say Aye. Opposed Nay. The Ayes have it. The Senate refuses to recede. The Secretary shall so inform the House. We will now go to the Order of Conference Committee Reports, with leave of the Body. Is there leave? Leave is granted. Conference Committee reports on page 7 of your Calendar, House Bill 26, Senator Egan. House Bill 28, Senator D'Arco. That...that one is gone. House Bill 114, Senator Smith. House Bill 406, Senator Marovitz. Senator Marovitz is recognized for a motion.

SENATOR MAROVITZ:

Yeah, I would move that the Senate do adopt Conference Committee Report No. 1 to House Bill 406. It's a...it is an agreed report between the sponsor of the bill and the entire insurance industry. Puts the bill back the way it was when it came out of the Insurance Committee and when it passed the Senate and passed overwhelming without any opposition. I would move that we do adopt Conference Committee Report No. 1

to House Bill 406.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is to adopt the first Conference Committee on House Bill 406. Is there discussion of the motion? Senator Kelly.

SENATOR KELLY:

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

PRESIDING OFFICER: (SENATOR BRUCE)

Indicates he will yield. Senator Kelly.

SENATOR KELLY:

Can you tell me what the agreement that was reached on the compromise with the insurance industry and the sponsors of the bill? What was the agreement, and what is contained in this...in this agreement?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Marovitz.

SENATOR MAROVITZ:

The bill as...as it passed out of the Senate was...was an agreed bill and there was no problem with it. When it went to Conference Committee there was an attempt to put on some other language on the bill which was not agreed to, and we withdrew from that attempt to change the bill so that it would just be the same bill that passed the Senate without any additional language; and what that does is when an employer doesn't pay his health insurance, the employees will...with receive notice so that they have an opportunity to get other health benefits and that a copy of that notice will be sent to the Department of Insurance so that the employees would have an opportunity to get other health benefits. There's nothing on there of any other nature or any...controversial nature. It is the same bill that passed the Senate.

PRESIDING OFFICER: (SENATOR BRUCE)

Motion is that...Senator Smith. Senator Chew.

SENATOR CHEW:

Yeah, Senator Marovitz, does this have anything whatsoever to do with compulsory insurance?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Marovitz.

SENATOR MAROVITZ:

This has nothing...absolutely nothing to do with compulsory insurance.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Chew. Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. This...this bill is an agreed bill with the health and life insurance industry, and they did take it to conference and there was nothing done to it in Conference Committee, so you can ask the representatives from the industry. I would think Senator Schuneman is aware of this bill and there really is nothing in here that didn't pass out of the Senate originally when the bill was before us.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Geo-Karis.

SENATOR GEO-KARIS:

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

PRESIDING OFFICER: (SENATOR BRUCE)

Indicates he will yield.

SENATOR GEO-KARIS:

According to the Conference Committee analysis, there is a criminal penalty attaching here which I don't see in the synopsis of the original bill. In fact, according to the analysis it says that, "An employer who fails to notify and as a result damages are incurred by employees because of such loss of coverage, shall...he shall be guilty of a Class B

Misdemeanor." That was not in the original bill, if I recall correctly.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Marovitz.

SENATOR MAROVITZ:

That provision was in the bill that passed the Senate and has been agreed to.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator...further discussion? Senator...Senator Schuneman.

SENATOR SCHUNEMAN:

Well, thank you, Mr. President. I might be able to clear up a little misunderstanding about this bill. Representative Greiman for years has been trying in the House to get the insurance companies to notify employees when the employer fails to pay the premium on group health insurance, and that's a laudable thing to do. The insurance industry is trying to been working with them to try to bring about a way that that can be done. The problem is that the language that he attached in the House would have caused insurance companies to notify employees that they had no group insurance at a time when the employer was perhaps just a few days late on his premium, and that happens quite often. So, the language was not acceptable that way. It is acceptable this way....Senator Marovitz has correctly described it and I think the bill should be supported.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Further discussion? Senator Schuneman...Senator Marovitz may close.

SENATOR MAROVITZ:

Well, I would ask for an affirmative roll call on this good bill, and it's even supported by the father of mandatory insurance, Representative Laurino.

PRESIDING OFFICER: (SENATOR BRUCE)

Question is, shall the Senate adopt the Conference Committee report on House Bill 406. 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 none, none voting Present. The Senate does adopt first Conference Committee report on House Bill 406, and the bill having received the required three-fifths vote of the members elected is effective immediately upon its becoming a law. House Bill 514, Senator Nedza. Senator Nedza is recognized for a motion.

SENATOR NEDZA:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I move to adopt the Conference Committee report on the Senate Bill 514. In way of explanation, the reason that...that the bill is before us is that the Senate amendments that were attached to the bill, the House felt it did not track each other properly so they, therefore, had it put into a Conference Committee; and at that time, they...we found that it did track properly but in order not to let the time and motion go to waste, what we did is we incorporated it into one, so that is what the bill...or the Conference Committee report before us is. There's no...there is no change to the bill whatsoever with the exception that the two amendments are incorporated into the bill as a...as a whole.

PRESIDING OFFICER: (SENATOR BRUCE)

Discussion? The motion is to adopt. Discussion? Discussion? The question is, shall the Senate adopt the first Conference Committee report on House Bill 514. 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 38, the Nays are 17, 1 voting Present. The Senate does adopt the first Conference Committee report on House Bill 514, and the bill having

HB 573
E.E.K.

received the affirmative votes of three-fifths of the members elected is effective immediately upon its becoming a law. House Bill 573, Senator Weaver. Senator Weaver is recognized for a motion.

SENATOR WEAVER:

Thank you, Mr. President. First, on a point of personal privilege, I would like to advise the Senate that our good friend, Jim Martin's wife, gave birth to a bouncing baby boy, their first, and I think Jim and his wife should be congratulated and we're happy for you, Jim. As to House Bill 573, I would move that we adopt the first Conference Committee report. There was one mistake in the bill. In...as to the dosage of Lasix in the bill we passed both in the House and the Senate, it referred to 250 cc. of Lasix. It should have been 250 milligrams. So that's the only change in the bill, and I would appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR BRUCE)

Discussion? Senator DeAngelis. All right, Senator Netsch.

SENATOR NETSCH:

Thank you. Just by way of comment, that sounds like quite a difference in dosage, which might suggest for another reason that the Conference Committee ought not to be approved; but I would go beyond that and say for those of us who listened carefully but were not persuaded that Lasix ought to be authorized, who felt that for a variety of reasons it was not humane and not good for the long-term interests of the horses or the horse racing industry, I gather the appropriate vote is No. Is that correct, Senator Weaver?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Weaver.

SENATOR WEAVER:

Well, certainly that's your opinion and it certainly is

not the opinion of the chairman of the racing board or thirteen other states and the major racing states in the United States. They use Lasix. Lasix was used on seven horses in the Kentucky Derby in the Preakness. Every major racing state allows controlled use of Lasix.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Netsch.

SENATOR NETSCH:

No, I...I do understand that and I listened very carefully when we had the debate before. I think all I was saying is that...that for those of us who were not persuaded last time and who felt...who concluded that Lasix should not be authorized, obviously, the consistent vote is a No on this Conference Committee report because all it does is to change a rather glaring discrepancy, which obviously I assume was an error, in the...the authorized dosage. Thank you. My vote will be No.

PRESIDING OFFICER: (SENATOR BRUCE)

Discussion?...Senator D'Arco.

SENATOR D'ARCO:

Well, Mr....Mr. President, the bill did pass and it is...it was just a simple error. In fact, Senator Weaver, this...this decreases the amount of dosage that you can give a horse...it decreases the amount that you can give the horse, is that correct?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Weaver.

SENATOR WEAVER:

That is correct.

PRESIDING OFFICER: (SENATOR BRUCE)

All right, additionally Channels 5 and 7 are seeking leave to film the proceedings. Is there leave? Leave is granted. The question is, shall the Senate adopt the first Conference Committee report on House Bill 573. 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 45, the Nays are 10, none voting Present. The Senate does adopt the first Conference Committee report on House Bill 573, and the bill having received the affirmative votes of three-fifths of the members elected is effective immediately upon its becoming a law. For what purpose does Senator DeAngelis arise?

SENATOR DeANGELIS:

Well, Mr. President, on a point of personal privilege. We just passed the Conference Committee report on House Bill 514. I received the report about three minutes after the bill passed. I voted No on a visceral basis and, unfortunately, I wish I would have voted on the prevailing side so I could have reconsidered that vote, and I don't know what we do about these Conference Committee reports that arrive after we vote on them.

PRESIDING OFFICER: (SENATOR BRUCE)

All right. Senator DeAngelis, the Secretary informs me that all the Conference Committee reports on all the Conference Committees on the Calendar were distributed early this morning. There may be a staff analysis but they should have been distributed early this morning. House Bill 646, Senator Luft. Senator Luft is recognized for a motion.

SENATOR LUFT:

Thank you, Mr. President. I move that the Senate adopt Conference Committee Report No. 1 on House Bill 646. House Bill 646...the Conference Committee report restores it to it...the original bill, and originally the bill dealt with the State Teachers Retirement System, and changes the provision regarding the minimum lump sum payment upon the death of a retired member. It provides that the payment shall be the greatest of either one-sixth of the deceased member's salary as of the date of his service was terminated, that the con-

tribution made by the member for survivor's benefits less interest thereon or it includes a new provision three thousand dollars which is now one thousand dollars. This bill is the same as Senate Bill 507 that passed out of the Senate earlier at a 59 to no vote. Mr. President, I would move that we now adopt Conference Committee Report No. 1.

PRESIDING OFFICER: (SENATOR BRUCE)

Right. The motion is to adopt. Discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Well, just to point out, Mr. President, that this bill in this form was disapproved by the Pension Laws Commission. The bill was then, I think, amended, was it not, Senator Luft? And to bring it in conformance and to relieve the opposition of the Senate...or the Pension Laws Commission. Now, it's back in its original form and it is disapproved by the commission.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Mr. President, just to correct the record. That young man is currently passing out Conference Committee reports. I don't want to make a big issue out of it but they are not all passed out. He's passing out the next bill that's coming up.

PRESIDING OFFICER: (SENATOR BRUCE)

Discussion? Senator D'Arco.

SENATOR D'ARCO:

It's...it's unfortunate, Mr. President, that there's confusion, but that's understandable. But all the bill does is raise the minimum death benefit from one thousand to three thousand. Most systems have minimum death benefits of at least five or six thousand dollars. So this is really...inconsistent that it should be so low as one thousand, and all we're raising it is to three.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Luft may close.

SENATOR LUFT:

The only thing I say, Mr. President, is this the first time that this has been changed since 1959, and I don't think a thousand dollar death benefit is going to do anybody any good right now, and I would ask for approval.

PRESIDING OFFICER: (SENATOR BRUCE)

Question is, shall the Senate adopt the first Conference Committee report to House Bill 646. 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 46, the Nays are 11, none voting Present. The Senate does adopt the first Conference Committee report to House Bill 646, and the Conference Committee having received the affirmative vote of three-fifths the members elected is immediately effective. House Bill 714, Senator Coffey. Community college districts. Senator Coffey.

SENATOR COFFEY:

Thank you, Mr. President and members of the Senate. I move to accept this Committee Report No. 1 which earlier dealt with two community college areas, one in Senator Bruce's community college area and one...or in his legislative district and one in my legislative district. What we've done here, we've included a...by an amendment to include a school district...Onarga, Illinois, which is in Senator Joyce's district, and we just ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? Discussion? The question is, shall the Senate adopt the first Conference Committee report on House Bill 714. 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 56, the Nays are none, none voting Present. The Senate does adopt the first Conference Committee report to House Bill...714, and the bill having received the affirmative votes of three-fifths of the members elected is effective immediately upon its becoming a law. House Bill 772, Senator Barkhausen. Senator Barkhausen is recognized for a motion.

SENATOR BARKHAUSEN:

Mr. President and members of the Senate, I would move for the adoption of the Conference Committee report on House Bill 772. We had earlier, by means of a Senate amendment, amended a portion of the Wildlife Code to deal with taxidermists and require that certain records be kept of wildlife turned over to taxidermists for stuffing as it were, and was pointed out that ought to have amended similar provisions of the Fish Code to do the same thing. We already...we also put in an amendment to deal with a bill that the Association of Park Districts had expressed an interest in to allow for money coming from a certain fund to be used for capital development of parks as well as for land acquisition. I would move for the adoption of the Conference Committee report on House Bill 772.

PRESIDING OFFICER: (SENATOR BRUCE)

Discussion? Senator Davidson.

SENATOR DAVIDSON:

...will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR BRUCE)

Indicates he will yield. Senator Davidson.

SENATOR DAVIDSON:

Senator Barkhausen, there was some rumors running around here late yesterday evening that this bill in a Conference Committee was going to have a mandatory gun control amendment in this Conference Committee. Is there any such animal or words in this Conference Committee report?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Barkhausen.

SENATOR BARKHAUSEN:

I...I heard the same rumors, Senator Davidson. That apparently may have been an idea of a House member with a particular interest in this area, but nothing of this nature is in this bill...or Conference Committee report.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Davidson. Further discussion? Further discussion? Question is, shall the Senate adopt the first Conference Committee report to House Bill 772. 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 56, the Nays are none, none voting Present. The Senate does adopt the first Conference Committee report to House Bill 772, and the bill having received the affirmative votes of three-fifths of the members elected is effective immediately upon its becoming a law. House Bill 921, Senator Netsch. Senator Netsch is recognized on a...for a motion on the first Conference Committee report on House Bill 921.

SENATOR NETSCH:

Thank you, Mr. President. I would move that the Senate approve the first Conference Committee report on House Bill 921. This was an Audit Commission bill which provided a...procedures for the deposit and handling of so-called indirect cost reimbursements. It was requested, as I understand it, by the Department of Commerce and Community Affairs, particularly, that if another Statute required deposit of the indirect cost reimbursements into a particular fund that that be permitted and it not be covered by these general provisions. There also was a technical correction to the numbering provisions, but I...I believe it is only DCCA which has the authority to deposit such funds in...in a spe-

cific requirement that will not therefore be subject to this bill at least at the present time. That seems like a reasonable request. I would move that the Senate concur in...or, I'm sorry, approve the Conference Committee Report No. 1 on House Bill 921.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? Discussion? The question is, shall the Senate adopt the first Conference Committee report on House Bill 921. 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 52, the Nays are none, 1 voting Present. The Senate does adopt the first Conference Committee report to House Bill 921, and the bill having received the affirmative votes of three-fifths of the members elected is effective immediately upon its becoming a law. House Bill 1371, Senator Carroll. House Bill 1805, Senator Keats. Conference Committee report on the Metropolitan Area Transportation Council. Perhaps you should hold that, Senator Keats. House Bill 219, Senator Rigney...Senate Bill 219. Clustered voting. Yes, we are on...all right, we are now on Senate bills, Senate Bill 219. Senator Rigney, did you wish to make a motion on that Conference Committee report? Senator Rigney is recognized.

SENATOR RIGNEY:

Yes, Mr. President, I certainly do move to adopt the Conference Committee report on 219. This is the one dealing with the clustered precincts. Actually, it went back to Conference Committee because there was kind of a technical error with one of the amendments that was contained on that report. Actually, the...the effect of the amendments that were put on 219 was to clarify the number of judges in the political party that they were to represent anytime that we were to cluster any of these precincts. Now, that's what was

missing at the time that we adopted the original legislation.

Also, one of these amendments took out Chicago.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? Discussion? Senator Degnan.

SENATOR DEGNAN:

Question.

PRESIDING OFFICER: (SENATOR BRUCE)

Indicates he will yield. Senator Degnan.

SENATOR DEGNAN:

I might be confused in 219 with 244. 219, according to my analysis, deals with the county board of election commissioners in DuPage only?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Bigney.

SENATOR BIGNEY:

You're...you're talking about, now, the Conference Committee report as it effects Amendment No. 2. Is that it? Okay. That particular one...that was the one that went back for further clarification. What we are doing there, under the appointment powers, we're merely pointing out that each political party would get to name one of the people to serve as election commissioners, the Republicans would get one, the Democrats would get one, the third one would be appointed by the county board chairman regardless of his party. The net effect is to give the majority party two and the minority party one.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Darrow.

SENATOR DARROW:

Will the sponsor yield?

PRESIDING OFFICER: (SENATOR BRUCE)

Indicates he will yield. Senator...Senator...

SENATOR DARROW:

If I'm...if I'm looking at this correctly, it says the

chairman of the county central committee shall submit the names of three candidates. Is that correct?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Rigney.

SENATOR RIGNEY:

That's correct. That way he will submit those to the county board. The county board chairman then will select one of those three people that has been nominated by the head of the party. So, the idea is, of course, to give the input to the political party in the county, to give them, you know, a certain measure of say, otherwise you'd have to turn it all over to the county board chairman.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Darrow.

SENATOR DARROW:

Well, how is the chairman of a county central committee selected? Do the people, the constituents, in that area vote for him?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Rigney.

SENATOR RIGNEY:

(Machine cutoff)...not talking about how the person is selected, you're talking about how the party chairman is selected? Well, I assume as in all other downstate counties, the committeeman selects the county...or the county chairman.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Darrow.

SENATOR DARROW:

You mean to say that you're going to have three people selected by some political hack that's chosen by precinct committeemen. The people don't have any say in this. The Democrats that go into that Primary Election don't have any say who's going to...who's going to make these choices. You're getting it right back into back room politics,...smoke

filled rooms, and downstate Republicans are going to have all the say in this smoked filled rooms. It's not a good, clean system like they have up in Cook County where the central committeeman is picked by the people and then he appoints the precinct captains. You've got this all turned around again, Harlan. You ought to have a bill in here where you elect the county chairmen like they do in Cook County and we'd get some response to the people that are members of the party, not those committeemen. I think you got the wrong idea here.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Zito.

SENATOR ZITO:

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

PRESIDING OFFICER: (SENATOR BRUCE)

Indicates he will yield. Senator Zito.

SENATOR ZITO:

Senator Rigney, did you say that Cook County was excluded from this provision?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Rigney.

SENATOR RIGNEY:

Yeah, this is for DuPage County.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Zito.

SENATOR ZITO:

Well, it's my understanding, if I read this correctly, and I remember President Rock on the Floor opposing it...on this one point that Cook...there are parts of...of Cook County, if Cook County is...is excluded, that would mean that DuPage County could appoint poll watchers in Cook County but the reverse could not happen. Can you clarify that for me?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Rigney.

SENATOR RIGNEY:

No, that's another bill you're talking about. That's one that Senator Fawell has.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Zito.

SENATOR ZITO:

Could you clarify this one for me, please?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Rigney.

SENATOR RIGNEY:

Okay. First of all, we're talking about DuPage County because they are one, I think, of the very few counties that has a county board of election commissioners. In fact, I've had some suggestion that perhaps they are the only county with a county board of election commissioners. Now, at the present time, as I understand, the circuit judge makes the appointment. We have been getting away from this process of having the court directly involved in appointments of this kind. So, I guess probably our choices were to simply turn the whole process over to the county board, and then the county board chairman would make all of the appointments with the approval of the...advice and consent of the county board. Now this is what it eventually boils down to; however, the idea was to give some input to the political parties themselves. I am sure that maybe the Democratic Party would not be particularly happy to have all...have their election commissioner appointed by a Republican chairman of a Republican county board without any input whatsoever from the Democratic Party. This gives the Democratic Party some direct input into the process.

REEL #2

PRESIDING OFFICER: (SENATOR BRUCE)

Discussion? Senator Fawell.

SENATOR FAWELL:

Thank you, very much. Maybe I can...maybe I can clear this up. Senator Zito...Senator Zito...

PRESIDING OFFICER: (SENATOR BRUCE)

Yeah. He is listening, Senator Fawell.

SENATOR FAWELL:

What it is, we have three election commissioners, two Republican and one Democrat. In your county you have two Democrat and one Republican...or you may have five...I'm not sure, but whatever it is, you've got control in...in Cook County. Alright. Right now, our chief judge is appointing all three. It has been suggested that it would be more fair that your chairman of...of our county, the Democratic chairman, should have the right to pick the Democrat commissioner, that the Republican chairman should have the right to pick one of the Republican commissioners, and whoever is in the position as chairman of the county board, which in our county is probably going to be a Republican, would...would pick the third one. That's all it is.

PRESIDING OFFICER: (SENATOR BRUCE)

Discussion? Senator Jerome Joyce.

SENATOR JEROME JOYCE:

Yes, thank you, Mr. President. I'm a little confused. We are talking about county board members? Would the sponsor yield? Or board of election commissioners?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Rigney.

SENATOR RIGNEY:

We are talking about election commissioners, election

board, and that is a DuPage County function. They...they have a county election board. Three members presently appointed by the...as Bev Fawell said, by the chief judge. You are...yeah, by a Republican judge, all three of them are now appointed. As you know, we're taking appointments away from the judiciary now. For the most part, they're being made by the county board chairman with the advice and consent of the county board. That's what we're doing here. The only little extra thing we're doing is giving the two political parties a chance to make, in effect, a nomination of three people for the county board...chairman will then select one of those three people. One of the three Democrats that's nominated, he'll select one, and one of the three Republicans, he'll select one of those. Just giving the parties some political input here. I don't think there's anything wrong with the whole system.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Macdonald. Senator Schaffer, would you...Senator Macdonald is trying to speak.

SENATOR MACDONALD:

Thank you. I think that this is...should be very clear, and I think it is a...a...a good suggestion. One of the former Senators...referred to these as party hacks. Well, the system is that these board of election commissioners should be selected by the parties that represent them on this...on this particular board that we're talking about. The...if the first expired term is a Republican and the commissioner served for only one year, then it should be the Republican county chairman's prerogative to nominate the candidate, and if it should happen to be a Democrat whose term expires first, I think it is fair for the Democratic Party then to be able to select that person. I don't see what the confusion is about this. While DuPage County may be the only county with that kind of a board, I think this is a

good bill, and I hope that you will support Senator Rigney's...Senate Bill 219.

PRESIDING OFFICER: (SENATOR BRUCE)

Discussion? Senator Zito.

SENATOR ZITO:

Mr. President, I apologize to rise for a second time but I'm opposed to this concept. I think it's an impairment of discretion...upon party officials submitting names to elected officials. I don't think this...this procedure should consist, and in a decision with Redmond versus Raney, the decision was that they felt that this, too, was an...an impairment of discretion because we are having political officials give and submit and influence names to elected officials. I think it's a bad concept and I think it should be defeated.

PRESIDING OFFICER: (SENATOR BRUCE)

...further discussion? Senator Rigney may close.

SENATOR RIGNEY:

Well, I would point out, this started as a highly noncontroversial little bill dealing with the consolidation of precincts in the off-year elections, and the original legislation, in fact, was identical to some that you had, Mr. President, that was merely telling how many election judges we are going to have when we combine four...up to four precincts in a consolidated election. The amendments came along then and did a couple of other things in addition to that. We have dwelled at some length here on the procedures for DuPage County. It also provides for balanced representation on...at the...the various polling places of...of the two political parties, once you combine two, three, four or up to five of these various precincts in the...in the one polling place. I think what we've worked out here in the DuPage case is certainly better than to simply give all of the authority to the county board chairman. I would think that the political parties would want to have a little input into the proc-

ess, and that's what we've provided for is some party input into the process. And when they will nominate a list of three candidates to send on to the county board chairman, and then he must pick from among that list of three candidates one person to represent that party on the election commission. I ask for your Aye vote.

PRESIDING OFFICER: (SENATOR BRUCE)

...Senator Lenke. He was closing, Senator Lemke, if you...Senator Lenke.

SENATOR LEMKE:

I just want to be sure, though. This only affects DuPage County, is that correct?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Rigney.

SENATOR RIGNEY:

Yes, this particular amendment that we're talking about for the election commissioners only affects DuPage County. The other part of the bill where Cook County was taken out of it, that's the part of the bill that deals with the consolidation of precincts. So, let's not confuse apples and oranges here.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Degnan, did you wish to make a comment?

SENATOR DEGNAN:

I...I apologize for rising a second time. I have one question...or one statement, I suppose. What we have here is apparently people who are not elected submitting three names to a person who is elected and forcing that person to choose. I'm not sure if that's constitutional or not. Could you address that, Senator Rigney?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Rigney. I know you were closing, Senator, but I'm sure that you would prefer to answer these questions.

SENATOR RIGNEY:

I guess...first of all, I have to start out by saying that my particular ability to answer your question...I'm not trying to avoid your question, but when you get onto a constitutional question here about procedures and whether or not someone can actually make a nomination that in turn you'll pick from that list of nominees. I really cannot answer your question clearly with a yes or no. It just seems like it's a good workable system. It's one I support because it does bring at least a...a chance for the parties to participate in the process. If we don't go this way, there will be no party participation, period.

PRESIDING OFFICER: (SENATOR BRUCE)

Alright. Senator Rigney, do you wish to close again or...alright. The question is, shall the Senate adopt the first Conference Committee report on Senate Bill 219. 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 17, 3 voting Present. The bill having failed to receive the required three-fifths affirmative of the members elected is declared lost...Senator Rigney, do you...wish to request a second Committee of Conference?

SENATOR RIGNEY:

...we're willing to take the effective date off.

PRESIDING OFFICER: (SENATOR BRUCE)

Well, okay. So that we understand where we are, under our rules, we could do that with a bill. The problem is, the Conference Committee was signed by up to ten members, and we...we cannot change the Conference Committee report. On legislation that we are adopting we can do that, but since this...the major...the only thing I know, Senator Rigney, that you could do is ask for a second Conference Committee report, and you have the option, obviously, of taking out the

effective date. Senator Rigney.

SENATOR RIGNEY:

We'll ask for a second Conference Committee.

PRESIDING OFFICER: (SENATOR BRUCE)

Alright. The Secretary shall so inform the House. Senate Bill 244, Senator Fawell. Senator Fawell is recognized on a motion on the first Conference Committee report on Senate Bill 244.

SENATOR FAWELL:

Thank you, very much. What we did in the Conference Committee...first of all, I'd like to move that we accept the Conference Committee No. 1. What we did was we excluded Chicago in the House Amendment No. 2. The original House Amendment 2 provided that when a municipality is located in two or more counties, a registered voter who resides within such county from either county is eligible to serve as a poll watcher in any polling place in the city. The Democrats on the other side were concerned about the eleven people living in Chicago within DuPage County serving as poll watchers in Chicago, and we, therefore, eliminated Chicago in the bill. And I would move...if there's any questions, I'll be glad to answer them; otherwise, I would move to accept the conference report.

PRESIDING OFFICER: (SENATOR BRUCE)

Discussion? Senator Degnan.

SENATOR DEGNAN:

Yes, thank you, Mr. President. Senator Fawell, as I understand it now, we've taken Chicago out so DuPage County folks cannot come down to Chicago and act as poll watchers, but the bill still allows, and correct me if I'm wrong, when a municipality is split by two counties, County X and County Y, in a municipal election, poll watchers from County Y could move to County X and watch polling places.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Fawell.

SENATOR FAWELL:

Yes, but only in municipal elections...we're not talking about any other kind of elections. For instance, Hinsdale...well, that isn't a good example...Wayne lives half...is half in...in St. Charles and half...I mean, half in Kane County and half in DuPage County. Now, if you are running for the president of Wayne, either in the primary or the general, your poll watcher's certificate would be good in either Kane or DuPage, but this is only, and I underline only, for municipality elections.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Degnan.

SENATOR DEGNAN:

...on the record, it's municipal elections only?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Fawell.

SENATOR FAWELL:

Yes, it is.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Zito.

SENATOR ZITO:

Thank you, Mr. President and members. I'm not particularly opposed to the concept; however, I'd like a clarification on...on Senator Degnan's question. When you say municipal elections, does this include school elections, park elections?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Fawell.

SENATOR FAWELL:

No...no, it's...it's municipal elections. What has happened is that...exactly what I have said has happened. A...a town happens to slop over into the next county and...and there was a...a gentleman who was running for mayor and he

was allowed to watch, you know, in one area but not in the other, that's all.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Jerome Joyce.

SENATOR JEROME JOYCE:

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

PRESIDING OFFICER: (SENATOR BRUCE)

Indicates she will yield.

SENATOR JEROME JOYCE:

Okay. So, you can go from one municipality if you're in one county where the...where the municipality overlaps in two counties? But does it specify in there that you could...in an...in an election...in...an adjoining town, can you go from...if you've got a friend running for mayor over in the next town, can you go over there and do it?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Fawell.

SENATOR FAWELL:

No, this only...I...my understanding is, there are something like thirty-seven towns that are in two different counties...the...the city limits are within two different counties. It would affect only those towns that are...you know, the town itself is in two different counties.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Jerome Joyce. Senator Darrow.

SENATOR DARROW:

Thank you, Mr. President. Would the sponsor yield? I...somewhere in the back of my mind, I'm reminded of a Supreme Court case, I believe it was dealing with the recorder of deeds, and in that case I believe there was some laws made where the county chairman, the political chairman, could not select any elected officials, based on the fact that a county chairman was not selected by the people, he was not voted by the people. I may be wrong on that, but if

that's the case, how does that fit in with this?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator...Senator Fawell.

SENATOR FAWELL:

...I...I think you're on the wrong bill. A county recorder does not run in a municipal election. A county recorder runs in...in...are you talking about a...a city recorder?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Darrow.

SENATOR DARROW:

Well, let's...let...maybe I ought to start off by saying, I'm addressing the bill itself. The provision of the bill where...where a legislative or representative district comprises of only one county or part of a county, its legislative or representative committee shall consist of the chairman of the county central committee and two members of the county central committee who reside in the legislative or representative district. That's still part of this isn't it?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Fawell.

SENATOR FAWELL:

Yes, but what that has to do is with the Ken Cole-Jerry Weeks problem. If you remember, we had two representatives who died before...you know, between the Primary and the General Election. It...in...I mean...the one...the amendment really has nothing to do with the original bill. On the original bill what we are addressing is a problem we found out when we passed the last election law last year. What happened was the county chairman, under that law right now, has the right to appoint himself and two others, and this happened. Unfortunately, my chairman and the chairman of the other township did not live within District 39. The chairman from Bloomingdale Township Republican Party lived in Doris

Karpiel's district. The chairman of Milton Township, which is Wheaton and Glen Ellyn, lived in...in Gene Hoffman's district. So, we ended up with three people on the committee and no one in the district being on the committee to pick the representatives, and it happened twice, and...so we are trying to correct that situation. What we are saying to the county chairman is, if this happens again, you got to pick two people that live inside the district, that's all. That's all that does.

PRESIDING OFFICER: (SENATOR BRUCE)

...Senator Darrow.

SENATOR DARROW:

Well, the gentleman from Madison County indicated that you had a pretty rough night last night and I should take it easy and not ask anymore questions, so I won't ask anymore.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Further discussion? Senator Fawell may close.

SENATOR FAWELL:

Thank you. I would ask for an affirmative vote.

PRESIDING OFFICER: (SENATOR BRUCE)

The question is, shall the Senate adopt the first Conference Committee report to Senate Bill 244. 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 52, the Nays are none, 2 voting Present. The Senate does adopt the first Conference Committee report to Senate Bill 244, and the bill having received the affirmative votes of three-fifths of the members elected is effective immediately upon its becoming a law. Senate Bill 313, Senator Vadalabene. Coroners and fees. 313...Senator Vadalabene.

SENATOR VADALABENE:

Yes, as I understand it, 313 is the...is the cor-

oners...what they did there in that bill, the House, they amended the...that all the elected officials would be serving on juries. We sent that back to the House, we did not concur. We adopted Amendment...No. 1, and they did not recede from Amendment No. 2, and they sent it back to us with Amendment No. 1 and Amendment No. 2. So, there is a technical error in 313, and I think it ought to be sent back for correction.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Vadalabene, you do not wish to adopt the Conference Committee report?

SENATOR VADALABENE:

Yeah, due to a technical error, I think it has to go back and another conference be held.

PRESIDING OFFICER: (SENATOR BRUCE)

Alright. Senator Grotberg.

SENATOR GROTBORG:

Thank you. A question of the sponsor before he proceeds.

PRESIDING OFFICER: (SENATOR BRUCE)

Alright.

SENATOR GROTBORG:

Senator...

PRESIDING OFFICER: (SENATOR BRUCE)

Senator, now he does not plan to adopt this Conference Committee report. Senator Grothberg.

SENATOR GROTBORG:

Okay, but this is the jury exemption amendment. Were you to...my question, Senator Sam, were you to adopt it, we would no longer have the jury exemption in it or we would have?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Vadalabene.

SENATOR VADALABENE:

Were I to adopt it, it would have the...they would not be exempted.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Grotberg.

SENATOR GROTBORG:

...they would not be exempted, were you to adopt it. And some of us, like the sponsor of the bill, myself, of that same bill, don't want them exempted. And I...if you're sending it back to conference, will we see it come back with no exemption?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Vadalabene.

SENATOR VADALABENE:

Well, that would be up to the House sponsor. The only reason I'm sending it back, and maybe...you know, I need a Parliamentarian on it, we did concur with Amendment No. 1. Now, it's come back...and did not concur with Amendment No. 2. It went back over to the House, they did not recede and have sent it back...back over to us with Amendment No. 1 and 2. Now, is that technical...I think a second Conference Committee has to be appointed to straighten that out, and then at that particular time, I'll move to concur or not concur with Amendment No. 2.

PRESIDING OFFICER: (SENATOR BRUCE)

Alright. Alright. Senator Grotberg.

SENATOR GROTBORG:

..what I'm getting at, Senator Sam, is House Amendment No. 2, the way it is now, repeals the jury exemptions, and I'm, of course, want to say that stay in. That's what our analysis shows.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Vadalabene.

SENATOR VADALABENE:

Well, I don't have it in front of me, but I understand that they do...do not wish to repeal the exemption. And let me tell you something, Senator Grotberg, that group is frus-

trating me more than you are. I don't know what the hell they want or what they don't want, and that's why I'm sending it back and...and I'm trying to get it finalized. But they're driving me to frustration and I'm just about to...get my...take my name off of that bill. They're on again and off again.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Marovitz.

SENATOR MAROVITZ:

I...I have two questions. Number one, is that group frustrating you more than Beverly is frustrating you? That's the first question, you can answer them in order. The second question is, the Senator is...is absolutely correct, this...the...the amendment as it came back in the Conference Committee report is...is...it may be technical, but it...it's...it's...it...it's entirely substantive 'cause it...it's...it talks about one amendment and it means to talk about the other amendment. So, while it should have No. 2 in there instead of No. 1, it changes the entire bill. Now, that may be technical, but it just has to do with the entire substance of the legislation by having the wrong number in there.

PRESIDING OFFICER: (SENATOR BRUCE)

Okay. Senator Vadalabene.

SENATOR VADALABENE:

Yes, on your first question, Senator Marovitz, I'm glad you brought that up. No, I am enjoying a fine relation with Bev. And on the second one, let's send it back over there and get it straightened out.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Vadalabene, you do not wish to make the adoption, is that correct? We will put the question in the affirmative, and I think Senator Vadalabene is soliciting a No vote. Is that correct, Senator? The question is, shall the Senate

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adopt the first Conference Committee report on Senate Bill 313. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 4, the Nays are 13...he does not wish to adopt the Conference Committee report and we have to move on to the next order of business. The first Conference Committee report is not adopted, and he requests a second Conference Committee report. Your switches are working, the...the Senator did not wish to concur, and so we just have to take the roll call for our record, and then we go on to the second Conference Committee report. Senator Fawell.

SENATOR FAWELL:

Sam, before you leave, this is Bev. I was driving into work today and I saw some tiger lilies that reminded me of you, so I stopped and picked some and I'm going to bring them over.

PRESIDING OFFICER: (SENATOR BRUCE)

(Machine cutoff)...Bill 437, Senator Fawell. Senator Fawell is recognized for a motion.

SENATOR FAWELL:

Thank you, very much, Mr. President. I, too, want a Conference Committee. This bill was rejected in the House and they are asking for another Conference Committee, so I think it's sort of silly to waste time to do anything else with it.

PRESIDING OFFICER: (SENATOR BRUCE)

Alright. The motion is that we...the sponsor does not wish to adopt the Conference Committee report. For our records, we will take a roll call. It will be a quick call, so no one should get too excited. The question is, shall the Senate adopt the first Conference Committee report on Senate Bill 437. 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

2, the Nays are 38, none voting Present. The Senate does not adopt the first Conference Committee report on Senate Bill 437, and the Secretary shall so inform the House that the sponsor requests a second Conference Committee. Senate Bill 440, Senator Marovitz is recognized.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. I would move that the Senate do adopt Conference Committee report to Senate Bill 440. This is a...this conference report is supported by DCFS, DPH and the Illinois Medical Society and the Commission on Children because it helps give protection to children and preserve the system to eliminate venereal disease and that transmission of venereal disease in children. We have checked with all the departments and the Medical Society, they are on...all in support of this Conference Committee report, and I would ask for the adoption of Conference Committee Report No. 1 to Senate Bill 440.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is to adopt. Discussion? Senator Bloom.

SENATOR BLOOM:

Sponsor yield?

PRESIDING OFFICER: (SENATOR BRUCE)

Indicates he will yield. Senator Marovitz.

SENATOR BLOOM:

In looking through this report it was brought to my attention that the report states that the original report of venereal disease received by the Department of Public Health shall remain confidential. I don't understand how this strict confidentiality language will enable us to protect children under twelve through protective custody seatings and to prosecute the abusers. In other words, other teenagers or other kids...this information is passed along, and...and the purpose...part of the purpose is to stamp out venereal

disease. See the problem? They're...they're being treated different as a classification.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Marovitz.

SENATOR MAROVITZ:

If...if we could have leave...if I could take this out of the record right now, I want to get the department up here because that question was asked and it was answered, and I'd like to get them up here to clarify that. Okay? Can we take this out of the record with leave to get back to it?

PRESIDING OFFICER: (SENATOR BRUCE)

Alright. Take it out of the record and we'll get back to it in just a moment, I'm sure. Senate Bill 702, Senator Lemke. Partnership suits. Senate Bill 811, Senator Coffey. Senator Coffey on the floor? Alright. 923, Senator Davidson. Senator Davidson is recognized for a motion on the first Conference Committee report on Senate Bill 923.

SENATOR DAVIDSON:

Mr. President and members of the Senate, I would move that we adopt the Conference Committee report. What it does, we worked out an amendment to the two opposing parties' agreement so that each one is protected from the other, and...the amendment says, "provides that a petition signed by at least fifty electors proposing a sale of the town building shall go directly to the voters if the sale price, which must be stated on a petition, is equal to or greater than the fair market value of the building. If the sale price is less than the fair market value, then the petition must be approved by the building board of the managers before the question is submitted to the voters." I'd appreciate a favorable vote.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? Discussion? The question is, shall the Senate adopt the first Conference Committee report on Senate Bill 923. 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 53, the Nays are none, none voting Present. The Senate does adopt the first Conference Committee report to Senate Bill 923, and the bill having received the affirmative votes of three-fifths of the members elected is effective immediately upon its becoming a law. Senate Bill 972, Senator Holmberg. Senator Holmberg is recognized for a motion.

SENATOR HOLMBERG:

The Conference Committee recommends that we concur with House Amendment No. 1 to the...senior citizens free tuition bill for public colleges and universities which redefines the definition of senior citizen to Senior Citizen and Disabled Persons Property Tax Relief Act. It also adds a provision requiring that the Illinois State Scholarship Commission consider applications for financial aid from students attending proprietary schools approved by either the State Board of Education or the Board of Higher Education. We have had this bill before us in the Senate this Session, but now it has been amended, and it now asks that funds for such assistance shall be available from a special vocational training fund provided by a separate line item. Funds for special vocational grants shall not be intermingled with other monetary award program funds.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Grothberg.

SENATOR GROTHBERG:

Thank you, Mr. President. Pardon for the interruption, Senator Holmberg. It is my understanding that moments ago the House defeated this same and have asked for a second conference. If the Secretary would check, we may be wasting our time.

PRESIDING OFFICER: (SENATOR BRUCE)

...the Chair was just informed, Senator Holmberg, as you

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were in debate that this bill was defeated in the House just moments ago. Senator Holmberg.

SENATOR HOLMBERG:

Then I would like to ask for a second Conference Committee report.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Maitland, did you wish to comment? Alright...again, we will...we will probably accede to the request of the House that a second Conference Committee report, but we will have to dump this one. So, the question is, shall the Senate adopt the first Conference Committee report on Senate Bill 972. 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 5, the Nays are 22. The Senate does not adopt the first Conference Committee report to Senate Bill 972, and the...Secretary shall so inform the House. And the sponsor, Senator Holmberg, asks for a second Conference Committee...that...that a second Conference Committee be appointed. (Machine cutoff)...leave to get back to 1030? Leave is granted. Senate Bill 1061, Senator Schaffer.

SENATOR SCHAFFER:

Senate Bill 1061 was amended...it's a public aid bill, and...in the House, and Amendments 7 and 4, I believe, evidently flew in the face of some Federal legislation, so we put the bill in the Conference Committee to bring all of the amendments into compliance with current Federal laws, not to jeopardize any Federal funding. I believe the House just adopted this Conference Committee. I don't think it's controversial.

PRESIDING OFFICER: (SENATOR BRUCE)

Discussion? Discussion? The question is, shall the Senate adopt the first Conference Committee report to Senate Bill 1061. Those in favor vote Aye. Those opposed vote Nay.

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The voting is open. (Machine cutoff)...voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 52...53, the Nays are none, none voting Present. The Senate does adopt the first Conference Committee report to Senate Bill 1061, and the bill having received the affirmative votes of three-fifths of the members elected is effective immediately upon its becoming a law. Senate Bill 1199, Senator Schaffer. Senator Schaffer is recognized for a motion.

SENATOR SCHAFFER:

Mr. President, Senate Bill 1199 is the Chain of Lakes-Fox River Water Management Agency. We passed the House bill...identical House bill to the Governor's Desk. This is the Senate version. It did not, when it left the House, have the final legal definition of the boundaries, so we put it in a Conference Committee to put the boundaries in. So, it is virtually identical with Senate Bill 1778. I believe there are a couple of legal changes in the definition, but it is virtually identical to the other bill which is already on the Governor's Desk, and I appreciate concurrence.

PRESIDENT:

Discussion? Any discussion? If not, the question is, shall the Senate adopt the Conference Committee report on Senate Bill 1199. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are 1, none voting Present. The Senate does adopt the Conference Committee report on Senate Bill 1199, and the bill having received the required constitutional majority is declared passed, and the bill having received the affirmative vote of three-fifths of the members elected is effective immediately upon its becoming a law. Is there leave to get back to 1203? 1218, Senator Degnan. Top of page 9, the

Conference Committee report on Senate Bill 1218. Senator Degnan.

SENATOR DEGNAN:

Thank you, Mr. President. Conference Committee Report No. 1 asks that the Senate concur in House Amendments 1 and 2, the House recede from House Amendment No. 3 and adds some language. Basically, the bill now is still providing that election authorities should give county chairmen copies of precinct registration lists. In the format it is now a two dollar fee per precinct is allowed, not required but allowed. It also added language, "requires a petition circulator to indicate on each sheet the dates on which that sheet was circulated." And also requires that no petition for nomination may be circulated more than ninety days before a filing date for that office. I move we adopt Conference Committee No. 1.

PRESIDENT:

Discussion? Is there any discussion? If not, the question is, shall the Senate adopt the Conference Committee report on Senate Bill 1218. 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 55, the Nays are 1, 1 voting Present. The Senate does adopt the Conference Committee report on Senate Bill 1218, and the bill having received the required constitutional majority is declared passed, and the bill having received the affirmative vote of three-fifths of the members elected is effective immediately upon its becoming a law. 1269, Senator DeAngelis. On the Order of Conference Committee Reports, Senate Bill 1269, Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. I move to adopt Conference Committee Report No. 1 on Senate Bill 1269. When this bill

went over from the Senate to the House, an amendment was put on to correct a technical problem. In the review of that amendment, it was determined that the original bill had a technical problem. So, the Conference Committee report just simply takes off the amendment and corrects the two technical problems. I urge its adoption.

PRESIDENT:

Discussion? Is there any discussion? If not, the question is, shall the Senate adopt the Conference Committee report on Senate Bill 1269. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 51 Ayes, no Nays, none voting Present. The Senate does adopt the Conference Committee report on Senate Bill 1269, and the bill having received the required constitutional majority is declared passed, and the bill having received the affirmative vote of three-fifths of the members elected is effective immediately upon its becoming a law. Senator Bruce, on 1030. Bottom of page 8, Conference Committee report on Senate Bill 1030, Mr. Secretary.

SECRETARY:

First Conference Committee report on Senate Bill 1030.

PRESIDENT:

Senator Bruce.

SENATOR BRUCE:

Thank you, Mr. President. My motion will be that we adopt the Conference Committee. The two House amendments to this bill deal with the small town commercial zone improvement, part of the Prairie State Two Thousand package. Amendment 1 removed the requirement that the...the projects abut or be adjacent to a State highway, and then Amendment No. 2 lowered the eligibility from one hundred thousand...one hundred thousand population to fifty thousand in population. We

had thought that we were not to have concurred and, frankly, the sponsor made a...an error, we should have concurred in the beginning, and so, I would ask for your favorable vote on the adoption of the Conference Committee.

PRESIDENT:

Discussion? Is there any discussion? If not, the question is, shall the Senate adopt the Conference Committee report on Senate Bill 1030. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. The Senate does adopt the Conference Committee report on Senate Bill 1030, and the bill having received the required constitutional majority is declared passed, and the bill having received the affirmative vote of three-fifths of the members elected is effective immediately upon its becoming a law. 440, Senator Marovitz. On the Order of Conference Committee Reports, middle of page 8, the Conference Committee report on Senate Bill 440, Mr. Secretary...Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. Once again, 440 is a report that Director Greg Kohler and...and DPH and the Illinois State Medical Society have agreed to and put together so that we can track venereal disease in children under twelve. Obviously, in children under twelve there is a presumption with...with venereal disease that there has been child abuse. The department will be...given the name, age and address of those children under twelve so that they can begin an investigation to track the venereal disease and track the child abuse. And I know of no opposition to this legislation. I would ask for adoption of Conference Committee Report No. 1 to Senate Bill 440.

PRESIDENT:

Discussion? Discussion? Senator Kelly.

SENATOR KELLY:

Yes, I'd like to ask Senator...Marovitz a question.

PRESIDENT:

Indicates he'll yield, Senator Kelly.

SENATOR KELLY:

Bill, can you tell me, when they find out if, in fact, the child does have venereal disease...a minor, I guess under twelve, would that parent be notified that that child has venereal disease?

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

The answer is, yes, through the physician.

PRESIDENT:

Senator Kelly.

SENATOR KELLY:

In other words, is there any requirement in here that the physician notify the parents if their child has venereal disease?

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

That...this bill does not deal with that subject matter at all. It has nothing to do with that.

PRESIDENT:

Senator Kelly.

SENATOR KELLY:

Well, I...I think it does have something to do with it. This is one of the items that we were concerned about in that Senate Bill 737, that parents aren't being notified, and I think a parent would like to be. I'm not trying to stop your bill, because I think this is a...a...an excellent direction, but I wish you'd be more considerate of the parents in...when

these subjects come up, and...it should...it should be built into this bill that parents are notified if their...if their twelve year old has venereal disease.

PRESIDENT:

Further discussion? Senator Bloom.

SENATOR BLOOM:

Yes, the concern that I raised insofar as the prosecutors were concerned, the...the question I raised has been answered. The problem that they have is with an underlying Act, not with this bill, and...and maybe, Senator Kelly, you and I can get together and satisfy both of those concerns in another bill. But there's no problem with this bill. Thank you.

PRESIDENT:

Further discussion? Senator Fawell.

SENATOR FAWELL:

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

PRESIDENT:

...indicates he'll yield, Senator Fawell.

SENATOR FAWELL:

Senator, couldn't this venereal disease very well come from the parent of the child that's involved and, therefore, a case of incest?

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

That is exactly what this bill is about, so that the department will go out to the parent's house and check for abuse and whether this has come from the...from the parent. That is exactly what this bill is about and trying to prevent so that...and to answer Senator Kelly's question,...the report will come one of two ways. It will come to the department's attention one of two ways, because the child is

brought in by the parent to a doctor and the doctor sends in the lab report to the department, as is required; or two, if it is not brought in by the parent, once the department gets it their first thing is to go out to the parent...to the home of the child where the parents are and then investigate it. So, in either case the parent will in all cases be notified and we will try and, number one, eradicate the disease and number two, most importantly, find out if there has been child abuse to get that child out of that home.

PRESIDENT:

Senator Fawell.

SENATOR FAWELL:

I have had some work with incest cases. We have a...a system in our county that is fairly unique and I have been...have some dealings with...with some of these children. The problem is that if the parent is notified instead of the proper authorities, I would be afraid that the parent would coerce the child and prevent him from telling the authority anything that would happen, and so I...I think just the way the bill is written is...is the proper way, and I would suggest an Aye vote on this bill.

PRESIDENT:

Further discussion? Further discussion? Senator Marovitz may close.

SENATOR MAROVITZ:

Thank you, very much, Mr. President. I would just solicit your Aye vote for this bill that will, hopefully, help prevent cases of incest and child abuse and venereal disease and the spread of venereal disease in children under twelve years of age.

PRESIDENT:

The question is, shall the Senate adopt the Conference Committee report on Senate Bill 440. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open.

Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, none voting Present. The Senate does adopt the Conference Committee report on Senate Bill 440, and the bill having received the required constitutional majority is declare passed, and having received the affirmative vote of three-fifths of the members elected is effective immediately upon its becoming a law. 702, Senator Lenke. 811, Senator Coffey. Senator Smith, on 114. Senator Egan, on 26. Do you wish 1-1-4 called, Senator Smith? Alright, top of page 7, Conference Committee report on House Bill 1-1-4, 114. On the Order of Conference Committee Reports, Conference Committee report on House Bill 114. Senator Smith.

SENATOR SMITH:

Thank you, Mr. President. I move to accept the Conference Report No. 1 on this bill, House Bill 114, which is a harrassment bill, and it deletes the title and everything after the enacting clause, replaces with an expansion of the offenses of institutional vandalism, changes the name of offense to institutional intimidation, provides that the offense includes harming any person or member of a congregation while attending or travelling to and from church services or activities at the place of a religious worship. Thank you, Mr. President. As a result of the Conference Committee's report, it reads thus, the Digest is now...it permits residential picketing when the dwelling is used as a hotel or motel or when such picketing is related directly to the operations of a nursing home, apartment building, condominium or cooperative...dwelling where such picketing is taking place. It also permits the Chicago Police Department to seize vehicles used in the commission of; one, aggravated battery with a deadly weapon; two, intimidation; three, compelling organizational memberships or persons. These are

new crimes of...for which there may be a seizure of vehicles. And three, it adds a new provision of aggravation where the court may impose a more severe sentence for offenses taking place on the grounds of a place of worship or any building used for such purposes. Mr. President, I move to accept the conference report.

PRESIDENT:

Discussion? Senator Geo-Karis. Senator Bloom.

SENATOR BLOOM:

Well, thank you, Mr. President. Senator Smith, Margaret, I...I love you madly and I...I worked with you to help get your bill out onto the Floor of the Senate and out of the Senate when it only pertained to offenses taking place in a...in a...in a...in a place of worship. Briefly stated, I find Representative McPike's bill affixed hereto, the residential picketing. That bill was roundly defeated in the House, I think it only got thirty-six votes. I would rise in opposition to accepting the Conference Committee report with the extra language on it. I withheld my signature, as did the...Senator Sommer and...the...the House Republican Representatives. I really don't think that at this late stage in the Assembly that it is wise to affix a bill that was defeated...a House bill that was defeated so badly in the House to this bill. If you would take Representative McPike's bill back off, we could have another Conference Committee report and take care of the pressing problem in your district; but as the Conference Committee report is written, I cannot support it and would urge people on both sides of the aisle to reject this report. Thank you.

PRESIDENT:

Senator Smith.

SENATOR SMITH:

Mr. President, if I may at this time, I'd like to take this out of the record for the time being...

PRESIDENT:

Alright. Take it out of the record, Mr. Secretary.

PRESIDING OFFICER: (SENATOR BRUCE)

(Machine cutoff)...resolutions.

SECRETARY:

Senate Resolution 303 offered by Senator Egan, it's congratulatory.

PRESIDING OFFICER: (SENATOR BRUCE)

Resolutions Consent Calendar. (Machine cutoff)...Rock, were you ready on 1203? On page 9 of your Calendar is the first Conference Committee report on Senate Bill 1203, and Senator Rock is recognized for a motion.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I would move to adopt the first Conference Committee report on Senate Bill 1203. As the bill left the Senate, and it left unanimously or virtually unanimously, it dealt with the problem of the settlement of the invalid tax that certain municipalities had imposed upon their residents and how to handle the question of retroactivity. There has been, I am told, a settlement of sorts reached...an agreement reached that the date from which the refund would start is...is in place by...by Senate Bill 1203. The legislation in the Conference Committee was amended to deal with another legal problem. The first, of course, is the substance of 1203, when regarding the problem of municipalities that have levied an illegal utility tax, and the other deals with municipalities levying a tax on gross receipts which include the State tax liabilities. This amendment is designed to make substitute language and changes in the organization of the bill's language that will strengthen, we hope, the legality of the legislation in the eyes of the court. I know of no objection, and I would urge the adoption of Conference Committee Report No. 1.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is to adopt. Is there discussion? Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members of the Senate, Senator Rock, I don't mean to be an obstructionist, but as you know, I've been at least tangentially involved with the problem that I...I guess you're seeking to correct, and I'm sorry that I haven't had a chance to look at the latest version of this bill until this moment. I...I wonder if you could take a moment though to...to trace us back through the...the problem that you've been attempting to get at with Senate Bill 1203 and...and for the record state what you feel it accomplishes.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Rock.

SENATOR ROCK:

I will take it out of the record and afford the Senator an opportunity to read it.

PRESIDING OFFICER: (SENATOR BRUCE)

Alright. Take it out of the record. Senator...Senator...alright. House Bill 114, Senator Smith is recognized for a motion on the first Conference Committee report.

SENATOR SMITH:

Mr. President, I'd like to have a roll call on this so that I might get a second Conference Committee, please.

PRESIDING OFFICER: (SENATOR BRUCE)

Alright. The Senator has...does not wish to adopt the first Conference Committee report. (Machine cut-off)...D'Arco.

SENATOR D'ARCO:

I...I just think we...we should proceed with the Conference Committee report and, you know, vote Aye or Nay depending on how you want to vote on the issue, and if it passes,

it passes. If it fails, it fails. So, why don't we just...she is asking to adopt the first Conference Committee report.

PRESIDING OFFICER: (SENATOR BRUCE)

No.

SENATOR D'ARCO:

Yeah, proceed with the issue, let's go with the issue.

PRESIDING OFFICER: (SENATOR BRUCE)

No, the...alright. Why don't we...why don't we take this out of the record until we get everybody on the same track. Senator Smith.

SENATOR SMITH:

Yes, I want to...a roll call on the first Conference Committee to adopt it, please.

PRESIDING OFFICER: (SENATOR BRUCE)

Alright. Senator DeAngelis.

SENATOR DeANGELIS:

Well, I hope the members remember what this bill is about. This is the picketing bill, and I thought...and I wasn't privy to all the debate going on between you and Senator Bloom, but I thought there was somewhat of an idea that something was going to be done with this, but I guess you want...you want to try and run it now, right? Well, I rise in opposition to it because...not because of the good amendment you put on, but because of the attempt to put on the picketing bill that was previously Representative McPike's bill that had failed.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Zito.

SENATOR ZITO:

Just a...an inquiry of the Chair. If this motion fails, does it automatically go to a second Conference Committee?

PRESIDING OFFICER: (SENATOR BRUCE)

If she...if...if Senator Smith requests a second Confer-

ence Committee...Senator Smith.

SENATOR SMITH:

Yes, and may I have a roll call on this...

PRESIDING OFFICER: (SENATOR BRUCE)

Yes,...are you soliciting an Aye or a Nay vote, Senator Smith?

SENATOR SMITH:

...I'm...I'm asking for an Aye vote.

PRESIDING OFFICER: (SENATOR BRUCE)

Alright. The question is, shall the Senate adopt the first Conference Committee report on House Bill 114. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 22, the Nays are 30. The Senate does not adopt the first Conference Committee report to House Bill 114. Senator Smith requests that a second Committee of Conference be appointed. The Secretary shall so inform the House. Senator Smith.

SENATOR SMITH:

I just want to say, thank you.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there leave to go to the Order of Secretary's Desk on the Order of Concurrence? Leave is granted. On the Order of Concurrence, on page 5 of your Calendar, is Senate Bill 1000 under the sponsorship of Senator Rock. Senator Rock is recognized for a motion on House Amendment No. 1.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate Bill 1000 as it left this Chamber created the Prairie State Two Thousand Fund. The House, with my approval, put on an amendment to make some technical changes. It afforded the right of appointment to the Governor to appoint members to the board, deleted any salary provision

for board members, and it increased the...permissible amount of outstanding stock, presumably to offset the loss of the daily operating funds which were eliminated by deleting the bonding authority. The bonding authority has been deleted. I would move the adoption...or concurrence in House Amendment No. 1 to Senate Bill 1000.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? Discussion? Senator Keats.

END OF REEL

SB 1381
Concurrence

REEL #3

SENATOR KEATS:

Just a quick question. Phil, this does not have any of that CETA language. I can't find on my report...this doesn't have that...with that I...I would say to my Republicans, although the bill is not perfect, it is certainly an excellent effort and I think we should support the Senate President in...in his efforts on this bill, and I will certainly do so.

PRESIDING OFFICER: (SENATOR BRUCE)

The question is, shall the Senate concur with House Amendment No. 1 to Senate Bill 1000. Those in favor vote Aye. Those opposed 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 58, the Nays are none, none voting Present. The Senate does adopt...does concur with House Amendment No. 1 to Senate Bill 1000. The bill having received the affirmative votes of three-fifths of the members elected is effective immediately upon its becoming a law. Senator Rock, you had 1301. Did you wish to run that one now? All right, on...on page 6 of your Calendar, Secretary's Desk Concurrence is Senate Bill 1301. Senator Rock is recognized for a motion. On page 6.

SENATOR ROCK:

Yes, I will move to concur with House Amendments 3 and 5. Amendment No. 5 is a technical amendment that was proffered by the Reference Bureau. It designates...changes two section numbers. The amendment which the House...with which the House concerned itself was Amendment No. 3 and they made some specific changes at the request, I am told, of the State Board of Elections. In general, it specifies the duties of a

county clerk with respect to deputy registrars, and I am told that these changes were also at the request of the County Clerks' Association, and these changes having been accepted, they have withdrawn any opposition, I am told, to this legislation. It provides that precinct committeemen and other deputy registrars may accept registrations, except, obviously, during that thirty-five days immediately preceding an election. The county clerk assumes the responsibility for training all the deputy registrars, and it provides that the employees of the Department of Public Aid and the Secretary of State or the Department of Labor are eligible to be appointed as deputy registrars in the temporary places of registration that we outlined in the original provisions of 1301. There is a master file set up and a card...uniform registration card set up that will be put into place by the State Board of Elections. I know of no objection and I would solicit your approval of House Amendments 3 and 5.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR BRUCE)

Indicates he will yield. Senator DeAngelis.

SENATOR DeANGELIS:

President Rock, when you suggest that there's no opposition or that there's agreement, who is the agreement between and where is the opposition lay down on this one?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Rock.

SENATOR ROCK:

My understanding...and I was not present at the meeting, my understanding was that the Association of County Clerks as represented by the Clerk of Cook County agreed with the Senate...with the House sponsor, namely, Representative

Madigan, that given these changes as incorporated in Amendment No. 3 the Association of County Clerks did not have any problem or objection with it.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator DeAngelis.

SENATOR DeANGELIS:

Well, if...if you support registering of people in unemployment offices, in the Department of Public Aid offices and some other places, I guess you should vote Yes for this bill. But if you don't, regardless of what agreement, and...and I don't think an agreement with our good Clerk Stanley Kusper in Cook County and Speaker of the House, Madigan, is conclusive evidence for the Republicans to vote Yes for this bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Hock may close.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is permissive legislation. It affords the opportunity to have more deputy registrars again, obviously, with the intent to register more people whatever...of whatever party, and I would urge concurrence in House Amendments 3 and 5 to Senate Bill 1301.

PRESIDING OFFICER: (SENATOR BRUCE)

The question is, shall the concur in House Amendments 3 and 5 to Senate Bill 1301. 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 31, the Nays are 21, none voting...1 voting Present. (Machine cut-off)...if we could find a copy of the bill to see...it itself contains a immediate effective date or either of the two amendments. All we have is the Message to work from. On that question, the Ayes are 31, the Nays are 21,...1 voting Present. The Senate does concur in House Amendments 3 and 5,

and the bill having received the required constitutional majority is declared passed, and having failed the required...to receive the required three-fifths vote is effective on July the 1st of 1984. Senator DeAngelis, for what purpose do you arise?

SENATOR DeANGELIS:

A verification.

PRESIDING OFFICER: (SENATOR BRUCE)

All right, there's been a request for a verification. Will the members please be in their seats. Will the Secretary call those who voted in the affirmative.

SECRETARY:

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

PRESIDING OFFICER: (SENATOR BRUCE)

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

SENATOR DeANGELIS:

Senator Demuzio.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Demuzio just walked by right in front of Senator Hall.

SENATOR DeANGELIS:

Senator Chew.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Chew on the Floor? Yes, he just walked in the door.

SENATOR DeANGELIS:

Senator Davidson.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Davidson is in his seat.

SENATOR DeANGELIS:

Can...can I just make a...

PRESIDING OFFICER: (SENATOR BRUCE)

No, on the verification. We'll talk...we'll take a personal...any further questions? Senator DeAngelis, do you question any other member? All right, on the verified roll call, there are 31 Ayes, 21 Nays, 1 voting Present. The Senate does concur with House Amendments 3 and 5 to Senate Bill 1301, and the bill having received the required constitutional majority is declared passed and having failed to receive the necessary three-fifths vote is effective on July the 1st, 1984. All right. For what purpose does Senator DeAngelis arise?

SENATOR DeANGELIS:

As just as a matter of inquiry. Did the bill have an effective date and you moved it forward or did it not have any effective date at all?

PRESIDING OFFICER: (SENATOR BRUCE)

If did not have any effective at all in...in the bill nor the two amendments. The bill was silent but I...the Chair to edify the Body, added the last part about the effective date just so that no one got too upset. So,...it...the net effect is I could have stopped after it said it passed, and then someone else has to figure out when it becomes effective but I thought I wanted to alert the Body that it would not be effective for one year from today. What purpose does Senator Buzbee arise?

SENATOR BUZBEE:

Well, first of all, I would like to move to reconsider the vote by which House Bill 1301 the Conference Committee on that vote was just passed. That's the first thing and then I've got something else.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is to reconsider the vote. Senator Lemke moves to lie that motion upon the Table. Those in favor say Aye. Opposed Nay. The Ayes have it and the motion to reconsider is Tabled. Senator Buzbee.

SENATOR BUZBEE:

Yes. Again, I assume Senator Weaver's promise awhile ago still holds. Senator Carroll and I are chatting with the House Democrats and we're...the sooner we can get that done, the faster we can get together with Senator Schaffer and Senator Sommer, and the faster the Body can get out of here. So, I hope that you would pay us some courtesy as you did Senators Philip and...and Rock on previous days.

PRESIDING OFFICER: (SENATOR BRUCE)

All right, Senator DeAngelis.

SENATOR DeANGELIS:

Well, I purposely did not verify you or Senator Carroll.

PRESIDING OFFICER: (SENATOR BRUCE)

All right. While we're on that order, do any other Senators wish to seek concurrence? I have Kustra, Berman, Degnan, Vadalabene, Schuneman and Etheredge. Any change? All right. If I might have the attention of the Body, we will have the...the first Supplemental Calendar on your desks in a moment. There are twenty-seven Conference Committee reports that have been filed, and they are in the process of being printed and will be distributed before we take up the first supplemental. So, the Senate will stand at ease for a moment while those reports are being copied and the Calendar is being printed and distributed, and for what purpose does Senator Nedza arise?

SENATOR NEDZA:

Yes, thank you, Mr. President. I'm being troubled with a physical impairment. Johnny, I won't say what you said. And if my condition is such...I physically will not be able to be on the Floor, I'd like to at this time ask leave to have my

name stricken as the sponsor of Senate Bill 1336 and have Senator D'Arco's name instituted in place of mine, and in Senate Bill 526 have Senator Zito's name replacing mine.

PRESIDING OFFICER: (SENATOR BRUCE)

All right, it's 1336...which...is it House bill or Senate bill?

SENATOR NEDZA:

Senate Bill 1336 for Zito...I mean for D'Arco and...

PRESIDING OFFICER: (SENATOR BRUCE)

D'Arco, right.

SENATOR NEDZA:

...and 526 for Zito.

PRESIDING OFFICER: (SENATOR BRUCE)

That must be House Bill 526.

SENATOR NEDZA:

Senate bill.

PRESIDING OFFICER: (SENATOR BRUCE)

All right, you've heard the motion. The motion is to substitute sponsorship on Senate Bill 1336 from Senator Nedza to Senator D'Arco, and on Senate Bill 526 from Senator Nedza to Senator Zito. Is there leave? Leave is granted. This...might I have the attention of the Body? This Body is filled with heroes and heroines and Senator Watson has a trophy to present to some of those. Senator Watson.

SENATOR WATSON:

Yes, thank you, Mr. President. As you know the Southwestern Illinois Industrial Association has the annual Legislative Tennis Tournament each year and we had that the first of July, and we had a good turn out, and I'd like to present the trophies to those here in the Senate now who...who are the winners, and what I might do is just go through and read all the ones who did win so that you'll be aware of it, and we did pretty well. The Senate...we had three winners in the Senate to one winner in the House. So, I

think we should congratulate our...our Senate members for that. It may be the only thing we beat the House on out...any way in Division A, which is the so-called championship division, Dick Marshall who is with Shell Oil and former representative Doug Kane were the winners, and then Senator Dick Luft, and Don Etchison, an aide to the Governor, came in second. These are doubles. Everybody plays doubles. In the Division which is not quite championship but...it's close, another...a former winner, George Sangmeister, in fact, he won the first tournament that Southwestern Illinois Association had and Sid Marter with the Illinois State Chamber of Commerce, unusual combination there, were the winners in the Division. Second place was Representative Art Turner and Cindy Kramarz, and Cindy was the only Republican, unfortunately, from the Senate to...to do well in the tournament and we certainly congratulate her. She's an intern. And then, we had something new this year, we had a racketball tournament, and first place in that was Billy Marovitz, second place was Representative Mike Curran, and that's in the Championship Division. And then in the B Division, first place was Mike Donahue, fiancée of Laura Kent, and second place was Tim Hennessey. So, I have the trophies here and those of you who are in earshot and would like to pick up those trophies, why please do so. And I'd like to thank Bob Walters and the Southwestern Illinois Industrial Association for hosting this annual event. We had a good time and a good time was had by all. So, I thank you, very much for giving me the opportunity to present these awards at this time.

PRESIDING OFFICER: (SENATOR BRUCE)

All right, congratulations to our Senate winners. (Machine cutoff)...purpose does Senator Vadalabene arise?

SENATOR VADALABENE:

Yes, I'm going to make another announcement on the Independence speech...I...they're going like hotcakes, and if

anybody whats one they can come over and pick one up. They're really going fast.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Marovitz.

SENATOR MAROVITZ:

Well, I don't know...I don't know if we're going to be here tomorrow, but I just want to announce one more time the Legislator's Night at White Sox Park is one August 4th. It's an evening game at seven-thirty with the Detroit Tigers and there's barbecued ribs and fried chicken, hamburgers and hot dogs, and beer and wine and dinner with the ball players. It's a wonderful night. You can bring your kids. Parking is included, there's free parking. If you call my secretary and give her the orders, we can reserve the tickets. It...it's really a wonderful night. We've had it about two or three years. We all eat together and and then go to our seats and I hope that everybody will make it on August 4th. Please try and call before you leave for...for home.

PRESIDING OFFICER: (SENATOR BRUCE)

For what purpose does Senator Watson arise?

SENATOR WATSON:

One other thing on the tennis tournament and the racketball tournament, I think everyone should take special note of Billy Marovitz award, it's the "Big Jock" award and I...anyway, you ought to see it.

PRESIDING OFFICER: (SENATOR BRUCE)

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

SENATOR DAWSON:

Mr. President and Ladies and Gentlemen of the Senate, I'd like to ask leave to take House Joint Resolution 33 from committee and place it on the Calendar.

PRESIDING OFFICER: (SENATOR BRUCE)

All right, the motion is to discharge the Senate Commit-

tee on Executive from further consideration of HJR 53...33 and have it placed on the Calendar. On the motion to discharge, discussion? Those in favor say Aye. Opposed Nay. The Ayes have it. The Senate Committee on Executive is discharged and the bill will be placed on the Calendar. All right, the Secretary informs me that he has distributed to your desks Conference Committee reports and a Supplemental Calendar and that is Supplemental Calendar No. 1. If we will go back to the regular Calendar, Senator Coffey was off the Floor when we got to Senate Bill 811, and that is on page 8 of your regular Calendar. Page 8 of your regular Calendar. Senator Coffey is recognized for a motion on a Conference Committee report. Senator Coffey.

SENATOR COFFEY:

Thank you, Mr. President and members of the Senate. The Conference Committee report adds a additional parcel of land of approximately one acre of land in Johnson County adjacent to the land described in this provision, and it just adds another parcel to the parcels already that we have had earlier in the bill, and I'd ask for us to accept that parcel of land. It's in the City of Vienna.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is to adopt the Conference Committee report. Is there discussion? Senator Lechowicz.

SENATOR LECHOWICZ:

All right, what does the...major portion of the bill do?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Coffey.

SENATOR COFFEY:

It's the...it's the transfer of easements bill that the Department of Transportation already has. There's about thirty some parcels of land. There was one left off and this just adds another parcel in Johnson County.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator...all right. Further discussion? Further discussion? Question is, shall the Senate adopt the first Conference Committee report on Senate Bill 811. 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...50...the Ayes are 50, 1 voting No, none voting Present. The Senate does adopt the first Conference Committee report to Senate Bill 811, and the bill having received the affirmative votes of three-fifths of the members elected is effective immediately upon its becoming a law. Senator Zito, on the first Supplemental Calendar is House Bill 104. Senator, are you ready to proceed with that? There's a Conference Committee report that...which has been filed. Senator Zito is recognized for a motion.

SENATOR ZITO:

Thank you, Mr. President and members. I would move that the Senate accept Conference Committee report on House Bill 104. That was a report that created the Commission on Health Assistance Programs.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Zito.

SENATOR ZITO:

Be happy to answer any questions of the membership.

PRESIDING OFFICER: (SENATOR BRUCE)

All right. Discussion? Discussion? The question is, shall the Senate adopt the first Conference Committee report to House Bill 104. 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 37, the Nays are 12, 3 voting Present. The Senate does adopt the first Conference Committee report to House Bill...104, and the bill having received the affirmative votes of three-

fifths the members elected is effective immediately upon its becoming a law. House Bill 186, Senator Hall. Senator Zito, for what purpose do you arise?

SENATOR ZITO:

I'd like to move to reconsider the vote by which...

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Zito moves to reconsider the vote by which House Bill 104 passed. Senator Chew moves to lay that motion upon the Table. On the motion, those in favor say Aye. Opposed Nay. The Ayes have it. The motion to Table prevails. House Bill 186, Senator Hall. House Bill 345, Senator Luft. Senator Luft is recognized for a motion on the first Conference Committee report on House Bill 345.

SENATOR LUFT:

Thank you, Mr. President. I would move that we would adopt Conference Committee Report No. 1 to House Bill 345, and I will try, if I can, to explain what has happened. First, we are increasing the membership of the Illinois Liquor Control Commission by two members; one to be appointed from the Democratic party, one to be appointed from the Republican party. Second of all, we are...providing a mechanism by which...municipalities of one million or more, all applicants for licenses for four o'clock...two to four o'clock licenses for liquor must notify the city councilmen from that area...or alderman. The third thing we are doing in here is adding the word public community college every time it says forest preserve districts or universities. It...the way I understand it, if a caterer is in a university or a public area, if he has a liquor license for that time that he is catering, he can serve liquor. They can do it everywhere else with the exception of public community college districts, and public community college districts is being added in.

PRESIDING OFFICER: (SENATOR BRUCE)

Discussion? Senator Jones.

SENATOR JONES:

Yes, Representative Luft, you were saying something about you...put some changes in here concerning those persons...applicants for liquor licenses must notify the aldermen or was it...would you explain that again?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Luft.

SENATOR LUFT:

If you'll look on page 3, lines...well, let's look at lines 18...16, "Any licensee are privileged to sell alcoholic liquors between the hours of 2:00 a.m. and 7:00 a.m. on weekdays nor between the hours of 3:00 a.m. and 12:00 noon on Sundays unless such person has given at least fourteen...days prior written notice to the alderman of the ward in which such person's licensed premises are located stating his intention to make applications for such license."

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Jones.

SENATOR JONES:

...Representative Luft, is this a State-wide provision or do it only affect the cities with population exceeding one...is that only aimed at the City of Chicago? Currently in the City of Chicago we do have a Liquor Commission. Am I correct?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator...Senator Luft.

SENATOR LUFT:

I assume so.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Jones.

SENATOR JONES:

In the event that the alderman is not notified, what happens...to the person's...application for a liquor license?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Luft.

SENATOR LUFT:

Apparently, it's void. It is my understanding, Senator Jones, that this happens now. I may be wrong but I am telling you what happened...what I have been told that this is an existing situation in the city, and I was asked to add this onto this bill and I did so.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Jones.

SENATOR JONES:

I think we better take a very, very close look at this new language in this Conference Committee report, and what the sponsor is doing is simply this, currently in the City of Chicago you do have a Liquor Commission and what the sponsor is doing that giving the alderman the...the veto right over a person's application for a liquor licenses; and all the problems that'll be had in the City of Chicago, I think that the commission that is currently there, the sergeant who is in....the police sergeant who is in control of it...all you're doing is opened up a Pandora's box wherein legitimate businessmen will be placed in a position wherein they would have to have an approval of an alderman in order to conduct business in his particular ward...in a particular liquor business. I think this is a very, very bad...amendment, and I think we should look at this language very carefully before we vote on it.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I rise in support of the first Conference Committee report on House Bill 345 and, Senator Jones, I would think that you would be also rising in support, 'cause it doesn't

say that the alderman has any veto power over a licensee. What it says is that if a saloon keeper is going to apply for a four o'clock license in our neighborhoods, that he has to give notice to the alderman that he's making an application. That's all. It's a notice requirement just so the alderman knows, and then, I presume, the alderman, as they are want to do, will report to the people in the neighborhood and find out, do you want a four o'clock saloon or do you not? I...in my experience, having live on the west side, I can tell you that there are a lot of residents of...of neighborhoods along North Avenue, along Lake Street, who don't want a four o'clock license, and all we're asking under this amendment is to afford the alderman, the elected representative of those people, a notice. They don't have any veto power. It's a notice. I think it's a very good amendment. I urge the adoption of the first Conference Committee report.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I also concur with the President of the Senate, Senator Rock, that this a good Conference Committee report. It's a notification procedure for the elected officials to participate at a public hearing in reference to if there's any change or request in the hours of a liquor establishment. It's not a veto power of any sort. It's a notification procedure so that in this way the alderman of the respective ward is well aware of the fact if he wants to come in and bring in people from the adjoining...immediate adjoining area so that there is no shock saying, how in the world did this four o'clock license come into existence. It's been done by a matter of courtesy in the past, and it, in fact, I'm sure the good gentleman from the southside is well aware of the fact that any change in liquor licenses within their respec-

tive wards, they have to have the agreement of the people in the immediate surrounding area, and they're saying, yes, the public officials should also be...have the opportunity to participate at the public hearing at the Liquor Control Commission and notification procedure is...that's exactly what this bill does. It's a good Conference Committee, deserves your support.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Degnan.

SENATOR DEGNAN:

Yes, thank you, Mr. President. I...both Senator Rock and Senator Lechowicz have said what I was to say, and I...I would just ask every member of the Body to support us on this.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Collins.

SENATOR COLLINS: tf

Yes, thank you, Mr. President and members of the Senate. I rise very strongly in support of this...Conference Committee report, and I wish we had had this type of law on the books several months ago and maybe I could have gotten some sleep at home one night when the people of my community after a tavern had opened up in that area, not far even from a church, and the people didn't know that this was happening. They didn't even know that I'm not the alderman. So, I asked them to go to your alderman and talk to your alderman about it. I think the alderman should be notified. I think the...it should go further and say that there should be public hearings conducted in that ward because that is that alderman's responsibility, and I tell you, I am sick and tired of the phone calls and problems that I'm having by taverns popping up over night in anyplace that they want to in my district, so I ask for concurrence.

PRESIDING OFFICER: (SENATOR BRUCE)

...seek recognition for the first time? Senator Jones for a second time.

SENATOR JONES:

Yeah, thank you, Mr. President, and I hate to rise a second time but the matter is still not quite...quite clear. And when I asked the sponsor of the Conference...Conference Committee report what was he doing, and he informed me then that he believed this...this was already the practice in the City of Chicago, which it is not. But one other point I want to ask you concerning this, currently if a liquor establishment allows or a tavern wants to expand their hours, they...I know they must receive...get so many signatures from the registered voters within the area. Now you are repealing certain Acts therein named, approved August 15, 1941. What are you repealing in the...in the Act?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Luft.

SENATOR LUFT:

What lines are you talking about repealing?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Jones.

SENATOR JONES:

Lines 14, 15 and 16.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator...Senator Luft.

SENATOR LUFT:

I'm sorry, Mr. President, but on line 3, page 14...oh, wait a minute, I got you now.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Rock, can you enlighten us?

SENATOR ROCK:

Yes. I think, Senator Jones, that...that is not a repealer, that is a cross-reference to the Act which is being amended by this provision. That's the title of the Act.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Jones.

SENATOR JONES:

Well, perhaps...Mr. President, perhaps maybe you should have sponsored the...the Conference...Committee report, because I don't want to see a situation wherein any legitimate business who receives a license from a local unit of government...to which they are entitled to but in order for that business to operate, that...that business could not receive a...a license to do business in certain sections of...of any city. Now, Senator Collins, and...you...you talk about drinking, you talk about alcohol, but I believe a...a drugstore can open up in your community and they can sell all types of drugs, but they do not need the approval of the alderman to have drugs in your community. But to just to jump on one particular establishment because they sell alcohol, I think it is wrong, and I think that this Conference Committee report should be defeated.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Kustra.

SENATOR KOSTBA:

Well, thank you, Mr. President and members of the Senate. I...I'm just sitting here listening to...a debate that ought to be taking place in the Chicago City Council, not...not the Illinois State Senate. We're wasting our time. It's June 30th, the hour is late, here we are debating a matter that the city council ought to be talking about, and I don't know what the State Legislature is dealing with this for. Ranks right up there with lights at Wrigley Field as far as I'm concerned. I'd vote No.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. The only problem I have with

the bill is that the licensee would have to give the written notice to the alderman of the ward. I think it would have been much more preferable if the Liquor Commission had notified the alderman that an application had been filed with him concerning a liquor license, because it also provides that the service of such written notice must be included in his application with the license. You are really, I think, extending a burden on the licensee that heretofore has never been done, and I'm not too sure that there may not be legal challenges if the service isn't made properly or if the...if the notice was not extended to the alderman.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Luft may close. Senator Luft, did you wish to...Senator Lechowicz. I'm sorry, Senator Lechowicz.

SENATOR LECHOWICZ:

I really hate to get up a second time but I think there's something else in this Conference Committee, and I don't know if it's been brought to the attention, but on page 4 of the Conference Committee, it says, "a public community college district." I guess you're also permitting liquor to be sold at a public community college district now, and I'd like to know exactly where that's at.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Luft.

SENATOR LUFT:

I explained in...when...in my earlier statement that we are only allowing, if you read that, you are allowing any State university to sell liquor on that premise if there is a caterer coming in. The caterer can sell it if he is licensed. If you're having a party at the university and it's being catered, he can come in. That's already law. The only thing we're doing now is inserting "or public community college districts." Allow them to do the same thing that everyone

else, I assume, is doing, because it's in the Statutes that they may do that.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Lechowicz.

SENATOR LECHOWICZ:

Well, it says, "By a catering establishment which...which has rented facilities from a board of trustees of a public community college district." Where is that at? Where is this bill applicable to?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Luft.

SENATOR LUFT:

If you look up farther in the page, it's talking about where they can include, I think, the Chicago Park District it says on line 17, "if approved by the park district commissioner." It goes down listing other areas until you get on page 20 where it says, "or under control of any State university," and then all we do is add in the language "or public community college district." We're making what is applicable to every other public place the same laws for the public community college districts.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Lechowicz.

SENATOR LECHOWICZ:

You still haven't answered my question. Which one?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Luft.

SENATOR LUFT:

All public community college districts.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Luft...or Senator Lechowicz.

SENATOR LECHOWICZ:

No further questions. Thank you.

PRESIDING OFFICER: (SENATOR BRUCE)

All right. Further discussion? Further discussion?
Senator Luft may close.

SENATOR LUFT:

Thank you, Mr. President. I'll try. There are three provisions in here, the way I understand them. One of them is the mechanism we set forth in the discussion with Senator Jones on the notification of the ward individuals when application is made for a liquor license. The only way that has of interfering with anything is that when the application is made, there has to be a certification that notification of the alderman has been made. Second of all, we are...including community colleges with every other form of public body under the catering system of serving liquor; and lastly, we are allowing the Governor of the State of Illinois to increase the number of a Liquor...Control Commission by two members, one of those being a Democrat and one of those being a Republican, and I would remove my...renew my motion to adopt Conference Committee Report No. 1 on House Bill 345.

PRESIDING OFFICER: (SENATOR BRUCE)

Question is, shall the Senate adopt the first Conference Committee...report to House Bill 345. 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 45, the Nays are 13, 1 voting Present. The Senate does adopt the first Conference Committee report to House Bill 345, and the bill having received the affirmative votes of three-fifths of the members elected is effective immediately upon its becoming a law. House Bill 558, Senator Maitland. (Machine cut-off)...Maitland is recognized for a motion.

SENATOR MAITLAND:

Thank you, Mr. President and members of the Senate. I move the Senate do...accept the first Conference Committee report to House Bill 558. In the Senate we had put...an

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Conf. Committee Report

amendment on that deleted some of the intent of...of the original House bill, and the Conference Committee report, which was agreed to by all, indicates that if the county treasurer shall forward the certificate received from the previous owner to the next buyer of the vehicle. The owner shall have the certification mailed or...or delivered to the Secretary of State with a certificate of title and assignments. This, then, protects both the local unit of government and meets the obligation...or meets the concern that the Secretary of State had.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is to adopt. Is there discussion? Discussion? The question is, shall the Senate adopt the first Conference Committee to House Bill 558. 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 56, the Nays are none, none voting Present. The Senate does adopt the first Conference Committee report to House Bill 558, and the bill having received the affirmative votes of three-fifths of the members elected is effective immediately upon its becoming a law. House Bill 584, Senator D'Arco. Senator D'Arco is recognized for a motion on the first Conference Committee report.

SENATOR D'ARCO:

Thank you, Mr. President. There was a question about the rehabilitation language concerning the...the agent's right to be rehabilitated by the company. We lessened the time period in which the company had the duty, so to speak, to rehabilitate the agent. The independent insurers and everyone else in the industry support this amendment, and I move to concur...I move to adopt Conference Committee Report No. 1.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? Is there discussion? The question is, shall the Senate adopt the first Conference Committee

*HB 606
Conf. Committee report*

report to House Bill 584. 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 56, the Nays are none, none voting Present. The Senate does adopt the first Conference Committee report on House Bill 584 and the bill having received the affirmative votes of three-fifths of the members elected is effective immediately upon its becoming a law. House Bill 606, Senator Netsch. Senator Netsch is recognized on a motion concerning the first Conference Committee report on House Bill 606. Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. The Conference Committee report addresses itself to several of the concerns that were raised during the Floor debate and specifically in the memorandum that Senator Bloom had circulated. For one thing, it corrected a gap that had come about because of...some language we had earlier included in the bill as a result of compromises made during the committee procedures and it deals with the age problem. It corrected it...as set forth in a fact sheet which I have now circulated to everyone, and I think if you scoot through that, we had one area where we had no crime covered and that is now in the...Class A Misdemeanor Section, that is fully covered. It also restructured the mistake in age defense which we had put in the bill initially as a result of the Illinois State Bar Association request, and it now provides simply that it shall be a defense to any offense under Sections 1213 through 1216 which are the basic sections that the accused reasonably believed the person to be sixteen years of age or over and that pretty much addressed that particular concern. It made absolutely clear, and I think this was a very good change, that the bill will apply only to offenses created after the effective date of the Act, so that we have no problem about having to elect whether you're to be

sentenced under the new Act or the old Act which was one of the concerns that they raised. It is effective only with respect to offenses created after the effective date of the Act, and that eliminates a lot of problems; and probably the most important thing of all is that the Act itself will not become effective until July 1, 1984. Now that does two things; one, it gives everyone an opportunity to look at the provision again very carefully, first of all because any major change in the law, and it is a major change in the law, should be available to the prosecutors, the defense attorneys, the public defenders and others before it becomes effective so that they have a chance to become familiar with it; secondly, it does make it possible, and...I think Senator Sangmeister may address himself in more detail to this, for a number of people to look at it again and make sure that it does exactly what all we want it to do. I think the basic structure of the Act was described the last time we looked at it. It is, as I indicated then, a major piece of legislation which addresses the very real concern that the law in its...hodgepodge form as it was currently written was simply not reaching all of the sex offenses which ought to be reached. This does it by two basic crimes, criminal sexual assault and criminal sexual abuse, and each one has a set of aggravating circumstances. The crimes are clearly defined in the Act. It does provide a continuum, a spectrum of offenses that we believe will provide coherence for the first time in our sex offense crimes. I would add, because I think this is also very important, that the bill as it came over from the House, I think clearly did need a great deal of work. With the full cooperation of Senator Sangmeister as chairman of the Judiciary Committee, and the minority spokesman, Senator Bloom, we had, I think it was about nine hours of subcommittee hearings and intensive participation, not only by the members of the subcommittee but also on the part of several

members of the Illinois State Bar Association; particularly, Mr. Davison, who started out, I think, being officially opposed and has ended up supporting the bill. I think all of that input has helped enormously to clear up ambiguities and to make a...a much stronger piece of legislation out of what came to us from the House. We believe it is in very, very good form; if it is not, if there is any problem that anyone has or second thought, subsequently, we will have a full year for all of those to come to attention, and a full year for any changes to be made and, of course, we have Senator Rock's full cooperation in making any such changes if they should be needed. We are not aware of them at the moment but it will give us that time to observe it. I will be happy to answer questions. I would solicit your support.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? Senator Sangmeister.

SENATOR SANGMEISTER:

Thank you, Mr. President and members of the Senate. We didn't have too much chance to discuss this bill the last time because we all agreed we were going to put it into a Conference Committee which has been done, and the latest problems that developed at that time have been cleaned up on this bill. What you're voting on today, of course, is...is without question the major criminal law change of...of this Session. Senator Netsch has indicated to you we have taken eight separate...different sex offenses and classified them into four, really two different categories each with aggravating circumstances. My own personal opinion is, I think this will work. As she indicated, when it came over from the House it...without being derogatory of the House's work on this bill, there was an awful lot that had to be done, we put more time on this bill than anything else we did in the criminal law Session this year. I think it is in as good shape as we can expect at this time. When we discussed

this bill the last time, I was still concerned that there were cracks that we may fall into or land mines laying around; and in order to...alleviate that, our original plan was that we would take this Conference Committee report and let it sit until this fall which would give us all this summer to work on it. In fact, to be very honest about it, I made a commitment to Senator Bloom that that's exactly what we were going to do and I have gone back on that commitment. I might say that there's a good reason...one good...there's never a good reason for going back on a commitment; however, holding it now until this fall would have only held it for that period of time which would have given us maybe another...another four or five months. By putting an effective date in this bill of...July 1st, 1984, we will have an entire year within which to further look at this, and what I intend on doing is sending the final copy of this bill to every state's attorney in the State of Illinois and every chief circuit judge and have them review it and they will have to look at it now without being able to say, well, they may or may not adopt this, and then we will have a year within which to get all that information back; and I can assure you that either this fall or next spring, if there are any problems with the bill why, obviously, they are going to be corrected far before this bill becomes effective. Maybe that's a little different way than originally treating a piece of legislation, but I think that it's fair, and to Senator Bloom, my personal apologies for going back on my word.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Marovitz.

SENATOR MAROVITZ:

Thank you. Senator, I just want to clarify an area of the bill that...make sure that in its Conference Committee form is the same way that it left regarding the marital rape

section. We have tightened up the marital rape provisions so that there would be an action for marital rape only under certain very restricted conditions, and perhaps you, with the report in front of you, could enumerate those very limited and restrictive conditions under which marital rape actions would be allowed.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Netsch.

SENATOR NETSCH:

Thank...thank you, that is correct, Senator Marovitz. If you will look...if you have still the copy of the bill on page 6 of the enrolled bill, the...it now provides in Section 1218, Subsection C, "No person may be charged by his or her spouse under Sections 1215 and 1216 of this code," that is a flat prohibition. That is a reference to the so-called fondling and touching section. So there is no spousal action permitted under those sections at all. It goes on to say, "No person may be charged by his or her spouse under Sections 1213 and 1214 of this code, unless when the act was committed," and then it lists five restricted circumstances: petition for dissolution of marriage; the parties were living in separate residences; the accused displayed, threatened to use or used a dangerous weapon; the accused caused great bodily harm to the victim; there had been a pattern of intentional violence perpetrated by the accused which had caused bodily harm to the victim. Those are the only five circumstances that...that will permit a prosecution for marital rape.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Marovitz.

SENATOR MAROVITZ:

Well, just...I think that's about as tight as we could have gotten those provisions of marital rape, and I...I think that the chairman of the committee and the spokesman of the

committee and the sponsor of the bill and all those groups including the State's Attorney from Cook County deserve a tremendous amount of credit for the time, cooperation and conciliation they spent on this bill. This is probably the toughest subject that has come before this Body in the criminal law area since I've been here, and to come to an agreement on this bill took hours and hours of work and compromise and conciliation. Perhaps everybody hasn't got what they wanted, but I think this is a very fine work product; and certainly by next July, 1984, we will know of any improprieties that are in the bill and we'll be able to correct them, and I would solicit an Aye vote.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Philip.

SENATOR PHILIP:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR BRUCE)

Indicates she will yield. Senator Philip.

SENATOR PHILIP:

In a hypothetical question, just say, hypothetically, a man is in a very heated divorce and the woman decides to charge you with rape. She filed the complaint. You're sitting there and the lawyer comes to you and says,...we're going to make a deal for you, we'll drop the rape charge but you'll give us the house, the T.V., the summer home, the stock, you tell me exactly what happens under this...this bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Netsch.

SENATOR NETSCH:

If...if I heard your hypothetical correctly, Senator Philip, it is not possible for any person to charge another with a crime directly. That has to go, obviously, any complaint has to go to the prosecuting officer, to the state's

attorney and the state's attorney has got to be satisfied that all of the conditions of the Statute as it is written, which are quite restrictive, exist and that it is a...an appropriate one for prosecution; and that, obviously, is not an easy burden given the restrictions here. I might say that of the...I believe it is twenty-seven states...am I right...that have no bar to spousal rape at the current time, that there have been, I think, in the last fifteen years only about sixty prosecutions that have every been brought, many...some of which have resulted in a conviction, and some of which were terminated. It is not going to be a major...it is not a major part of this bill, as a matter of fact, Senator Philip. It is not excluded, but it is not the main thrust of the bill, and there are not going to be many prosecutions.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Philip.

SENATOR PHILIP:

Well, I'm not certainly an expert on divorce, I've had a few in my short checkered career; and I'm going to tell you one thing, if this doesn't leave a man at a disadvantage, I don't know what does. Now, you've got everything you've worked for all your life and you may not be wrong, she may be wrong, you know, and she files the complaint on rape, they got you. And you're going to have to give in and give her everything you've worked for your whole entire life. Now you know that happens. That goes on in courts all the time with lawyers. They're always ready to make a deal and...and I'll tell you one thing, any man that votes for this ought...ought to take a second think and look. This is a very dangerous thing. It'll have a terrible affect on those divorce proceedings.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, Mr. President and Ladies and Gentlemen of the Senate, would the sponsor yield?

PRESIDING OFFICER: (SENATOR BRUCE)

Indicates she will yield. Senator...Senator Geo-Karis.

SENATOR GEO-KARIS:

As you know, we had an understanding with Senator...Sangmeister, who was the chairman of the Judiciary II, and Senator Bloom, the minority spokesman, and myself, that this bill would be held in a Conference Committee Report until the fall so we can make some more improvements. Now, I believe you mentioned earlier that...now I think the...the picture has changed from what Senator Sangmeister has said. Now, do you have a commitment from the President of the Senate that if we have amendments, more amendments to come in with to this bill in the fall season or up to the time that you have the date effective of July 1, 1984, is that correct? Do you have a commitment from the President of the Senate, and I believe he's in his seat or was, that he will permit us to bring in any amendments even though we might be in a budget Session?...permit us to bring these amendments and offer them on the bill, because I'll tell you...give me your answer first, then I'll speak.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Netsch.

SENATOR NETSCH:

Yes, the answer is, I have such a commitment, and I would also like to say so that there's no misunderstanding about this, Senator Geo-Karis, while I understand the discussion that Senators Bloom and Sangmeister had, I was not a party to it. I am the sponsor of the bill and it was always my intention that we would address those particular concerns and have a Conference Committee reported on now; but in any event, if in this period either between now and the fall or now and

next spring there are any problems that are brought to light, and I don't think that is very likely given the several hundreds of hours that have been spent in pouring over this bill, we have Senator Rock's commitment that we will be given the opportunity to address them.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, there's no doubt there's been a lot of good work done with this bill. I'm not going to oppose it, but I do want to bring up something. I have a copy of a letter here today that was mailed June 29th from the Illinois State's Attorneys' Association...concurring with us that they would deem it best, for example, to defer consideration of the bill until the fall of '83, to allow adequate time to fully explore its ramifications. However, I'm not going to insist on that. I'm going to vote for the bill today based on the representations made my Senator Netsch that we will be able to bring in amendments. One of the things that I have constantly opposed is a minimizing of the crime of rape. Rape is a horrible crime. A traumatic crime. A crime of great force and violence. There's no such thing as a little rape. It's like pregnancies, I've said before, there's no such thing as a little pregnancy; and somehow we're going to have to find an amendment, and I'll be glad to do it if...I have the time, which we will have with the waiting period, to put a section in there to define rape the way it should be in the criminal Statute. The women's movement should be commended for the last five years, because through them they have magnified the very horror of that horrible crime of rape, and I...I...I really commend them for it. People know what you mean now when you say rape. They don't always know what you mean when you say criminal sexual conduct...criminal sexual assault,

'cause I've tried it on some of my constituents and they thought what's that, but when I said rape they knew immediately. So, based on the promise of the sponsor and the President, who has been sitting in his seat agreeing as I saw him, I will support this bill at this time, and also based on the fact that my state's attorney is going to make some suggestions for amendments, based on the fact that the state's attorney of Rock Island County, who was here the other day and I gave him copies of the bill and everything that went with it, is also going to be letting me know just what changes should be made 'cause he's had ten years experience trying these cases. I've had experience trying these cases and, therefore, I will support the bill and I urge everyone else to support it so that we can get it on the books since it's not going to be effective 'til July 1, 1984 and since we can make amendments until then.

END OF REEL

REEL #4

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I urge support for the first Conference Committee report on House Bill 606, and I wish to publicly thank Senator Sangmeister and apologize to Senator Bloom. The suggestion that the effective date be delayed was mine, and let me give you the reason because it's just exactly as Senator Geokaris pointed out. I will cause once the...the bill is enrolled and engrossed, I'm going to send one to every one of the hundred and two state's attorneys and point out the fact that the effective date is next July, and encourage each and

every one of those elected officials and the bar associations to report back to us by October when we come back here. So, that if, in fact, there is something that someone is concerned about, we can can and will address it. To hold it on the Calendar simply did not carry with it, I suggest, that sense of urgency that will be created now. I think the bill is...is worth a try and I urge an Aye vote, and I will make sure that all concerned are properly notified and that we can have their proper response so that we make sure that this most progressive Statute is given its just due.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Bloom.

SENATOR BLOOM:

Well, I guess you can gather from what transpired, I...I think it's unfortunate no one can argue...no one can argue with the goals of this bill, and I think many of the prior speakers know that and we have spent a lot of time on it. I think you can gather from the tenor of the remarks that unfortunately politics has entered into this somewhat, and it's really unfortunate, 'cause I don't think anyone in...I take that back...I think most of us in this Chamber have not read this bill and our constituents haven't read this bill, they don't know what's in the bill. The people expect us to do what's right and to analyze and to exercise our judgment on their behalf. There are major changes. Today, one of the staffers pointed out the way the word coercion could be read; that arguably, under this kind of language coercion could include sexual harassment and in certain circumstances could be turned into Class X. Those kinds of bombs are there. I'm concerned...I'm concerned that we may pass another machine gun bill but the die is cast. It's unfortunate, as I said, that politics has entered into this, because what were doing today will probably be to pass a bill that's almost right, if one accepts the arguments of the proponents. And I don't

think we do ourselves any well or any good as an institution. I've talked with my prosecutor and told him what was done. I accept the apology but, unfortunately, I don't think that we're going to do ourselves any good by doing this; and most of all, I don't think we're helping the class of people that we're trying to help, because as I said at the beginning of my remarks, no one can argue with the goal of this bill and that's why all of us...all of us spent so much time. I'm not going to vote against this bill because that can be interpreted by certain people who are zealous in their beliefs as somehow being against them, but I'm going to vote Present; and those of you who are concerned...who are concerned that we may be confronted with a machine gun bill, as happened the last Session, I would suggest that the wisest course at this stage would be to vote Present. Thank you, very much.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator D'Arco.

SENATOR D'ARCO:

Mr. President, I rise in support of the bill. It should be known by the Body that because of the delayed effective date, nobody would be tried under this bill until after July 1, 1984. So, anybody who is accused of a crime from this time...to July 1 will be tried under the old law which is very good, because if there are problems with this bill we can correct them in a year. Senator Philip brought up an interesting point. He said a...a wife could use this as an...negotiating tool in a divorce proceeding. In other words, he's saying she could tell her husband, I will drop the indictment against you for rape if you give me more marital property than is presently being offered in this deal. That's possible. I'm not saying that's not possible, because that is possible, but if you look at the other side of the issue, what happens if a husband does, in fact, rape his wife? What recourse does the wife have under the present

law? She has none, because under the present law it's prohibited. So, we have to weigh these situations and do what we think is right, and we've got a year to think about it. So, I rise in support of this bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Collins.

SENATOR COLLINS:

Yes, thank you, Mr. President and members of the Body. I did not intend to rise, Senator Netsch, on this bill, but do I think, for the record, that I...I should. It is an issue that spousal rape especially is an issue that I introduced in this Body about five years ago, and I have continued to introduce that bill and it, in fact, passed this Chamber and was stalled in the House. I think the most significant point about this bill no matter what other problems we may have with it is that the intent is clear, and it does have some safeguards to avoid many of the...the problems that have been raised and there is time left to work out those other problems; but I think if we put this bill into law, then those who are really serious about the fact of trying to get some convictions for the hideous crimes of rape will then seriously begin to work on trying to get an effective law before this bill become into effect. This is the only way that I think we can get that sincere effort and, therefore, I will move to concur.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Further discussion? Senator Netsch to close.

SENATOR NETSCH:

Thank you. Just one response to Senator Geo-Karis' point, it is true that Mr. Petka has written a letter on his own behalf, he is a state's attorney; but I would also remind you that Mr. Dozier, who is a state's attorney of McLean County and the president-elect of the State's Attorneys'

Association, has written a letter supporting House Bill 606. I had distributed that to you earlier. I think that is very indicative and the State's Attorneys' Association has not taken a position in opposition to this bill. It rejected motions to do so on two occasions. Just briefly in closing, we have talked about this before, it is a major piece of legislation, it is an important piece of legislation. It is in many respects a very tough bill. It closes a number of gaps in the spectrum of sex offenses, but it also is a modern one. It recognizes that there....rape is not just simply one act by a husband against a wife against her will which is the old-fashioned definition. It recognizes that there is a large spectrum of sex offenses which have not been effectively covered in the past and which should be effectively covered. This bill will do it. I urge your Aye vote.

PRESIDING OFFICER: (SENATOR BRUCE)

Question is, shall the Senate adopt the first Conference Committee report on House Bill 606. 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 50, the Nays are 1, 8 voting Present. The Senate does adopt the first Conference Committee Report to House Bill 606, and the bill having received the required constitutional majority is declared passed. Senator Rock, for what purpose do you arise?

SENATOR ROCK:

Thank you, Mr. President. Ladies and Gentlemen of the Senate, it appears it will be a long, long evening. The appropriations people, I'm told, are still meeting. There is...there are a number of pieces of paper that have to flow between the Houses. I am going to suggest that we take a Recess and afford the members an opportunity to grab a bite to eat. I would move that we stand in Recess for one hour.

PRESIDING OFFICER: (SENATOR BRUCE)

...okay. The motion is we stand in Recess for...for one hour, until seven o'clock. Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President, before we go any further...Ladies and Gentlemen of the Senate, if the Appropriations Committee is tied up that long, why don't you just give us an hour and a half. By the time we go out to get something to eat, we don't have time to get back.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Rock.

SENATOR ROCK:

Senator, all I wanted to do was afford...the Conference Committee reports are now starting to be filed. I just wanted to afford the membership an opportunity to have their reports heard. Seven-thirty is fine with me.

PRESIDING OFFICER: (SENATOR BRUCE)

Alright. Move that we Recess until the hour of seven-thirty. Senator Schaffer.

SENATOR SCHAFFER:

Senator Rock, Senator Sommers and I have been sort of sitting around here all afternoon wondering whether Republicans were going to be involved in the process or not. Can we go out for dinner or...or what should we do? I mean, within the realm of reason. I don't want to give you too broad an option there.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Rock.

SENATOR ROCK:

That, I assume, was a rhetorical question, Mr. President...yeah.

PRESIDING OFFICER: (SENATOR BRUCE)

Alright...motion is that we stand in Recess until the hour of seven-thirty. On the motion, those in favor say Aye. Opposed Nay. The Ayes have it. The Senate stands in Recess

until the hour of seven-thirty.

RECESS

AFTER RECESS

PRESIDENT:

The Senate will come to order. If you'll turn to your Supplemental Calendar, we'll begin where we left off. The Chair has just been advised that the House has taken action on one of our Conference Committee reports and so we have to take remedial action. Turn to page 2 on the Calendar, there's a Conference Committee report on House Bill 1178. Senator Bruce.

SENATOR BRUCE:

Thank you, Mr. Chairman. The House has already rejected the first Conference Committee report on...they got 60 votes but they needed 71, so we're back into a second Conference Committee already. So, I would move that we do not adopt the first report and go to the second Conference Committee.

PRESIDENT:

Alright. The question is, shall the Senate adopt the Conference Committee report on House Bill 1178. 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 13, the Nays are 12, 3 voting Present. The Senate does not adopt the Conference Committee report on House Bill 1178, and the Secretary shall so inform the House. Senator Bruce...Senator Bruce requests the appointment of a second Conference Committee. Senator Lenke.

SENATOR LENKE:

Senate Bill 702. I ask that the...we do not accept the first Conference Committee report.

PRESIDENT:

Alright, wait till I find it. Yes. Page 8 on the Calendar, the first Conference Committee report on Senate Bill

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702, Mr. Secretary, on the regular Calendar. The question is, shall the Senate adopt the...Conference Committee report on Senate Bill 702. 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 10, the Nays are 11, 9 voting Present. The Senate...the Conference Committee report is not adopted, and the Secretary shall so inform the House. Senator Lenke requests the appointment of a second Conference Committee. Alright, back on page 1 on the Supplemental Calendar...Supplemental Calendar No. 1 on page 1, we left off at House Bill 643. For the information of the membership, the conferees on appropriations are sitting in my office. So, if there is need to find Senators Schaffer, Sommer, Carroll or Buzbee, that's where they are. On the Order of Conference Committee Reports, Conference Committee report on House Bill 643, Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. The House has adopted this Conference Committee report. There was a problem in the report concerning the Department of Law Enforcement's ability to check on identifications for conviction of people that apply to the Department of Reg. and Ed. as security guard personnel. It was...the language was much too loose. It...it allowed corporations and units of local government to receive this information. Nobody wanted that so the language in the Conference Committee report strictly limits this information to the Department of Registration and only for the purpose of meeting the requirements for licensure, and then the files would only be disseminated to people who were empowered to receive these files. I don't know of any opposition to this report, and I would ask that it be adopted.

PRESIDENT:

Any discussion? Is there any discussion? If not, the question is, shall the Senate adopt the Conference Committee report on House Bill 643. 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 none, none voting Present. The Senate does adopt the Conference Committee report on House Bill 643, and the bill having received the...required constitutional majority is declared passed, and having received the affirmative vote of three-fifths of the members elected is effective immediately upon becoming a law. On the Order of Conference Committee Reports, Conference Committee report with respect to House Bill 645. Senator Darrow.

SENATOR DARROW:

Thank you, Mr. President. Ladies and Gentlemen of the Senate,...House Bill 645 provided for license plates for former prisoners of war. When it came over here, Senator Vadalabene put on an amendment which provided that the survivors of Pearl Harbor should have personalized license plates also. Unfortunately, we made an error in not designating that only the American side of the Pearl Harbor attack could have personalized license plates, and Representative DiPrima objected to the fact that perhaps the Japanese survivors of Pearl Harbor could have license plates and, therefore, they would not accept our amendment. On this Conference Committee report we have straightened that problem out to specify that you had to be a member of the United States Armed Forces. We've also provided for personalized license plates for pickup trucks and, furthermore, special license plates for fire...volunteer firemen. This committee report has already been adopted by the House, and I'd ask for a favorable roll call.

PRESIDENT:

Discussion? Discussion? Senator Lemke.

SENATOR LEMKE:

What did you do with allied troops? In other words, you know, during the war we had people that didn't belong to the American Army, but we had people that were attached to it from various countries like Poland and France and Italy and Czechoslovakia and that. I want to know if we...if this is going to cover that or what.

PRESIDENT:

Senator Darrow.

SENATOR DARROW:

With regard to the Pearl Harbor survivors, the language is, "Any present or former member of the United States Armed Forces who is a Pearl Harbor survivor, as identified pursuant to criteria as determined by the Secretary of State."

PRESIDENT:

Discussion? Further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

On the volunteer firemen, are we going to allow them special plates at...at a fee, Senator, or is that...

PRESIDENT:

Senator Darrow.

SENATOR DARROW:

They are not getting free plates, they have to buy their plates and pay the same as if they were buying their plates for their cars.

PRESIDENT:

Senator Schuneman.

SENATOR SCHUNEMAN:

Well, now that we're taking this great step, what...what about volunteer ambulance drivers? What...what about the den mothers, what are we going to do for them? You know...

PRESIDENT:

Senator Darrow.

SENATOR DARROW:

Well, I...I assume that some enterprising Representative from a downstate rural county will come in with an amendment to do that next spring.

PRESIDENT:

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

SENATOR DARROW:

I again state that this Conference Committee report was adopted by the House or Representatives. I'd ask for a favorable vote.

PRESIDENT:

The question is, shall the Senate adopt the Conference Committee report on House Bill 645. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 45, the Nays are 4, 1 voting Present. The Senate does adopt the Conference Committee report on House Bill 645, and the bill having received the required constitutional majority is declared passed, and having received the affirmative vote of three-fifths of the members elected is immediately effective upon its becoming a law. Senator D'Arco. On the Order of...Conference Committee Reports, there's a Conference Committee report on House Bill 647. Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. Chairman...I mean...

PRESIDENT:

That's a different hat, John.

SENATOR D'ARCO:

This bill...no, this bill allows park districts participating in joint recreation programs to levy a tax to fund their portion of the retirement cost for persons employed in such programs. The amount of the tax cannot exceed the

amount that the district contributes to the IMBF Pension Fund for their employees. It also provides that the interest charge for making late payments to the fund is increased from one-half to one percent. In the Chicago Teachers' Retirement System it allows teachers' organization salaries to be based on actual salary rather than the regular salary of a teacher. I don't know of any...I'm sorry, Senator Schuneman and I have discussed...have discussed a portion of the bill that deals with the...with the park district portion of it, and there is some discussion on that part of it, and I would yield now to Senator Schuneman.

PRESIDENT:

Senator Schuneman.

SENATOR SCHUNEMAN:

Well, I simply want to point out, Mr. President, that this is an increase in the right to levy taxes by park districts. Now, admittedly, the amount of money that is involved in this particular need for tax money is...is obviously rather small. I think we have to, however, look at the principle of whether or not we should be again increasing the right of local units of government to...to levy additional taxes on...on property owners without going to referendum. There is one other problem with this bill, and that is that the portion of it that deals with the Chicago teachers does not have exemption to the State Mandates Act. So, to whatever extent that bill may be a mandate on the part of the State Government, the State may have to pick up the cost. So, you've got two problems in this bill...the bill is opposed not so much by me as it is by the Taxpayers' Federation of Illinois that brought the increase in the levy to my attention. So, I really think we ought to send this back and take that particular section off, put the...State mandates exemption on the bill and bring it back here and approve the rest of it.

PRESIDENT:

Further discussion? Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. I wanted to address myself to that point also, and...and a question, I guess, to Senator D'Arco. When I saw this section, I assumed it meant that the authority to levy the extra tax was with respect only to the pension costs of the employees referred to in the section. Although, because I don't have all the prior sections, I'm not sure I can tell exactly how many we are talking about or who they are or what they are doing. First of all,...is that correct up to that point?

PRESIDENT:

Senator D'Arco.

SENATOR D'ARCO:

Yes, that is correct.

PRESIDENT:

Senator Netsch.

SENATOR NETSCH:

Could you identify what employees these are and what they're doing? There's a reference here, for example, to a fund and some aforementioned references which are hard to trace. Can you identify who these employees are?

PRESIDENT:

Senator D'Arco.

SENATOR D'ARCO:

These are employees of park districts under a...a recreational program agreement that deal with handicapped people in recreational...providing recreational services for handicapped people. Now, this is a joint agreement among very...among the park districts to do this.

PRESIDENT:

Alright. Further discussion? Further discussion? Senator D'Arco may close.

SENATOR D'ARCO:

Alright, the...the...to address Senator Schuneman's question about the State Mandates Act, there is a provision in the bill that the employer contribution would be picked up by the teachers' organization. So, the State Mandates Act would not apply in...in this particular...the cost would be picked up by the teachers' organization, so the State wouldn't have to pay any additional costs. We can argue the philosophy about whether this...this tax is good or not. The total cost of the tax is a hundred and ninety thousand dollars. It's for park districts that deal in recreational programs under a...a joint agreement to provide services for handicapped people for recreational purposes. I think it's a good bill, and I would ask that we adopt this Conference Committee report.

PRESIDENT:

The question is, shall the Senate adopt the Conference Committee report on House Bill 647. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 19 Ayes and 30 Nays, 1 voting Present. The Conference Committee report is not adopted, and the Secretary shall so inform the House. Senator D'Arco requests the appointment of a second Conference Committee. Top of page 2, Senator Macdonald. Conference Committee report on House Bill 691. Senator Macdonald.

SENATOR MACDONALD:

Thank you, Mr. President. This report recommends that the Senate recede from Senate Amendments 1 and that the bill be further amended to make technical corrections and to add an amendment to the State finance concerning Domestic Violence Shelter and Service Fund. In terms of Amendment No. 1 which was technically incorrect, we corrected that amendment

and then we did add this Domestic Violence Shelter and Service Fund, and everyone signed off on this bill, and we ask for your concurrence on the first Conference Committee report on...

PRESIDENT:

Any discussion? Discussion? Senator Lechowicz.

SENATOR LECHOWICZ:

One question, Mr. President, if I may.

PRESIDENT:

Sponsor indicates she'll yield, Senator Lechowicz.

SENATOR LECHOWICZ:

In the counties over five hundred thousand, where's this money generated for the Domestic...Violence Shelter and Service Fund?

PRESIDENT:

Senator...

SENATOR LECHOWICZ:

How do they get...where do they get the money from?

PRESIDENT:

...Senator Macdonald.

SENATOR MACDONALD:

From marriage license fees in the county.

PRESIDENT:

Any further discussion? Further discussion? If not, the question is, shall the Senate adopt the Conference Committee report on Senate...House Bill 691. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 51, the Nays are none, none voting Present. The Senate does adopt the Conference Committee report on House Bill 691, and the bill having received the required constitutional majority is declared passed. House Bill 700. Senator Schaffer is working on the appropriations. Is there leave to get back to

that when he gets back on the Floor? Leave is granted.
House Bill 1045, Senator Marovitz. Conference Committee
report on House Bill 1045, Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the
Senate. I would move that the Senate adopt Conference
Committee Report No. 1 to House Bill 1045. It had the amend-
ment on there drafted by the Farm Bureau which I read into
the record at the time of concurrence, and which has now been
added to the bill, and the amendment specifies that agricul-
tural workers do not include individuals whose principal
occupation is not agricultural employment. And it's been
agreed to by everyone. It was drafted by the Farm Bureau. I
think it takes care of everybody's problems, and I would just
ask for adoption of Conference Committee Report No. 1 to
House Bill 1045.

PRESIDENT:

Discussion? Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President and members of the Senate. Just
for the record, I want to make it perfectly clear that
although the Farm Bureau did draft the amendment they remain
neutral on the bill.

PRESIDENT:

Further discussion? Senator Bloom.

SENATOR BLOOM:

Is there a reason why Senator Rigney and Senator Coffey
did not sign the Conference Committee report? I note that
both Senator Rigney and Senator Coffey are in their chairs.
Perhaps they could enlighten us.

PRESIDENT:

Senator Rigney.

SENATOR RIGNEY:

Well, first of all, I would have to agree with the

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sponsor. I think the amendment that has been added on, in effect, will kind of exempt out the bean walkers that we were talking about the other night since those people, their...their primary job is not one of agricultural employment. I did not sign the report because, frankly, I remain opposed to the principle of the bill involved here. I'm going to cast a No vote on it and merely leave it at that.

PRESIDENT:

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

SENATOR MAROVITZ:

I would really ask...there's been a lot of work done on this bill. Senator Vadalabene introduced Sister Loletta from...from...from Our Lady of Lords, and she was here strictly for this bill. She had to go home. This is very...an important bill. I think we've compromised and done everything that everybody wanted, and I would ask for an affirmative roll call.

PRESIDENT:

The question is, shall the Senate adopt the Conference Committee report on House Bill 1045. 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 40, the Nays are 17, none voting Present. The Senate does adopt the Conference Committee report on House Bill 1045, and the bill having received the required constitutional majority is declared passed, and having received the affirmative vote of three-fifths of the members elected is effective immediately upon its becoming a law. Senator Watson. On the Order of Conference Committee Reports, there's a Conference Committee report on House Bill 1264. Senator Demuzio. Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. I move that the Senate adopt Conference Committee Report No. 1 to House Bill 1264. The original legislation amended the Psychologist Registration Act to require that all psychologists in an association or...partnership hold a valid existing certificate of registration. It authorized the Department of Registration and Education to censor and reprimand registered psychologists in addition to suspending or revoking their registration. The House concurred with Senate Amendments No. 1, 2 and 4, and these amendments add some clarifying language and then change the membership of the advisory board. The House concurrence was a 109 to 1. But the House refused to concur with Senate Amendment No. 3 which allowed the department to approve curriculum instead of programs. Senate Amendment No. 3 is no longer in the legislation. Now, we've added some substantive change that I think should be definitely brought to the Senate's attention. This...the first language is part of the Optometric Act. Now let me make perfectly clear from the very beginning that this is not the...topical ocular drugs which we have debated on this Floor several different times. This is not that language. The language that is in this particular Conference Committee is the same language that was in House Bill 952 which passed 112 to nothing, and Senate Bill 1075 which passed 55 to 1. The language...let me just spend some time on this particular amendment. The...the subject matter is supported by the Department of Registration...and Education and the Optometric Examining and Disciplinary Committee and its association...its State association. It changes the date that the department begins administering and enforcing the Act from the dedicated fund to the current Act from July 1, 1983, to July 1, 1985. There simply will not be sufficient money in the fund until after the next licensing cycle to operate the fund, so we want to extend that...that deadline. It changes the grounds for discipline

by deleting unconstitutional or frivolous advertising restrictions and adding as reasons for discipline, unprofessional conduct, incompetence, mental...instability as proven in court and failure to perform a minimum eye exam. Deletes reference to reinstating licenses and provides for a mechanism of restoration. It adds language for an inactive status license to the Act, which among other benefits for the licensee allows a person to retire his license and not be responsible for continuing education. There are several technical changes in the Act. It increases the penalty under the Act for violations from a petty offense to a Class A Misdemeanor. It adds contact lenses to the definition of optometry. It reinstates language in the Illinois...in an Illinois Supreme Court decision that a manufacturer or fabrication of lenses is not the practice of optometry as described in Section 3 of this Act. This subject matter will simply allow the department to more efficiently enforce the Act and to begin administration from the dedicated fund when there's money available in the fund to do so in 1985. Now, additional language. Two pieces of legislation were introduced, House Bill 402 and Senate Bill 818. I was the sponsor of Senate Bill 818 and Representative Mautino was the sponsor of House Bill 402. We heard Senate Bill 818 in the Pensions and Licensed Activity Committee, and it was held there because of pending negotiations that was going on between the plumbers union in Chicago and the downstate plumbers. There...they...they had problems with the legislation, but we decided to hold Senate Bill 818 in committee and allow House Bill 402 to be a part of the negotiations between the downstate plumbers and the...and the Chicago plumbers. The laborers also had problems with the legislation. Since that time, there's...constant negotiations have been going on and we have reached an agreed amendment between the...the two factions...actually three factions. I would like to spend some time discussing this

particular amendment. This...the actual amendment clarifies the definition of plumbing. It states that all plumbing must be installed by licensed plumber...plumbers. The current law is unclear as to where the plumbing of drainage ends. This legislation clarifies that the building drain ends five feet beyond the foundation walls, that's the building drain or the plumbing drain. At this point, the piping becomes the building sewer. The building sewer is not plumbing and does not have to be installed by a licensed plumber, but installation must meet the State Plumbing Code. There's currently no code requirements for building sewers. The tap of a water main, all connections and piping is to be done by a licensed plumber. It is currently unclear if the waterline from the property line to the waterline...to the water main, excuse me, is plumbing. This change is of concern to municipalities, and we have tried to address their concerns. The Illinois Municipal League has some concerns with the legislation, but I'd...like to read into the record that the intent of this legislation is not to change the current practices of operating municipal water systems nor it is...is it not to change the current practices concerning water meter installations. The Municipal League has some problems with that language and with that concerns, and I want to read into the record the intent of the legislation is not to affect those areas. The legislation also clarifies terms and practices for sponsors and apprentice plumbers. An apprentice plumbing license will not be renewed after six years. This is an agreement that was made between the industry and the unions. An additional member representing labor is to be added to the current nine-member Plumbing Code Advisory Council, and this council advises the Department of Public Health in rule making. This legislation is...was introduced primarily through the efforts of the Department of Public Health because of the jurisdictional problems concerning plumbing

and plumbing sewers and plumbing drains. I have with me a couple of designated hitters who, hopefully, will be able to help answer any questions that you might have in regard to this legislation, and I'll be glad to take any questions at this time.

PRESIDENT:

Discussion? Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. Will the gentleman yield to one question?

PRESIDENT:

Indicates he will yield, Senator Lechowicz.

SENATOR LECHOWICZ:

The front portion of this Conference Committee dealt with your last subject matter in reference to the plumbing and the plumbing licensing laws between what they can do and what laborers can do. Is Mr. Breyback and Mr. Cummero now in favor of this Conference Committee report as submitted?

PRESIDENT:

Senator Watson.

SENATOR WATSON:

Yes, from what we understand, he is.

PRESIDENT:

Further discussion? Senator Newhouse.

SENATOR NEWHOUSE:

Sponsor yield to a question?

PRESIDENT:

Indicates he'll yield, Senator Newhouse.

SENATOR NEWHOUSE:

The language that regulates the plumbers, is that preemptive? Does it preempt the city's power to regulate?

PRESIDENT:

Senator Watson.

SENATOR WATSON:

You're talking about a home rule community such as the City of Chicago?

PRESIDENT:

Senator Newhouse.

SENATOR NEWHOUSE:

Yes.

PRESIDENT:

Senator Watson.

SENATOR WATSON:

I understand that there's specific language in the Act to allow Chicago to run its own program.

PRESIDENT:

Senator Newhouse.

SENATOR NEWHOUSE:

Could you...could you...could you read that language, please, Senator?

PRESIDENT:

Senator Watson.

SENATOR WATSON:

It's not in the...the current bill we have now, it's in the Act already, and this is just for Chicago, any other home rule community this does preempt.

PRESIDENT:

Alright. Senator Newhouse.

SENATOR NEWHOUSE:

So...so...do...do you have that section with you? I'd like to just come over...I don't doubt your word, Senator, I just...I simply want to be assured before we vote.

PRESIDENT:

Alright. Further discussion? Senator D'Arco.

SENATOR D'ARCO:

Well, Mr. President, obviously, if that is true, the City of Chicago would not have any opposition to it, but I think it's such an important issue that maybe we should take it out

of the record for the moment and show us the section that applies, and we'll be happy over here.

PRESIDENT:

Senator Watson.

SENATOR WATSON:

Could we have leave to come back to this?

PRESIDENT:

Sure. Take it out of the record, Mr. Secretary. Senator Bruce. On the Order of Conference Committee Reports is a Conference Committee report on House Bill 1789. If I can have the attention of the membership, Carol Fowler from WCIA-TV has requested permission to videotape. Is leave granted? Leave is granted. Senator Bruce.

SENATOR BRUCE:

Thank you, Mr. President. I'm...I'm...my motion will be to accept the first Conference Committee report on House Bill 1789 as amended, and the amendment is a...is a fairly significant one. It allows a one-time increase for retirees in the State employees, State universities, downstate teachers and Chicago teachers' systems of ten cents for each year of service. Ten cents per month times the number of credible service years. It increases the...survivor's benefits by one-half of one percent for each year that has lapsed prior to 1-1-82. The cost of this program will not kick in. It is a established class. This is a one-time increase. The oldest people will get the largest increase, and the annual loss and cost will decrease very rapidly as those people die. And the current employees will get absolutely nothing from the bill; they have to have retired before 1978 to receive any benefit from this legislation. I ask for your favorable vote.

PRESIDENT:

Discussion? Discussion? Senator Fawell.

SENATOR FAWELL:

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

PRESIDENT:

Indicates he'll yield, Senator Fawell.

SENATOR FAWELL:

Senator, according to our analysis, you have added a State mandates exception...exemption, which is...which is fine except that a...it says that the exemption should only be directed to the...provisions...proposed to the Chicago Teachers' Article, because what you have done is you have included the State finance systems, and...you can't exempt the State from a State finance system, I don't think. Can you comment on that?

PRESIDENT:

Senator Bruce.

SENATOR BRUCE:

The language is on page 30 of the amendment, and it's very clear. "Any increased cost of a local government attributable to this Amendatory Act of 1983 are not reimbursable by the State." I am told that...by the Reference Bureau that that is in the State Mandates Act and that clarifies that within this Act any additional costs are not reimbursable, and that certainly is the legislative intent. The Reference Bureau was asked to draw up language that would make this not reimbursable, and that is the language they have given us.

PRESIDENT:

Senator Lechowicz.

SENATOR LECHOWICZ:

One question, Mr. President. What will this cost the Chicago Teachers' Pension Fund or the backs of the taxpayers?

PRESIDENT:

Senator Bruce...Senator Bruce.

SENATOR BRUCE:

The annual cost, I am told, of this program will be four

million dollars. 4.1 million to be exact. The...the fund last year, I am apprised, had a significant increase in earnings from investments. The State employees, State university, downstate teachers also are in the program.

PRESIDENT:

Senator Lechowicz.

SENATOR LECHOWICZ:

Well, that may be true...that they had a good year last year, but if they don't have a good year, doesn't that come back from the real estate property tax owner?

PRESIDENT:

Senator Bruce.

SENATOR BRUCE:

My Chicago colleague, Senator Savickas, indicates that that is correct, that it...it is a...you pay yours through a levy.

PRESIDENT:

Senator Lechowicz.

SENATOR LECHOWICZ:

That's enough for me.

PRESIDENT:

Further discussion? Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. I reluctantly rise to oppose this Conference Committee report. This increase of ten cents a month is a very costly one even though there's a cap of a hundred dollars a month on it. The total that could accrue is up to twelve hundred dollars a year, and the...actual cost to the system, the State employees it would cost...4.1 million; the State universities, 1.5; the downstate teachers, the actual cost to the...Downstates Teachers' Pension System would be 13.7 million, and the accrued liability would be a hundred and ten million. To the Chicago teachers' system it would be 4.1 million, the accrued liability, 27.5. It's very

unfortunate that we have this bill coming before us at this late hour, and if it was presented in my committee, there's no question it would have been defeated and it should be defeated now.

PRESIDENT:

Further discussion? Further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. Simply to point out, as Senator D'Arco did, that the annual cost is very, very high, but take a look at what the cost would be over the life of this provision. If you add up the unfunded accrued liability for each of the systems, you've got a total cost over the life of a hundred and seventy-five million dollars.

PRESIDENT:

Further discussion? Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. As I understand it, this is applicable to the downstate teachers' system, to the Chicago teachers' system, to the State employees' system and any others, Senator Bruce, and if so...university, right. I don't think we heard separate costs, or at least I did not, on State employees and university. Do you have those figures?

PRESIDENT:

Senator Bruce.

SENATOR BRUCE:

The annual cost to State employees is four million. The annual cost for university employees is 1.5 million. Downstate teachers, just to get it all in the record, is 13.7, Chicago teachers is 4.1.

PRESIDENT:

Alright. Any further discussion? Further discussion? Senator Bruce may close.

SENATOR BRUCE:

Well, what we're talking about is a ten cents per month for each year of credible service. It...it is not a great deal. It allows the people who have been retired before 1978 a one-time increase. It also increases survivor's benefits of one-half of one percent. I believe that the...the class of people covered by this is declining. We should see the cost go down each year, not increase as some people have said. I would ask for your favorable vote.

PRESIDENT:

The question is, shall the Senate adopt the Conference Committee report on House Bill 1789. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 20 Ayes, 27 Nays, none voting Present. The Conference Committee report is not adopted, and the Secretary shall so inform the House that Senator Bruce requests the appointment of a second Conference Committee. 1835, Senator Sommer, too, is working on the appropriations. Is there leave to get back to that one? 1955, Senator Kustra on the Floor? The middle of page 2. No. Senator Schaffer is still off the Floor. 228, Senator Lenke. Conference Committee report on Senate Bill 228. No, take the first two off. Conference Committee report on Senate Bill 228. Senator Lenke.

SENATOR LENKE:

What Conference Committee report on Senate Bill 228...I'd like to adopt it. What it does is adds to there the bill we passed out of here, which is Senate Bill 226, which is a bill that we...has been agreed to as far as the extension of six months group benefits. It's been agreed to by the group insurance carriers, the employers and the unions. I think it's a good bill and I ask for its adoption...adoption of the Conference Committee.

PRESIDENT:

Discussion? Senator Keats.

SENATOR KEATS:

Thank you, Mr. President. I've been working with Senator Lemke on this bill, you know, for several months now. It's a pretty good Conference Committee report. It does deal with a legitimate problem, the employee has got to pay the bill himself. I think it's a fair solution to a legitimately serious problem, and I would urge an Aye vote.

PRESIDENT:

The question is, shall the Senate adopt the Conference Committee report on Senate Bill 228. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 51, the Nays are none, none voting Present. The Senate does adopt the Conference Committee report on Senate Bill 228, and the bill having received the required constitutional majority is declared passed, and having received the affirmative vote of three-fifths of the members elected is effective immediately upon its becoming a law. 492, Senator Rupp. Alright. Senator Rupp, on 492.

SENATOR RUPP:

That bill has been defeated in the House...the Conference Committee, rather, and I ask that another Conference Committee be appointed.

PRESIDENT:

Alright. The question is, shall the Senate adopt the Conference Committee report on Senate Bill 492. Those in favor vote Aye. Opposed vote Nay. The voting is open. Take the record. On that question, there are 13 Ayes, 19 Nays, 0 Present. The...Conference Committee report is not adopted and the Secretary shall so inform the House, and Senator Rupp requests the appointment of...second Conference Committee.

*HB 1264
Conf. Comm. Rep.*

Senator Watson,...did you indicate you're ready to go? Middle of page 2 on the Supplemental Calendar is a...Conference Committee report on House Bill 1264, which was previously discussed. Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. On page 20 of the Conference Committee report on House Bill 1261 there is line 18 through 20 says, "except as may otherwise be provided within and pursuant to provisions of...Section 16 of this Act." And Section 16 of this Act exempts communities over five hundred thousand. This should satisfy the concerns of Senator Newhouse and others that brought this up.

PRESIDENT:

Senator Fawell.

SENATOR FAWELL:

Just a point of inquiry. Are...are you on 1264 or 1261?

PRESIDENT:

1264.

SENATOR FAWELL:

1264. Oh, I'm sorry, I thought you said it was 1261.

PRESIDENT:

(Machine cutoff)...Watson.

SENATOR WATSON:

Are there any other questions? Otherwise, I move for the adoption of Conference Committee Report No. 1 to House Bill 1264.

PRESIDENT:

Senator Keats.

SENATOR KEATS:

...a question of the sponsor.

PRESIDENT:

Indicates he'll yield, Senator Keats.

SENATOR KEATS:

In 1264 you got three to four different parts. This is

the one that allows a psychologist who holds a plumbing union card can now fit eyeglasses less than five feet from the wall underground, unless he works in Chicago, that's a home rule unit and then he needs...then he needs two years in continuing education. I...I appreciate it. Actually, part of the bill is not bad, but I do have to concede that I don't know that we need to put into the Statute that...the five feet and less on the Plumbing Code, and I...I really don't think that plumbers should fit eyeglasses. I just don't think we should allow that.

PRESIDENT:

Senator Bloom.

SENATOR BLOOM:

Yes, Frank...Senator Watson, on page 7...if I understand the language from lines 10 through 17, basically, it's saying the city can only hire...only licensed plumbers can do inspection for cities. Thank you. The lights have gone down, it's more intimate and family-like, and it's as it should be, yes. Is that not correct? Basically, only licensed plumbers. I mean, this is what the language says. I appreciate your remarks earlier when the bill was before us, but it says, "The inspection of plumbing and plumbing systems shall be done only by the sponsor, who is a...turns out to be a licensed plumber or his agent who shall be an Illinois licensed plumber." Nothing contained shall prohibit licensed plumbers or licensed apprentice plumbers, et cetera, from inspecting, altering and things like that. But is...

PRESIDENT:

Senator Watson.

SENATOR WATSON:

Is this in reference to the Peoria court case?

PRESIDENT:

Senator Bloom.

SENATOR BLOOM:

That would be at the back of my mind.

PRESIDENT:

Senator Watson.

SENATOR WATSON:

The case decided that only a licensed plumber can inspect the work of a...of a plumbing...of the plumbing trade...plumbing...of a plumber. So, in other words, we have to...we have to have a licensed inspector who is a plumber to inspect it.

PRESIDENT:

Senator Bloom.

SENATOR BLOOM:

Well, I'll shorten it up. So what...what you're saying is that only licensed plumbers can inspect plumbing and plumbing systems for municipalities.

PRESIDENT:

Senator Watson.

SENATOR WATSON:

It has always been that way, I understand, but the court case reaffirmed that.

PRESIDENT:

Further discussion? Senator Bruce.

SENATOR BRUCE:

Senator Watson, has this got the Medical Practices Act change on continuing education?

PRESIDENT:

Senator Watson.

SENATOR WATSON:

No.

PRESIDENT:

Alright. The question is, shall the Senate adopt the Conference Committee report on House Bill 1264. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who

AB 521
e.c.r.

wish? Have all voted who wish? Have all voted who wish?
Take the record. On that question, there are 38 Ayes, 11
Nays, 3 voting Present, and the bill having received the
required constitutional majority is declared passed, and hav-
ing received the affirmative vote of three-fifths of the mem-
bers elected is effective immediately upon its becoming a
law. Top of page 3, Conference Committee report with respect
to Senate Bill...Senate Bill 521. Senator Lemke.

END OF REEL

REEL #5

PRESIDENT:

Senator Lenke.

SENATOR LEMKE:

What Senator Bill 521 is the parental consent on...to abortion and the Conference Committee corrects a mistake the House met...made in an...in an...a...an amendment. They called it a Senate amendment and they should have called it a House amendment. I...what the amendment did was add the language with the Medical Society that they...that they wished to clear up some problem they have with the bill. I think it's a good bill. I ask for its adoption.

PRESIDENT:

Discussion? Discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Well, just a question of the sponsor. Senator, does this language comply with the most recent Supreme Court decision in...in the case of...of notification?

PRESIDENT:

Senator Lenke.

SENATOR LEMKE:

In the recent decision they went a little further than notification. They said that you must...have parental consent. This only goes as far as notification, setting up the prerequisite. The case did not deal with this matter of notification. That was dealt in two prior cases which have still being held...held the law by the...the U.S. Supreme Court.

PRESIDENT:

Discussion? Discussion? If not, the question is, shall the Senate adopt the Conference Committee report on Senate

Bill 521. 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...the Ayes are 48, the Nays are 4, none voting Present. The Senate does adopt the Conference Committee report on Senate Bill 521 and the bill having received the required constitutional majority is declared passed. Conference Committee report on Senate Bill 530, Senator Demuzio.

SENATOR DEMUZIO:

Well, thank you, Mr. President and Ladies and Gentlemen of the Senate, Senate Bill 530, as it left the Senate, was a bill that dealt with foreign banks. The House added an amendment which was purely technical, Amendment No. 1...I'm sorry, Amendment No. 1 added immediate effective date. Amendment No. 2 was simply technical, and the third amendment, there are two foreign banks, the Bank of L-E-U-M-I, Leumi, I guess, and the International Commercial Bank of China have expressed an intent to establish a facility under the current statute, and it's not clear whether that current law...whether these banks would have such authority, so House Amendment 2 would clarify that such banks do not have the authority to establish a facility. I don't know of any opposition to these amendments, and I would move for the concurrence.

PRESIDENT:

Discussion? Any discussion? Senator Lechowicz.

SENATOR LECHOWICZ:

Yes, Mr. President. Was that the Bank of Leumi in Chicago?

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

According to the sheet I have, it is the Bank of Leumi in

Chicago and also the International Commercial Bank of China have expressed an intent to establish a facility and these amendments were intended to make sure that they do not have such an authority to establish a facility.

PRESIDENT:

Further discussion? Senator Welch.

SENATOR WELCH:

Question of the sponsor.

PRESIDENT:

Indicates he'll yield. Senator Welch.

SENATOR WELCH:

Does this bill refer to any other banks other than those two in particular?

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

Well, that...that is apparently the only two that have expressed an intent to establish a facility and that's why, apparently, the two were named. They are not pointed out nor named in the specific amendments to the Statute, but apparently the amendments were addressing themselves as purely technical making sure that the two banks that apparently that have expressed an interest with the commissioner's office do not have the authority.

PRESIDENT:

Further discussion? Further discussion? If not, the question is, shall the Senate adopt the Conference Committee report on Senate Bill 530. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 50 Ayes, no Nays, 2 voting Present. The Senate does adopt the Conference Committee report on Senate Bill 530, and the bill having received the required constitutional majority is declared

AB 849
C.C. Report

AB 726
C.C. Report

passed. 726, on the Order of Conference Committee Reports, Conference Committee report on Senate Bill 726, Senator Lenke.

SENATOR LEMKE:

I'd like to move to adopt Conference Committee...first Conference Committee report on Senate Bill 726. What it does is incorporates the original bill, plus it deletes the language that we had objection to about the Rockford Civic Center no bid contract, leases and so forth. I think it's a good bill. I ask for its adoption.

PRESIDENT:

Discussion? Discussion? Senator Chew. No...on this bill? No. I didn't think so. Question is, shall the Senate adopt the Conference Committee report on Senate Bill 726. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 41 Ayes, 5 Nays, 2 voting Present. The Senate does adopt the Conference Committee report on Senate Bill 726, and the bill having received the required constitutional majority is declared passed, and having received the affirmative vote of three-fifths of the members elected is effective immediately upon its becoming a law. 849, Senator Bruce. Conference Committee report on Senate Bill 849, Mr. Secretary.

SECRETARY:

Senate Bill...on Conference Committee report on Senate Bill 849 with House Amendments 1, 2, 3 and 4.

PRESIDENT:

Senator Bruce.

SENATOR BRUCE:

Thank you, Mr. President. This bill has been thoroughly analyzed. It has passed out of the House 111 to 2 already this evening. It changes the Open Meetings Act as it relates

to the Illinois Commerce Commission. It permits school boards and the school board's association to hold closed sessions with representatives of those State associations. It handles municipalities' problems they are having with salary schedules to ensure that salary schedules are part of the collective bargaining and bargaining negotiations between employees and cities, and so with those three changes, I believe that we have worked out our problems and I'd solicit a favorable vote.

PRESIDENT:

Discussion? Any discussion? If not, the question is, shall the Senate adopt the Conference Committee report on Senate Bill 849. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 53 Ayes, 1 Nay, none voting Present. The Senate does adopt the Conference Committee report on Senate Bill 849, and the bill having received the required constitutional majority is declared passed, and having received the affirmative vote of three-fifths of the members elected is effective immediately upon its becoming a law. 1026, Senator Hall. Senator Hall on the Floor? On the Order of Conference Committee Reports, Conference Committee report on Senate Bill 1026, Senator Hall.

SENATOR HALL:

Thank you, Mr...thank you, Mr. President and Ladies and Gentlemen of the Senate. I move to adopt the first Conference Committee on Senate Bill 1026. This...the language of DCA position is that they don't like the provision, but they can live with it and that it no longer pulls that in the original bill. The provisions regarding change of location or ownerships are designed to prevent new owners from laying off workers, hiring JTPA workers and having them subsidized by public funds while the displaced workers collect unemploy-

ment benefits. The consultation provisions are taken directly from CETA language that the JTF will update in 9-30-83. I move for the adoption of Conference Committee No. 1 on Senate Bill 1026.

PRESIDENT:

Discussion? Senator Keats.

SENATOR KEATS:

Thank you, Mr. President. Before you really blast a bill, you're supposed to say this sponsor is a wonderful gentleman, a truly kind man, a decent Senator, but boy, this is a bad bill. Let me tell you what the House put in. As it went out of the Senate it really wasn't a bad bill. It now says that whenever you have these training programs, the union must give full, okay. This isn't even collective bargaining where you talk to the union. The union has to fully okay even though they're not even a party to this. This is not in the Federal language, it's the CETA language, it's for all intents and purposes is now gone. I do have to say the extension of a union okay, not even a bargaining process, the union has to okay it without being part of that. So, what I say to you, the original bill was not bad. The House amendments on this bill are unbelievable. I think the House put these amendments on specifically to kill the bill. I think we should take them back off.

PRESIDENT:

Senator Hall, for what purpose do you arise?

SENATOR HALL:

Thank you, Mr. President. I've just been informed that this first Conference Committee failed in the House. I...and so, therefore, that I better take it out of the record at this time.

PRESIDENT:

Well, you want to get a second one? The question is, shall the Senate adopt this Conference Committee report on

Senate Bill 1026. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Take the record. On that question, there are 10 Ayes, 19 Nays, 1 voting Present. The Conference Committee report is not adopted and the Secretary shall so inform the House. Senator Hall requests the appointment of a second Conference Committee. 1313, Senator Savickas. On the Order of Conference Committee Reports, the Conference Committee report on Senate Bill 1313, Senator Savickas.

SENATOR SAVICKAS:

Yes, Mr. President, Conference Committee report contains the original bill of 1313 that increased a minimum fine for violating a Chicago Park District ordinance regarding harbors and waters and vessels, and raised it from twenty-five dollars to fifty dollars. House Amendment No. 1 incorporated in here authorizes the State to lease the Chicago Broadway Armory to the Chicago Park District, and the report also contains that it authorizes the Chicago Park District to issue general obligation bonds in conjunction with the Chicago Public Building Commission Projects, provides that the Chicago Park District will not be held liable for passive negligence claims arising on or after October 1st, 1983. This, I guess, deals mainly with boaters out on Lake Michigan that use the park district harbors, and it authorizes the Chicago Park District to issue an additional forty million in working cash bond buns...bonds...buns. I would move that we concur.

PRESIDENT:

Senator Lechowicz.

SENATOR LECHOWICZ:

Will the sponsor yield to a question or two, Mr. President?

PRESIDENT:

Indicates he will, Senator Lechowicz.

SENATOR LECHOWICZ:

On the Conference Committee report, lines 50 through...52 to 55, it says, "With the concurrence of the public building commissioners, the Chicago Park District may issue its own general obligation bonds and levy a property tax sufficient to pay principal and interest on the bonds and may levy a property tax at a rate sufficient to pay maintenance and operation costs on a project constructed by the Public Building Commission," and I'd like to know what projects you're referring to; and as I read this, you're asking for forty million dollars may be in projects which is on page 2 as well.

PRESIDENT:

Senator Savickas.

SENATOR SAVICKAS:

Yeah, the levy is limited to the cap of 2.3 percent, so there is the cap on it. You're right, the forty million in bonds is over a fifteen-year period and hopefully would result the...they feel in a considerable savings to the taxpayers by...instead of buying or issuing and borrowing money on tax...anticipation notes, they feel that they can save approximately two million dollars a year by going through the bond route.

PRESIDENT:

Senator Lechowicz.

SENATOR LECHOWICZ:

First of all, could we have a little order?

PRESIDENT:

Senator Savickas.

SENATOR LECHOWICZ:

No, wait a minute.

PRESIDENT:

Oh, I beg your pardon. Senator Lechowicz.

SENATOR LECHOWICZ:

I asked for some order first, and I believe this is a very important piece of legislation because this is another tax increase in the City of Chicago, and as I read this...and as I read this...

PRESIDENT:

All right, will the members be in their seats and will our guests please retire to the back of the Chamber.

SENATOR LECHOWICZ:

...and as I read this tax increase, it may be even for a new purpose which...that was my first question and it wasn't answered, because if we're...we're talking about projects being constructed by the Public Building Commission in concurrence with the Chicago Park District. Now, it was my understanding that the Public Building Commission now and when it was created was created for that specific purpose, and now we're saying besides the Public Building Commission, the park district is going to get involved and then...and take over the projects as well, which is reflected on page 2. It says, "The Chicago Park District shall have the obligation to maintain and operate the project." That's one question which wasn't answered. And my second question, how much of a tax increase is this per house...or estimated cost in the City of Chicago?

PRESIDENT:

Further discussion? Senator Collins. Was that a question? I beg your pardon. Senator Savickas.

SENATOR SAVICKAS:

Well, I think some of the Senators are getting carried away with this concern on taxes and tax increases. There's...it's going to cost the taxpayers in the City of Chicago either way, whether they go out for tax anticipation notes to pay for the operating...operation of the Chicago Park District and its services or if they go through the bonding...the bonding way. Now, the question is, which is

cheaper to the taxpayers of the City of Chicago? The Comptroller and the finance people, and I'm not a financier, feel that going through the bond issue area will result in less cost to the taxpayers of the City of Chicago, about a six percent savings going this way. Now, the Senator maybe is a little up-tight and concerned, I could see his point; but when talk about just hiding away from issuing the bonds or issuing tax anticipation warrants that cost the same taxpayers more money, I would say that we should go the bonding area.

PRESIDENT:

Further discussion? Senator Watson.

SENATOR WATSON:

I'd like to ask the sponsor a question.

PRESIDENT:

Yeah, there's five people have...have wished...yeah. Senator Watson, the sponsor indicates he'll yield.

SENATOR WATSON:

Is there a referendum on this?

PRESIDENT:

Senator Savickas.

SENATOR SAVICKAS:

No.

PRESIDENT:

Senator Watson.

SENATOR WATSON:

How will the State Mandates Act apply here?

PRESIDENT:

Senator Savickas.

SENATOR SAVICKAS:

These are municipal bonds. The State Mandates Act does not apply.

PRESIDENT:

Senator Watson.

SENATOR WATSON:

Thank you.

PRESIDENT:

Senator Mahar.

SENATOR MAHAR:

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

PRESIDENT:

Indicates he'll yield, Senator Mahar.

SENATOR MAHAR:

Senator Savickas, about the lease, will the park district lease all the property permanently or...tell me about the lease.

PRESIDENT:

Senator Savickas.

SENATOR SAVICKAS:

Is this on...the Broadway Armory?

PRESIDENT:

Senator Savickas.

SENATOR MAHAR:

On the Broadway Street Armory.

PRESIDENT:

Senator Savickas.

SENATOR SAVICKAS:

The Broadway Armory is a twenty-year lease and it's a dollar a year lease, and it's...and it's just to accommodate the Governor in this...in this area.

PRESIDENT:

Further discussion? Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. The...there may or may not be justification for the issuance of GOs instead of the building commission bonds, but there also is in this bill a specific increase of forty million dollars in authorized bonding by

the Chicago Park District without the submission thereof to the voters for approval. That is forty million dollars in addition to, I believe, twenty-five million that had been authorized before. I assume this is for working cash fund or whatever else they choose to cause it. I do not see how it is possible for that amount of extra bonds to be issued without a tax increase, and I'm not quite sure why the park district needs forty million dollars in additional bonding authority for its working cash fund. Can you answer those questions?

PRESIDENT:

Senator Savickas.

SENATOR SAVICKAS:

Well, I could attempt to...part of what I've heard. It's not a full forty million dollar borrowing fund. There is...already twelve million dollars that is able to be borrowed against. We're talking about increasing it twenty-eight million to...to forty million. So, the actual new borrowing power would be twenty-eight million.

PRESIDENT:

Senator Netsch.

SENATOR NETSCH:

I'm...I'm not sure that's absolutely correct because one sentence says, "Bonds in the amount of not to exceed forty million dollars," it used to be twenty-five million dollars, "may be sold in any one year," and so forth. The five million and seven million, it seems to me, are quite separate from that increase in the authorization.

PRESIDENT:

Further discussion? Senator Collins.

SENATOR COLLINS:

Okay, Senator Netsch basically asked the question but I still didn't get the answer to Senator Lechowicz's question notwithstanding whether or not we...you know, the tax levy is

probably a cheaper way out of this for the taxpayers. How much are we talking about? You know, what does it cost the taxpayer notwithstanding what the option would be?

PRESIDENT:

Senator Savickas.

SENATOR SAVICKAS:

Senator, I'm...I'm sorry I didn't hear you, there's so much noise.

PRESIDENT:

All right, could we have a little order, please. Will the members...please be in their seats. If the staff would take the conferences off the Floor, it would be appreciated.

Senator Collins.

SENATOR COLLINS:

Okay, first of all, Mr. President, I really can't see too well in this type of lighting. I really can't. Now, Senator Netsch asked a question that I had planned to ask, but Senator Lechowicz also asked a question of which I did not hear a clear answer from...from the sponsor. He indicated, however, that the alternative would have been more...will be more tax...property tax...greater than a...property tax increase than this option would be. So, I want to know, in round figures, how much will it cost the taxpayers based on this levy to meet the obligations of the park district's working cash fund.

PRESIDENT:

Senator Savickas.

SENATOR SAVICKAS:

I've been told it would cost four cents per hundred on the bond route. If the park district was to operate at the same level, it would cost five cents new tax levy this year on the regular way and five cents the following year for a total of ten cents. That is why the financiers feel that the bond route is the best way at this time to go to finance the

operations.

PRESIDENT:

Senator Collins. All right, further discussion? Further discussion? Senator Savickas may close.

SENATOR SAVICKAS:

Well, Mr. President and members of the Senate, I do wish that you would confer with Conference...Conference Committee Report No. 1. We are all concerned with the park districts, our recreation areas. We are all concerned with the finances to keep them operating and what it means to our own constituents. I would suggest that if we feel that the park districts should operate and should afford a recreational facilities to our communities that we should take what the financiers feel is the more reasonable approach to that operation and support the Conference Committee Report No. 1.

PRESIDENT:

Question is, shall the Senate adopt the Conference Committee report on Senate Bill 1313. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 29 Ayes, 21 Nays, 3 voting Present. The Conference Committee report is not adopted, and the Secretary shall so inform the House. Senator Savickas requests the appointment of a second Conference Committee. Senator Savickas.

SENATOR SAVICKAS:

It seems that on some of these issues the staff that has been working on appropriations is gone. Evidently no one has really watched what's happened. Could we just reconsider this and see what our...where our people are later? You know, they're off...off the Floor. If we're going to run reasonably, it's awful hard to do with a lot of our people missing.

HB 186
CCR

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

Point of personal privilege, Mr. President. I was...

PRESIDENT:

State your point.

SENATOR MAROVITZ:

...I was off the Floor and inadvertently my switch was voted Aye on...Senate Bill 521, and I'd like the record to reflect that if I were here, I most definitely would have voted No on the bill.

PRESIDENT:

The record will so reflect. Senator Berman.

SENATOR BERMAN:

I voted...my switch was voted No...I'm sorry, my switch was vote Yes on 521. I...if I had pushed the correct button, it would have been No.

PRESIDENT:

Record will so reflect. Senator Hall on 186. Order of Conference Committee Reports, Conference Committee report on House Bill 186. Senator Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I move for the adoption of a Conference...Committee on...on...Senate Bill 186. Now this bill would set up a special fund to which self-insured employers would pay a fixed amount to cover worker's compensation claim. The purpose is to ensure that employers of self-insured employers would receive benefits in case of the employer's dissolution or bankruptcy. It also declares that the State of Illinois is not an employer for the purpose of this Act, and that the Act shall not apply to State universities. Now, I will defer to...to Senator Angelis...DeAngelis because he has an amendment and it's from there he'll carry the ball.

PRESIDENT:

Senator DeAngelis.

SENATOR DeANGELIS:

Yes, several years ago...thank you, Mr. President. Several years ago we created a group self-insurance program. We...at that time the program was to levy all the people in it in the event there was a default. We've now created a solvency fund for it, so I urge its favorable adoption.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Further discussion? Senator Schuneman. All right, the question is, shall the Senate adopt the Conference Committee report on...on House Bill 186. 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 52, the Nays are none, none voting Present. The Senate does adopt the Conference Committee report on House Bill 186, and the bill having received the required constitutional majority is declared passed. House Bill 320, Senator Bruce. House Bill...House Bill 643, Senator D'Arco. We did that? All right, on page 2...page 2 of your Supplemental No. 1 Calendar, House Bill 700, Senator Schaffer. Senator Schaffer is off the Floor. House Bill...

PRESIDENT:

All right, Senator Schaffer has indicated that the first Conference Committee report on 2058 failed in the House. That bill is of some importance. On the Order of Conference Committee Reports, we will have to dump the first Conference Committee on 2058. There's Senator Schaffer...Senator Schaffer on 2058.

SENATOR SCHAFFER:

Mr. President, the House has failed to adopt this Conference Committee. I would...let's just dump it. We seem to be starting to dump a lot of things right now.

PRESIDENT:

All right, the question is, shall the Senate adopt a Conference Committee report on Senate...House Bill 2058. Those in favor vote Aye. Opposed vote Nay. The voting is open. We're dumping the report, Senator. That's what he requested. Take the record. On that question, there are 8 Ayes, 30 Nays, 4 voting Present. The Conference Committee report is not adopted, and the Secretary shall so inform the House. Senator Schaffer requests the appointment of a second Conference Committee. Senator Sommer, you have 1835. Is that the one? Conference Committee report, Supplemental No. 1 on page 2, there's a Conference Committee report on House Bill 1835. Senator Sommer.

SENATOR SOMMER:

Mr. President and members, I move we adopt the first Conference Committee report on this bill. What it says and what it does is says that a county nursing home, I think there are only about twenty-two of them left in the State, can accept any kind of patient. There's been some question...this is what we think the law is now and this simply restates the law as we think it is.

PRESIDENT:

Discussion? Discussion? Senator Newhouse.

SENATOR NEWHOUSE:

Would the sponsor yield to a question?

PRESIDENT:

Indicates he'll yield, Senator Newhouse.

SENATOR NEWHOUSE:

What is the change that has taken place as a result of this action?

PRESIDENT:

Senator Sommer.

SENATOR SOMMER:

Senator Newhouse, currently county nursing homes believe

they can admit anyone whether they...whether they're public aid patients or private pays or...I guess that's probably the only two categories you could have. There's been some talk in the nursing home community that the county...county nursing homes have to take public aid patients exclusively before they can take private pay. The fact of the matter is there are certain situations where private pay people actually want to go to the county nursing home 'cause they like the facilities and are willing to pay the...the going rate, whatever it is. And this simply restates that even though that...that is the law now but there's been some question as to whether it's the law.

PRESIDENT:

Further discussion? Senator Chew.

SENATOR CHEW:

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

PRESIDENT:

Indicates he'll yield, Senator Chew.

SENATOR CHEW:

Senator Sommer, do we have county nursing homes in Chicago proper?

PRESIDENT:

Senator Sommer.

SENATOR SOMMER:

Senator Chew, to the best of my knowledge you do not. The...and I cannot think of the name of it, is organized under the...one of the Hospital Acts rather than the County Nursing Home Act. It's a different Act that we're affecting. So, it's my knowledge that there's no county...Oak Forest is...is organized under the Public Hospital Act not under the Nursing Home Act, and this affects county nursing homes under the Nursing Home Act.

PRESIDENT:

Senator Chew.

SENATOR CHEW:

Yeah, and the Department of Public Aid has agreed that this is not damaging to any of their recipients and et cetera, et cetera. Is it a fact that you have the language that the Department of Public Aid has agreed upon this concept?

PRESIDENT:

Senator Sommer.

SENATOR SOMMER:

I can't say, Senator Chew, I have not talked to them about this.

PRESIDENT:

Senator Chew.

SENATOR CHEW:

You don't have any confirmation at all or whether they are neutral, in favor or against?

PRESIDENT:

Senator Sommer.

SENATOR SOMMER:

Well, I've had no discussions with them at all. This only affects county nursing homes, and there aren't any in Chicago.

PRESIDENT:

Further discussion? Senator Jones. Senator Chew.

SENATOR CHEW:

I would rise in support of this inasmuch as it doesn't affect...and the Department of Public Aid has, in fact, agreed as far as Chicago is concerned.

PRESIDENT:

Further discussion? Senator Jones.

SENATOR JONES:

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

PRESIDENT:

Indicates he'll yield, Senator Jones.

SENATOR JONES:

Yes, Senator Sommer, I recall this same type legislation approximately three years ago, we was on counties and townships. Does this legislation relate to the pay patient versus the public aid patient in nursing homes?

PRESIDENT:

Senator Sommer.

SENATOR SOMMER:

It does, but all it says is that the county home could admit a paying patient if they wish to.

PRESIDENT:

Senator Jones.

SENATOR JONES:

But doesn't it, in fact, say that there'll...they will be admitted on equal basis, so, therefore, what will happen is that they'll allow the county nursing homes in the southern part of the State of Illinois if the paying patients want to get in, then they may not admit some of those who cannot afford to pay to get in, and this is the gist of this legislation.

PRESIDENT:

Senator Sommer.

SENATOR SOMMER:

Well, I suppose you could say that; however, it would seem to me that the public aid patients would go to private nursing homes. All this does was allow county nursing homes to take paying patients.

PRESIDENT:

Question is, shall the Senate adopt the Conference Committee report on House Bill 1835. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 47...48 Ayes, 2 Nays, 1 voting Present. The Senate does

adopt the Conference Committee report on House Bill 1835, and the bill having received the required constitutional majority is declared passed and having received the affirmative vote of three-fifths of the members elected is effective immediately upon its becoming a law. Senator Smith, for what purpose do you arise?

SENATOR SMITH:

Mr. President, I was busy here with a young lady and I missed my voting. I would have voted Yes with 1835. Would the record so reflect?

PRESIDENT:

The record will so reflect. All right, on the...Supplemental Calendar No. 2 has been distributed. House Bill 112, Senator Marovitz. Page 1 of the Supplemental No. 2, House...Conference Committee report on House Bill 112. Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. I would move that the Senate do adopt Conference Committee Report No. 1 to House Bill 112. This just indicates that we're trying to limit the number of continuances in housing court and we're saying that if there are, that the reason...that if someone wants a continuance, the...there should be a written motion filed by the party seeking continuance, and I would ask for adoption of Conference Committee Report No. 1 to House Bill 112.

PRESIDENT:

Discussion? Discussion? Senator Barkhausen.

SENATOR BARKHAUSEN:

Senator Marovitz, I only have the report itself and not the...and not any analysis. I remember the bill in committee and there was some question about the fact that the requirement of a written motion for a continuance applied only to defendants and not to plaintiffs in this type of case. Is

that...is that the same or has that been changed?

PRESIDENT:

...Senator Marovitz.

SENATOR MAROVITZ:

The Conference Committee report is as the bill...identically as the bill came out of the House because there may be cases where the City of Chicago or...or others are delaying cases in housing court, and we want to make sure that these buildings are put up to code so that the individuals in question are not subject to a...to serious health hazard. It could be delays on both parties and that's...that really is the way...it properly should be, not just the defendant. If...we want to make sure that nobody delays cases in housing courts so that slumlords have their properties on the...not up to code and that people are subject to health hazards.

PRESIDENT:

Senator Barkhausen.

SENATOR BARKHAUSEN:

Does the...the bill or the Conference Committee though in its final form, does it require a...a written motion if a plaintiff wants to continue a Building Code violation case as...as well as the defendant? I...I...you've mentioned the form that it came out of in the House, and not looking at the bill or...I...I can't tell what form that was.

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

The answer is, yes.

PRESIDENT:

Further discussion? Further discussion? Question is, shall the Senate adopt the Conference Committee report on House Bill 1112...112. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted

HB 1002
e. e. R.
HB 1143
e. e. R.

who wish? Have all voted who wish? Have all voted who wish?
Take the record. On that question, the Ayes are 50, the Nays
are none, none voting Present. The Senate does adopt the
Conference Committee report on...House Bill 112, and the
bill...having received the required constitutional majority
is declared passed and having received the affirmative vote
of three-fifths of the members elected is effective immedi-
ately upon it becoming a law. 1002, Senator Coffey. Confer-
ence Committee report on House Bill 1002, Senator Coffey.

SENATOR COFFEY:

Thank you, Mr. President. On the Conference Committee
No. 1 has already been turned down in the House, and I'd ask
for us to turn this Conference Committee report down also.

PRESIDENT:

All right, the Senator has requested that we dump the
first Conference Committee report. The question is, shall
the Senate adopt the Conference Committee report on House
Bill 1002. Those in favor vote Aye. Those opposed vote Nay.
The voting is open. Take the record. On that question,
there are 9 Ayes, 15 Nays, 1 voting Present. The Conference
Committee report is not adopted and the Secretary shall so
inform the House. Senator Coffey requests the appointment of
a second Conference Committee. Senator Maitland on 1143.
Conference Committee report on House Bill...1143, Senator
Maitland.

SENATOR MAITLAND:

Thank you, Mr. President and members of the Senate. I
would move that the Senate accept the Conference Committee
Report No. 1 to House Bill 1143. This Conference Committee
report has already passed out of the House 109 to 0 and there
are four changes in the bill, and let me briefly discuss
them. First point, it contains now House Bill 728 which was
the subject of a bill that was sponsored by Senator Jeremiah
Joyce was the Scandinavian Lekotek bill. Number two, it pro-

HB 1249
CC R.

vides that if a school fails to provide the minimum school term, the exclusive penalty is lost in State aid thus there can be no other loss of...of recognition. Thirdly, the original House Bill 107 is added providing that police control over school real estate includes improvements on that real estate, that's just a...a change in the language. And fourth, it clarifies that the holder of a school service personnel certificate is entitled to all rights of holders of teaching certification, including teacher benefits, compensation and working conditions. This is no change. It's clarifying language, and I would move that the Senate accept this Conference Committee report.

PRESIDENT:

Discussion? Any discussion? If not, the question is, shall the Senate adopt the Conference Committee report on House Bill 1143. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 53 Ayes, 1 Nay, none voting Present, and the bill having received the required...constitutional majority is declared passed and having received the affirmative vote of three-fifths of the members elected is effectively immediately upon its becoming a law. Senator DeAngelis, 1249. On the Order of Conference Committee Reports is Conference Committee report on House Bill 1249, Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. I urge the adoption of Conference Committee Report No. 1 on House Bill 1249. All this does is say that "shall be no less than" rather than "shall not be reduced." It's a technical amendment required to be at Federal compliance.

PRESIDENT:

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

shall the Senate adopt the Conference Committee report on House Bill 1249. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 53 Ayes, no Nays, none voting Present. The Senate does adopt the Conference Committee report on House Bill 1249, and the bill having received the required constitutional majority is declared passed and having received the affirmative vote of three-fifths of the members elected is effective immediately upon its becoming a law. Senator Degnan, 1337. Conference Committee report on House Bill 1337, Senator Degnan.

SENATOR DEGNAN:

Yes, thank you, Mr. President. I would move we accept Conference Committee No. 1 on House Bill No. 1337. The bill adds additional item to the Contractual Grant between DCFS and voluntary child care agencies will not require any additional appropriations in those situations where DCFS is not meeting mutually agreed upon contractual obligations regarding placement of children in private family foster...family care. This bill requires DCFS to pay for the social service costs incurred. Social service costs are already defined by contract and account for half of the foster care rate paid to private agencies. Absent any questions, I'd move we agree with Conference Committee Report No. 1 on House Bill 1337.

PRESIDENT:

Discussion? Senator Jones.

SENATOR JONES:

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

PRESIDENT:

Indicates he'll yield, Senator Jones.

SENATOR JONES:

Senator Degnan, in this new language in this bill will...will we be paying for children when they are not actu-

ally in the agency?

PRESIDENT:

Senator Degnan.

SENATOR DEGNAN:

No.

PRESIDENT:

Senator Jones.

SENATOR JONES:

The...the way I read the...the...the Conference Committee report with the added language, we will be paying for care or a reasonable cost to the agency when actually no children are in the agency. Are there any other agency where the...where DCF will pay for care or a cost of the care per day where there aren't any children there at all?

PRESIDENT:

Senator Degnan.

SENATOR DEGNAN:

I don't know, but my understanding of this bill is that DCFS contractually will agree to pay not for the children but for the social service costs other than the cost for the child that have been incurred contractually.

PRESIDENT:

Senator Jones.

SENATOR JONES:

Well, the way the language reads is that when DCFS contract with these private agency what's going to happen is that there will be instances where and times when there will be no children at all in the agency but yet still the State will still be obligated to pay for children when they aren't actually in the agency, and I don't know of any other agency where we pay for care for children when the children are actually not being cared for, and this is what this added language does to this bill.

PRESIDENT:

Further discussion? Senator Fawell.

SENATOR FAWELL:

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

PRESIDENT:

Indicates he'll yield. Senator Fawell.

SENATOR FAWELL:

According to our analysis...what my colleague on the other side of the aisle says is true, what we're talking about is we're going to contract say with...with a...a child care agency, and if they don't have the kids, they still get paid. If they have a...if we contract for...for a month and the child stays there for two weeks, or if they don't want to take another child in place of that child, we're still going to pay for the month and it's going to cost us eight hundred thousand dollars?

PRESIDENT:

Senator Degnan.

SENATOR DEGNAN:

Well, my understanding, Senator Fawell, is we will pay for a portion of that but not the whole cost for a child who is not in the family unit.

PRESIDENT:

Senator Fawell.

SENATOR FAWELL:

Does it say...you know, I'm sorry, I...I have the bill here but I...I haven't looked at it; I'm just looking at my analysis, it...does it say that we will just...we will pay...what a half? a fourth? What...what are we going to pay if...if there's no child there?

PRESIDENT:

Senator Degnan.

SENATOR DEGNAN:

We will make regular payments equal to the actual days of

care times the daily rate, which means if a child is not there, we will not make the payment.

PRESIDENT:

Senator Fawell.

SENATOR FAWELL:

Can you tell...I've got the bill now, can you tell me, you know, what...what line you're looking at?

PRESIDENT:

Senator Degnan.

SENATOR DEGNAN:

Let me read from the analysis, "Contracts for foster care payments to any agency shall contain a rate schedule, the number of days of care contracted for, that part of the daily rate which is reimbursable and the periods when...DCFS shall make regular and special payments under the agreement." The...the Conference Committee before you requires regular payment to occur as specified in the contract. Regular payments equal actual days of care times the daily rate. It also mandates that special payments shall occur at least quarterly. Special payments equal total days of care pro-rated on a quarterly basis for which DCFS contracted minus the actual days of care times the social services costs distributed per day.

PRESIDENT:

Further discussion? Senator Collins.

SENATOR COLLINS:

Question of the sponsor...and I...I apologize, I've been looking for that report and I just can't seem to find it here, but...are you talking about agencies or are...are you talking about foster homes, and what category of...of clients, are you talking about children, for example, that's placed in a foster home because of...of child neglect or for whatever reason, abandonment; or are you talking about wards of the State for more intensive care and treatment with other

complicating problems, social services and all that goes along with it? What kind of client are you talking about?

PRESIDENT:

Senator Degnan.

SENATOR DEGNAN:

We're talking about foster care agencies only.

PRESIDENT:

Senator Collins.

SENATOR COLLINS:

So, you're not talking about foster homes which...which is different. I...I...I wished I had a copy of it because let me tell you something, I have an agency in my district which it is very important if the intent of this legislation because the contracts stipulate usually a number of kids per year or a number of clients per year. Okay? But it does not mean the same clients. So in other words, you could, in fact, go through a period that you didn't have anyone in that agency. The problem is you have to maintain a certain amount of staff on a consistent basis because while you may not have a client or any clients today, next week, you may be up to your maximum that you're licensed for. So you can't keep hiring and firing the staff if you expect to have adequate social service staff to meet the criteria of that contract. That is a real problem and I don't know how some of you feel about it, but you understand I came from social service and I used to have to grant and award those contracts, and I have some in my community that is almost having to close down because of those gaps in services. Now I don't know what you're really doing because I don't have the bill there. We need something inbetween there to maintain those agencies because the clients go in and out for indefinite periods of time.

PRESIDENT:

Senator Degnan.

SENATOR DEGNAN:

Senator Collins, that's precisely what we're doing.

PRESIDENT:

All right, further discussion? Further discussion? Senator Jones.

SENATOR JONES:

Yeah, thank you, Mr. President. I apologize for rising twice on this. I agree with what you said, Senator Collins, on this issue. However, what is contained in here is the average daily payment per child at a maximum rate. If you're going to contract for a long period of time, the rates should be much lower because there will be periods of times where you do not have any children in...in the agency. So, we will be paying the max rate for the agency for children when the children aren't actually in the agency. If you go and have a long extended contract, then the rate should be at a lower rate to compensate for the times when children are not in the agency, and I recommend a No vote on this Conference Committee report.

PRESIDENT:

Senator Degnan may close.

SENATOR DEGNAN:

Well, this bill tried...this Conference Committee tries to deal with fixed costs only, Senator, and when the children are there, you're at maximum rate, true, but when they're not there, you're not at maximum rate. I urge we adopt Conference Committee No. 1 on 1337.

PRESIDENT:

Question is, shall the Senate adopt the Conference Committee report on House Bill 1337. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 43 Ayes, 9 Nays, none voting Present. The Senate does adopt the

Conference Committee report on House Bill 1337, and the bill having received the required constitutional majority is declared passed and having received the affirmative vote of three-fifths of the members elected is effective immediately upon its becoming a law. All right, Senator Sam, are you ready? UPI has requested permission to shoot some pictures, again. Just give them your profile. That a boy. Okay. Leave granted? Leave is granted. Senator Rigney on 2078. Conference Committee report on House Bill 2078, Senator Rigney.

SENATOR RIGNEY:

The purpose of House Bill 2078 is to further define the rule making authority of the Illinois Department of Agriculture as it relates to several of the Acts that they administer. It clarifies the Livestock Auction Markets Act. It allows auction markets to file a trust agreement in lieu of posting a five thousand dollar cash bond. It also spells out some of the reasons for rejection under the Illinois Swine Dealers Act. Makes some minor amendments to the Bovine Brucellosis Test Act, and one other thing that was added on in Conference Committee, it increases from twelve to twenty the members on the Illinois Racing Advisory Panel.

PRESIDENT:

Discussion? Any discussion? If not, the question is, shall the Senate adopt the Conference Committee report on House Bill 2078. 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 49, the Nays are none, none voting Present. The Senate does adopt the Conference Committee report on House Bill 2078, and the...and the bill having received the required constitutional majority is declared passed and having received the affirmative vote of three-fifths of the members elected is effective immediately upon

its becoming a law. 2201, Senator Berman. Supplemental Calendar No. 2, the bottom of page 1. On the Order of Conference Committee reports is Conference Committee 2201, Senator Berman.

SENATOR EERMAN:

Thank you. I move that we adopt the Conference Committee report. The bill is the same way as it came over from the Senate. We thought we might use it for any one of a number of purposes. We haven't. All it does is what the description says, "provides for a child in adolescent office in DMHDD."

Move the adoption of...of the Conference Committee report.

PRESIDENT:

Discussion? If not, the question is, shall the Senate adopt the Conference Committee report on House Bill 2201. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 48 Ayes, no Nays, none voting Present. The Senate does adopt the Conference Committee report on House Bill 2201, and the...and the bill having received the required constitutional majority is declared passed and having received the affirmative vote of three-fifths of the members elected is effective immediately upon its becoming a law. 83, Senator Jones. 272, Senator Kustra...Senate bill. Top of page 2 on Supplemental Calendar No. 2. Conference Committee report on Senate Bill 272, Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President and members of the Senate. The original Senate Bill 272 authorized the court to require a minor to pay the cost of his or her proceedings as a condition of probation or conditional discharge. An amendment was added in the House which did the following, "Probation provisions of Juvenile Court Act are amended to provide that a

minor may be ordered to undergo medical or psychiatric treatment rendered by a psychiatrist or psychological treatment rendered by a clinical psychologist." Basically, it puts into the law the option of allowing the court to send a kid to a psychologist as well as a psychiatrist. The purpose of the Conference Committee was to correct that language to take care of it. It was a technical problem with it. Now we have another piece in that particular Conference Committee report which does the following; it amends the Court of Claims Act. The number judges of the Court of Claims is increased from three to five. The new judges have staggered terms. The first new judge's term ends the third Monday in January, 1986; the other judge's term ends the third Monday in January, 1988. The number of judges whose concurrence is necessary in order for the court to render a decision is increased from two to three. I would ask for approval of the Conference Committee.

PRESIDENT:

Discussion? Discussion? Senator Lechowicz.

SENATOR LECHOWICZ:

The two new judges for the Court of Claims, how are they selected?

PRESIDENT:

Senator Kustra.

SENATOR KUSTRA:

They are selected by the Governor.

PRESIDENT:

Senator Lechowicz.

SENATOR LECHOWICZ:

One from each party?

PRESIDENT:

Senator Kustra.

SENATOR KUSTRA:

No...no.

B 690
e.e.k.

PRESIDENT:

Senator Netsch.

SENATOR NETSCH:

A question of the sponsor.

PRESIDENT:

He indicates he'll yield, Senator Netsch.

SENATOR NETSCH:

Is there a large backlog in the Court of Claims, is that the reason for increasing the number of judges?

PRESIDENT:

Senator Kustra.

SENATOR KUSTRA:

Yes. It's my understanding that the Governor has requested this increase because of that backlog and that this has been agreed to by the leadership.

PRESIDENT:

Further discussion? Further discussion? If not, the question is, shall the Senate adopt the Conference Committee report on Senate Bill 272. 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 50, the Nays are 3, 1 voting Present. The Senate does adopt the Conference Committee report on Senate Bill 272, and the bill having received the required constitutional majority is declared passed. 690. On the Order of Conference Committee Reports, Senate Bill 690, Senator Chew.

SENATOR CHEW:

Thank you, Mr. President. I would move that the Senate accept the Conference Committee report on Senate Bill 690. All of the inclusions were, in fact, passed out of this Body, and after the House went short on Senate bills, those bills that had passed here on a substantial majority were included in Senate Bill 690. I would ask for a favorable vote.

PRESIDENT:

Discussion? Senator Kelly.

SENATOR KELLY:

Yes, I'd just like to ask a question of the sponsor.

PRESIDENT:

Sponsor indicates he'll yield. Senator Kelly.

SENATOR KELLY:

Can you tell me what other adoptions are in this amendments? It seems to me like there was an increase in weights, are...is there?

PRESIDENT:

Senator Chew.

SENATOR CHEW:

No, there's no increase in weights. We have passed that out and it deals with second class roads for the purpose of garbage pickup mobile containers where a truck comes in and gets the used container, leaves a new one, and this bill was also passed out of the Senate.

PRESIDENT:

Further discussion? Senator Bloom.

END OF REEL

REEL #6

SENATOR BLOOM:

Yes, Senator, I'm a little confused by the language on page 4. It looks like you're...in the long...in the long paragraph starting at line 10, you get down to 14 it said, "you can't exceed the weight on any single axle thereof." Looks like you're raising it from sixteen thousand to eighteen...thousand pounds. You see, you're putting in the word "single," now that changes...that changes the whole thrust of the thing, because before that, you said any axle thereof. Now you could conceivably double those up.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Chew.

SENATOR CHEW:

Weight shifts from one axle to another, Senator; however that was in Senate Bill 44 which passed the Senate 46 to 5 so we've already passed it and it was just an inclusion in here. But at that time we did discuss the...weight. You see, if I could draw the picture where these containers are raised in this angle to bring onto this attached trailer to the truck that moves these containers. At the time that it's on a slant...the weight does shift to the rear axle; once it is level the weight comes back. So it was passed out of here, Senator, at 46 to 5.

PRESIDENT:

Senator Bloom.

SENATOR BLOOM:

What happened to it?

PRESIDENT:

Senator Chew.

SENATOR CHEW:

The wisdom of the House killed many of the Senate bills,

as you know, and this bill was just merely adopted into 690 so it would stay alive. The Senate had passed it, the House didn't even hear it on 3rd reading, as it did many other bills. In this bill we have 411, 530 and 44 and it's all included in 690.

PRESIDENT:

Further discussion? Further discussion? If not, the question is, shall the Senate adopt the Conference Committee report on Senate Bill 690. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 23 Ayes, 21 Nays, 8 voting Present. The Conference Committee report is not adopted and the Secretary shall so inform the House. Senator Chew requests the appointment of a second Conference Committee. Senator Collins, on Senate Bill 1001. Senator Collins.

SENATOR COLLINS:

Defeated in the House so, therefore, I would just request a second Conference Committee.

PRESIDENT:

All right. Senator Collins wishes to dump the Conference Committee report on Senate Bill 1001. The question is, shall the Senate adopt that Conference Committee report on...on Senate Bill 1001. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Take the record. On that question, there is 6 Ayes, 16 Nays, 4 voting Present. The Conference Committee report is not adopted and the Secretary shall so inform the House, and Senator Collins requests the appointment of a second Conference Committee. 1064, Senator D'Arco. On the Order of Conference Committee reports, Conference Committee report on Senate Bill 1064. Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. This is the Medical Center Commission bill. There were some problems concerning the...the reverter provision in the Act of the Medical Center Commission. We changed the reverter provision to provide that the determination of whether or not a use was being used correctly would be made by the Circuit Court and not by the Medical Center Commission. We also provided in the Act for a historical...historical districts that improvements of...residential properties of historical districts could be made by the Medical Center Commission, and also a provision concerning when a mortgagee...when there is a foreclosure and restrictions as to use of the reverter concerning the rights of the Medical Center Commission. I don't know of any opposition to the bill. Senator DeAngelis and I are cosponsors, and I would ask we adopt Conference Committee Report No. 1.

PRESIDENT:

Discussion? Discussion? If not, the question is, shall the Senate adopt the Conference Committee report on Senate Bill 1064. 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, there are 47 Ayes, no Nays, none voting Present. The Senate does adopt the Conference Committee report on Senate Bill 1064, and the bill having received the required constitutional majority is declared passed. We have leave of the...may I ask leave of the Body to have Senator Bruce handle the Conference Committee report on House Bill 465? Leave is granted. On the Order of Conference Committee reports, the top of Supplemental No. 2, is the Conference Committee report on House Bill 465, Senator Bruce.

SENATOR BRUCE:

Thank you, Mr. President. This report was the...recognizes the Back of the Yards County Fair in Chicago

and the DuPage County Fair as...as well as new county fairs to be funded from the Fair and Exposition Fund. The report was drafted by the Department of Agriculture. They take no position on it. The provisions from which the fairs are exempt relate to the requirement of county board recognition and participation in and restrictions on use and methods of distributions from the fund. It increases the line item appropriation to county fairs to a hundred and forty thousand. Of that amount, one hundred thousand goes to the Back of the Yards Fair. According to the House staff, the DOA's budget will be increased in the Conference Committee to include the hundred and fifty thousand dollars for the DuPage County Fair.

PRESIDENT:

Discussion? Discussion? Senator Watson.

SENATOR WATSON:

Yeah, I'd like to ask a question of the sponsor.

PRESIDENT:

He indicates he'll yield.

SENATOR WATSON:

What do we have here, we got the Back of the Yards Fair in Chicago? Is that one of the provisions here and we're going to spend how much?

PRESIDENT:

Senator Bruce.

SENATOR BRUCE:

Why don't we take this out of the record.

PRESIDENT:

Take it out of the record. The board is lighting up like a Christmas tree. Senator Sangmeister, for what purpose do you arise?

SENATOR SANGMEISTER:

Thank you. Well, particularly while we're at ease, why don't we lower the lights once more and I would say everytime

Senator Collins arise, the lights ought to rise with her and they ought to go back down again when she sits down. All right.

PRESIDENT:

Very good. Mr. Secretary, will you dim the...put the dimmer switch on. Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President, on a point of personal privilege. I can appreciate Senator Sangmeister's concern but there are some of us who have the other problem. It's awfully dark and, you know, when you're here all day long and you wear glasses, as I do and some others do, it's not very easy to read all the fine print. I would like it a little lighter, if I may. Can't we compromise it?

PRESIDENT:

It is the consensus of the Body that we wish to keep you in the dark. Senator Fawell.

SENATOR FAWELL:

Thank you, Mr. President. I...I wonder if this would be an...an opportune time to perhaps read the resolution.

PRESIDENT:

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

SENATOR DAWSON:

If we have nothing better to do right now...

PRESIDENT:

No, that's...that's...that is really not the point. If you have something you wish to address, please let us know.

SENATOR DAWSON:

House Joint Resolution 33 on page 1 of Supplemental Calendar No. 2.

PRESIDENT:

All right. If you'll turn to the Supplemental Calendar, Supplemental No. 2, with leave of the Body, we'll move to the Order of Secretary's Desk Resolutions at the request of

Senator Dawson. On the Order of Secretary's Desk Resolutions is House Joint Resolution 33, Senator Dawson.

SENATOR DAWSON:

Mr. President and Ladies and Gentlemen of the Senate. House Joint Resolution 33 creates a Child Care Study Commission to investigate the status and the need of...and the need for child care programs in Illinois. There's going to be twelve members appointed with the Speaker of the House, the President of the Senate, the Senate Minority and the House Minority each appointing three members.

PRESIDENT:

Discussion? Senator Keats.

SENATOR KEATS:

How...question of the...of the President. How many votes is this going to take, seventy or eighty?

PRESIDENT:

This House joint resolution will require thirty affirmative votes. Senator Lechowicz.

SENATOR LECHOWICZ:

Parliamentary inquiry, Mr. President.

PRESIDENT:

State your point.

SENATOR LECHOWICZ:

Can we create by...a commission by resolution if there's an expenditure of State money?

PRESIDENT:

Yes, by roll call vote we can do that. Senator Lechowicz.

SENATOR LECHOWICZ:

Well, then may I ask the sponsor a question, the dollar amount of the appropriation and where it's located?

PRESIDENT:

Senator Dawson.

SENATOR DAWSON:

Senator Lechowicz, there's going to be no staff and no public members on this here.

PRESIDENT:

Senator Lechowicz.

SENATOR LECHOWICZ:

Well, let me just point out to the membership of this Body that we were supposedly and still are supposedly in very strict budgetary constraints. And if you take a look at some of the Conference Committee reports that have been submitted have not been addressed to, there's an awful lot of new commissions being created, and some of them require staff and some of them do not. I personally believe that the public believes that we are over-commissioned now. I personally believe that the public believes that that's all we do is travel in our...on our respective junkets. I believe that it would be best...to our best interest, no matter what the title may be, that if you want to do this work, it should be done within our committee system. And for that reason, I stand in...in opposition to this Resolution No. 33.

PRESIDENT:

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, Mr. President and Ladies and Gentlemen of the Senate, I concur with Senator Lechowicz and God knows we love children, but we have the Illinois Legislative Investigating Commission. If there's any necessity to do any kind of investigation we can do it there. But why...and we do have the Child Care Commission, I don't know why we need another one. And...and I...I cannot support it.

PRESIDENT:

Senator Macdonald.

SENATOR MACDONALD:

Senator Dawson, what would this commission be able to do that the existing commissions are not already doing?

PRESIDENT:

Senator Dawson.

SENATOR DAWSON:

Senator Macdonald, this last month we had so many people coming down here about child care and the State support declining on it and the Governor's...original Fiscal 1984 Illinois State budget proposed significant reductions but no rate...rate increases for child care providers, and we feel that by putting these legislators together on this here that we could do a...a study. It's nothing to do about investigations, it's just studying the problems.

PRESIDENT:

Senator Collins.

SENATOR COLLINS:

Thank you, shows I got...yes, thank you, Mr. President and members of the Senate. I am in the opinion that Senator Lechowicz's argument was a valid one. Now I have been opposed ever since I've been here to the constant creation of commissions. I would suggest to the...to the legislators that if you want a little pet project for your district or for political reason, you try and get a few hundred thousand dollars or thousands of dollars to do something back home for the people that you represent, even if it's not but a few, if you just want to take something back home. I think it is unconscionable for us to struggle to pass an income tax and a property tax and a property tax and a property tax and a sales tax and then chop it up into new commissions to study. Hell, everybody in this State understands the problems of this State, of children and of all of the agencies and people and client that we serve in this State. And it's unfortunate and it may be misconstrued by the press or by blacks or by who in the hell ever, I don't care, because this is a blacks requesting a commission. But I am going to vote...against any and all appropriations for the creation of any and all

new study commissions and for those that are unnecessary that are created for pork barrel. Now let's just say, find yourself another hitch because you're not going to get out of this Body this year with no commissions, fifty thousand, forty thousand or two hundred thousand dollars here and there. Let's give it to the poor.

PRESIDENT:

Further discussion? Senator Jones.

SENATOR JONES:

Yeah, thank you Mr....Mr. President. I believe that the sponsor...I believe that the sponsor of the resolution didn't give you all the facts. What it does, it gives tax incentives to businesses for development of programs for employees or development of day-care centers in State enterprise zone. Now...now what...what this resolution actually does is this is the...in some states they have already adopted programs where parents with children at...at their work site can have their children there and those children can be cared for on-site. This is what this...this resolution actually does. I noticed...yesterday I saw...I know we do have a School Problems Commission, but I saw a resolution fly out of here yesterday dealing with the educational system, and that resolution will call for the appointment of individuals; and I noticed a whole lot of green lights on those resolutions, so if you're going to be consistent on the resolutions and adopting commissions, then I think Senator Dawson should have his fair shot at this and should get just as many green lights for this as the resolutions received yesterday that was sponsored by the Senate President and Minority Leader.

PRESIDENT:

Further discussion? Senator Chew.

SENATOR CHEW:

Yes, Mr. President, all over this country industry has begun to incorporate within their premises day-care centers

for working mothers. This resolution was born prior to the passage of our tax bill. In Senator Dawson's area the Governor has designated a enterprise zone. I think it was three in Chicago and that area has one and it also has a Port Authority. What we're trying to do here is to make it easy for working mothers to have facilities for the children. The other thing is, the tax incentive for this...

PRESIDENT:

Senator Dawson.

SENATOR DAWSON:

...let's just take this out of the record, okay? We'll work it out.

PRESIDENT:

Take it out of the record, Mr. Secretary. (Machine cut-off)...Fawell, for what purpose do you arise?

SENATOR FAWELL:

Thank you, Mr. President. I would like to have the resolution read now, if at all possible, and I would appreciate if my colleagues would please sit down and...and listen for a minute.

PRESIDENT:

All right. Will the members please be in their seats. Senator Dawson, can you take that conference a little further back? We've been asked to ask the members to be in their seats. Resolutions, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Resolution 300 offered by Senators Fawell, Geokaris, Macdonald and all members of the Senate.

(Secretary reads Senate Resolution 300)

PRESIDENT:

Senator Fawell.

SENATOR FAWELL:

Thank you, Mr. President. I would like to ask all the Senators to join in this resolution. Laura, we certainly

wish all of you and...and Mike the very best. You are about to embark on a...a marvelous journey. I wish you lots and lots of years of happiness, and I do move for the adoption of this amendment.

PRESIDENT:

All right. Leave to show all members. Senator Pawell moves to suspend the rules for the immediate consideration and adoption of Senate Resolution 300. All in favor of the motion to suspend indicate by saying Aye. All opposed. The Ayes have it. The...rules are suspended. Senator Pawell now moves the adoption of Senate Resolution 300. All in favor indicate by saying Aye. All opposed. The Ayes have it. The resolution is adopted. Congratulations, Senator Kent. Senator Kent.

SENATOR KENT:

Thank you, Mr. President and all my colleagues. I certainly appreciate this very much, and I would just like to say two things. Senator Rock, I hope that we're not here for you to preside as the captain "of our ship;" and, Bev, I certainly appreciate this and I wish the best for you and Sam as well. Thank you.

PRESIDENT:

Senator Sam.

SENATOR VADALABENE:

Laura, that was awful nice of you, but what am I going to do with Mary? And while I'm on the mike, Bev, the flowers you sent me over here this morning, one of them is going limp.

PRESIDENT:

Messages from the House.

SECRETARY:

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

Mr. President - I am directed to inform the Senate the House of Representatives has refused to adopt the first

Conference Committee report on Senate Bill 437 and requests a second Committee of Conference to consider the differences between the two Houses in regards to Amendment No. 2. And the Speaker has appointed the members on the part of the House, and Senator Fawell is the Senate sponsor of this bill.

And I have a like Message on Senate Bill 972 requesting a second conference. The Speaker has appointed the members. Senator Holmberg is the Senate sponsor.

I have a like Message on Senate Bill 1026 requesting a second Committee of Conference. The Speaker has appointed the members. Senator Hall is the Senate sponsor.

I have a like Message on House Bill 114 and they request the second and the Speaker has appointed the members on the part of the House, and Senator Smith is the Senate sponsor.

I have a like Message on House Bill 1178. Senator Bruce is the Senate sponsor.

I have a like Message on House Bill 1955. Senator Kustra is the Senate sponsor.

And I have a like Message on 2058. Senator Schaffer is the Senate sponsor.

PRESIDENT:

All right. Senator Hall moves that the Senate accede to the requests of the House for second Conference Committees on those bills read by the Secretary. All in favor of the motion to accede indicate by saying Aye. All opposed. The Ayes have it. The Senate does accede to the request of the House for the formation of the second Conference Committee. We're awaiting the arrival of the Supplemental Calendar No. 3, so if we'll just stand at ease for a few moments we'll be ready to go.

PRESIDING OFFICER: (SENATOR BRUCE)

If I might...the Senate will come to order. On the second Supplemental Calendar, Senator Jones has informed the

Chair that Senate Bill 83 and the Conference Committee thereon, that the House has refused to adopt the first Conference Committee report. Senator Jones, you're recognized for a motion.

SENATOR JONES:

Yeah, thank you, Mr. President. I request a second Conference Committee report and...because the bill did fail in the Senate, the first Conference Committee report and I want a second.

PRESIDING OFFICER: (SENATOR BRUCE)

All right. Senator Jones moves that we not adopt. The question is, shall the Senate adopt the first Conference Committee on Senate Bill 83. 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 4, the Nays are 11, 3 voting Present. The Senate does not adopt...does not adopt the first Conference Committee report to Senate Bill 83, and the sponsor asks that a second Conference Committee be appointed. Right. If I might have the attention of the Body, the Secretary has distributed the...the third Supplemental Calendar, a third supplemental is now on your desk. No, it is not...you have to keep Supplemental One, Two and now Three; they are not duplicates; it's all new material; you still have to keep two because we haven't wrapped up two. All right, that's fine. If I might have your attention, on page 1 of that Supplemental Calendar, there are...all right. We understand that...do the members to my right, have you received a third Supplemental Calendar? We have a gap here in the middle. All right. There are...on page 1 of that Supplemental Calendar, we will not call House Bill 1812. Senator Degnan, that is your bill and it's a lengthy Conference Committee. It is being run and as soon as it...it is run we will distribute that to your desk, but that's...we will eliminate that. On

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page 2...all right, I'm sorry, the second one has been delivered, we will be able to consider that. Senator Luft, for what purpose do you arise? All right. Conference Committee report. Senator Rock, you had a bill on the regular Calendar, did you wish to...we took it out of the record. If you will return to the regular Calendar, on page 9 is Senate Bill 1203. Senator Rock is recognized for a motion.

SENATOR BOCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 1203 is an amendment to the Illinois Municipal Code, and what it does is incorporate the agreement that was reached in the court case concerning the repayment of taxes collected under an invalid tax by the cities of Oak Park, Evanston and Rosemont. Oak Park and Evanston had a...the court had indicated that the tax may well be...the refund may well have had a retroactive effect, and what this does is set the time limit for that retroactivity. The House, by amendment, added another provision with respect to another court case that is technically, I think, now in proper shape. Senator Barkhausen, who requested that it be taken out earlier, I am told, is now satisfied with the...with the wording. I know of no objection and I would move the adoption of Conference Committee Report No. 1 to Senate Bill 1203.

PRESIDING OFFICER: (SENATOR BRUCE)

Discussion? Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members,...I am not standing in the way of the adoption of this report, I'm not on the committee. I just...Senator Rock, this is the problem that I had, and I don't think it has any practical impact but, for the record, I...I thought it ought to be noted, is that some of the language which I think is...is still in this report was troublesome in that it indicated and that, I thought, an

attempt on the part of the Legislature to declare valid that which the Supreme Court had declared to be unconstitutional, these ordinances in question, in other words. And it...and it...it's a...goes against something as fundamental as Marberry versus Madison to say that the legislature can validate by subsequent Act a ordinance or law which the highest court in the State or the land has declared to be unconstitutional. I think the bill has a...or the report has valid objectives in...in attempting to...to save money for, not so much Evanston and Oak Park and Rosemont because I think the case is already settled and anybody that might try to recover money will be bound by that judgment in the class action case but there are two other municipalities in the State, I understand, East St. Louis and National City, Illinois where a similar municipal ordinances have been in effect and there might, at some future date, be a question of having to refund money in this case; and also Senator Rock was making reference to a case known as, Ghetto, I don't know the full name of it but it's another class action case dealing with the question of a utility tax imposed on...or including as part of the base upon which the tax is imposed that very tax itself. And I guess the case is still somewhere in the courts and there might at some point be the question of having to refund money. This report would say that that money would not have to be refunded. So, I think it's a...it's a valid attempt at trying to...save money for the municipalities involved, but I did...I did have that one philosophical problem with us trying to say just in...in the case of Evanston, Oak Park and Rosemont that...that ordinances are...are valid which the Supreme Court has declared to be invalid.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR BRUCE)

Indicates he will yield. Senator Geo-Karis.

SENATOR GEO-KARIS:

On page 1 of...the first Conference Committee report on Senate Bill 1203, in line 24, in the middle of the line, it says, "No...no municipality shall be...shall be required to rebate, refund or issue credits for any taxes described in this paragraph and such taxes shall be deemed to have been levied and collected in accordance with the Constitution laws of...the State." It's my understanding that the levies that were made...the ordinances that were passed to allow these taxes were found to be unconstitutional by the Supreme Court of Illinois. Can you tell us if that is so or not?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Rock.

SENATOR ROCK:

You are referring to...page...line 24 on page 1?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Rock.

SENATOR ROCK:

What...what it's suggesting is that Oak Park and Evanston, for instance, have been required to rebate but this sets a time limit.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Geo-Karis.

SENATOR GEO-KARIS:

I understand...it set a time limit, but the statement in there, my impression is that you're trying to make something legal that was declared illegal by the Supreme Court of Illinois, and I think that language is objectionable.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Rock.

SENATOR ROCK:

Well, your...your argument is essentially the same as Senator Barkhausen's, and I can understand the philosophical difference because Senator Barkhausen was quite correct. It is an attempt to retroactively validate these taxes which have, in fact, been held to be unconstitutional, and we are validating them for a certain period of time to prevent the absolute...windfall and...and prevent the disastrous effect it will have on those two municipalities. This is, frankly, by agreement of the parties, and we are now validating that agreement.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Does this mean then the taxpayer cannot go back to these municipalities and collect the fees that were taken from the taxpayer illegally?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Rock.

SENATOR ROCK:

No, they are, in fact, receiving a two-year refund.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Jerome Joyce.

SENATOR JEROME JOYCE:

Yes, thank you, Mr. President. I...I would like the sponsor to know that I...I'm not in any way trying to jeopardize his bill, I realize the problem that he is in; but...in a not unsimilar circumstance, there are many school districts, municipalities, taxing bodies in downstate Illinois that are caught up on a very similar situation with the tax and the law that was changed and here regarding pollution control equipment on nuclear power plants. I would...I...I have a question to the sponsor, if he would yield.

PRESIDING OFFICER: (SENATOR BRUCE)

Indicates he will yield. Senator Jerome Joyce.

SENATOR JEROME JOYCE:

Where is the rebate going?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Rock.

SENATOR ROCK:

To the customers.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Jerome Joyce.

SENATOR JEROME JOYCE:

So those customers are not going to get that rebate then, is that correct?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Rock.

SENATOR ROCK:

No, the customers are getting the rebate, for a two-year period pursuant to their agreement.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Jerome Joyce.

SENATOR JEROME JOYCE:

All right. But...all I want to say is that we could use some help in certain school districts and taxing bodies around the State that have been caught in a very similar position as this and...and it is indeed having a disastrous effect on those areas. And we have a bill here tonight not asking for forgiveness or any of the kind, it's Senate Bill 101 that has been amended in the...in the House, and we have a Conference Committee that is going to be going over to them for signatures, and it would be very helpful if we could get some help on that, both here and on the other side of the rotunda. And that's what I ask for, Senator Rock, is a little help.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Lechowicz.

SENATOR LECHOWICZ:

Well, Mr. President and Ladies and Gentlemen of the Senate, I believe this is a fair and equitable Conference Committee and should be adopted. Basically, what transpired, two villages levied taxes in good faith, in fact a very...and they were accepted and used in the corporate funds according to law and then they...when the appeal was given to the Supreme Court and the court ruled it invalid. Now, the municipalities then are...are faced with the dilemma of trying to make refunds on taxes collected by electric bills, gas bills, telephone bills. It's very difficult to do. And I think this is a very equitable compromise, that you're saying, yes, it's been proved invalid but please don't place these municipalities in any type of jeopardy and that the money that was collected was spent in good faith and please to eliminate the rebate. And I move...I would concur with this Conference Committee No. 1.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Further discussion? Senator Barkhausen for a second time.

SENATOR BARKHAUSEN:

I just want to clarify, Mr. President and members, particularly because of the questions raised by Senator Geokaris, that insofar as the utility tax is concerned, this...this bill would not...would not prevent a refund that will otherwise take place. The municipalities in question, Oak Park, of course, where Senator Rock is from and...and Evanston and Rosemont will still have to provide the refund pursuant to the settlement agreement that has been approved by the judge in that case. It's a class action suit, and should any one of those taxpayers try to come in at a later date asking for more of a refund than the settlement provides, they would not be able to get it because they would be bound by the judgment approved in this class action case; so this is not taking anything away from the taxpayers where the

utility tax provisions are concerned. It could conceivably affect the...the so-called Ghetto case, the question of a tax on a tax, and whether...whether a court at some point would order a refund of a tax deemed to be illegal in...in this situation could possibly be affected by our action here.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Collins. All right. Further discussion? Senator Rock may close.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate Bill 1203 and the first Conference Committee report, I think, are worthy of our approval. There is little or no controversy. It is very technical, very legal and it...it does, in fact, help the Village of Oak Park, and I would urge your favorable support.

PRESIDING OFFICER: (SENATOR BRUCE)

The question is, shall the Senate adopt the first Conference Committee report on Senate Bill 1203. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 46, the Nays are 8, 1 voting Present. The Senate does adopt the first Conference Committee report to Senate Bill 1203 and the bill having received the...the...the affirmative votes of three-fifths of the members elected is effective immediately upon its becoming a law. We will now go to the third Supplemental Calendar. The first bill on that Supplemental Calendar is House Bill 114, Senator Smith. Senator Smith is recognized for a motion on the second Conference Committee report on House Bill 114.

SENATOR SMITH:

Thank you, Mr. President. House Bill 114 met with the second Conference Committee. It taken off all the amendments and it's back to its original stage, and I know of no other

opposition. Therefore, sir, I move the adoption of Conference No. 2.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is to adopt the second Conference Committee report. Is there discussion of the motion? Discussion? The question is, shall the Senate adopt the second Conference Committee report on House Bill 114. 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 51, the Nays are none, none voting Present. The Senate does adopt the second Conference Committee report to House Bill 114, and the bill having received the affirmative votes of three-fifths of the members elected is effective immediately upon its becoming a law. House Bill 516, Senator Marovitz. Senator Marovitz on the Floor? House Bill 690, Senator Sangmeister. Senator Sangmeister is recognized for a motion on the first Conference Committee report on House Bill 690.

SENATOR SANGMEISTER:

Thank you, Mr. President and members of the Senate. When this bill came over from the House originally it...it dealt with the theft of public utilities. For example, you take your water and you shunt it around the meter, why you'd be guilty of stealing public utility services. We thought that there ought to be a presumption in there that if you're the owner of the property that you were the one that did it. The House has never agreed with that and doesn't want to agree with it, so what we are doing here is removing the amendment that we put on when we sent it back to the House and, therefore, I now move that we adopt Conference Committee Report No. 1 to House Bill 690.

PRESIDING OFFICER: (SENATOR BRUCE)

Discussion? Discussion? The motion is to adopt. The question is, shall the Senate adopt the first Conference

Committee report to House Bill 690. 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 49, the Nays are none, none voting Present. The Senate does adopt the first Conference Committee report to House Bill 690, and the bill having received the affirmative votes of three-fifths of the members elected is effective immediately upon its becoming a law. Senator Marovitz has returned to the Floor on House Bill 516. He is recognized for a motion. For what purpose does Senator Geo-Karis arise?

SENATOR GEO-KARIS:

Point of personal privilege. Because it's so darned dark in here...I came to vote my switch and I voted Ray Hudson's switch instead and didn't vote mine, and I would like to be recorded as Aye on...690.

PRESIDING OFFICER: (SENATOR BRUCE)

The transcript will indicate your wishes. Senator Marovitz, you are recognized for a motion on House Bill 516.

SENATOR MAROVITZ:

Thank you, Mr. President and members of the Senate. I would move that the Senate do adopt Conference Committee Report No. 1 to House Bill 516. It puts the bill back in its original form and allows for the admission of evidence by a psychiatrist or a psychologist as to the unfitness of a person to discharge parental responsibility. This is for the protection of the child, and I would ask for the...adoption of Conference Committee Report No. 1.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Senator Marovitz...thank you, Mr. President. Senator Marovitz, you said it puts it in the original form, but actually we are receding from Senate Amendment No. 1. You're not

receding from a House amendment. Oh, I'm sorry, it's House bill, okay, I'm...I'm sorry.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Darrow.

SENATOR DARROW:

Will the sponsor yield?

PRESIDING OFFICER: (SENATOR BRUCE)

Indicates he will yield. Senator Darrow.

SENATOR DARROW:

Are the psychologists now in agreement with this legislation?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Marovitz.

SENATOR MAROVITZ:

Totally.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Further discussion? The question is, shall the Senate adopt the first Conference Committee report on House Bill 516. 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 53, the Nays are none, none voting Present. The Senate does adopt the first Conference Committee report to House Bill 516, and the bill having received the affirmative votes of three-fifths of the members elected is effective immediately upon its becoming a law. House Bill 1054, Senator Kelly. Senator Kelly is recognized for a motion.

SENATOR KELLY:

Thank you, Mr. President and members of the Senate. I move to concur in Conference Committee Report No. 1 on 1054. This...this bill concerns the disposal of hazardous liquid waste. It...the House would not go along with the amendment adopted by this Body which was controversial, Senator Demuzio

had offered. And its...at this particular moment, it's an agreed bill by all the business community, and I don't know of any opposition. I'd appreciate your support.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? Is there discussion? The question is, shall the Senate adopt the second Conference Committee report to House Bill 1054. 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 52, the Nays are 1, 1 voting Present. The Senate does adopt the second Conference Committee report on House Bill 1054, and the bill having received the affirmative votes of three-fifths of the members elected is...is effective immediately upon its becoming a law. House Bill 1253, Senator Marovitz. Senator Marovitz is recognized for a motion.

SENATOR MAROVITZ:

1293?

PRESIDING OFFICER: (SENATOR BRUCE)

1293.

SENATOR MAROVITZ:

Right, yes. Thank you, very much. I would move...is this No. 2 or 1? Okay. I would move that the Senate do adopt Conference Committee Report No. 1 to House Bill 1293. All it does is allow a lien for police authorized tows. It has nothing to do with money, Clarence. The..the...it does not remove the cap but just allows a...for police authorized tows, it gives...gives them the...the lien on the tow and it does not remove any cap that has been on the bill; that has been taken off the bill. I would ask for adoption of Conference Committee Report No. 1 to House Bill 1293.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? Is there discussion? The question is, shall the Senate adopt the first Conference Committee

report on House Bill 1293. 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...49...the Ayes are 50, the Nays are none, none voting Present. The Senate does adopt the first Conference Committee report to House Bill 1293, and the bill having received the affirmative votes of three-fifths of the members elected is effective immediately upon its becoming a law. House Bill 1812. Mr. Secretary, has that Conference Committee report been distributed? The Chair is informed, Senator Degnan, has had...it has been distributed so we can handle it. Senator Degnan is recognized for a motion.

SENATOR DEGNAN:

Thank you, Mr. President. I move we accept Conference Committee Report No. 1 on 1812, which is original bill 1812 intact, allowing computer generated ballot applications with party check-off boxes. In the Conference Committee report we recede from Senate Amendment No. 1 which had some questions on whether or not it was double taxation. Further, the Conference Committee adds a paragraph to allow the State Board of Elections to maintain something called a research library that includes current precinct election results and maps of current precincts from all election authorities in the State. It requires the Board of Elections to make this precinct data available for inspection by the public, and it includes Congressional candidates among those entitled to receive copies of those abstracts. I move we adopt Conference Committee No. 1 on House Bill 1812.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? Senator Bloom.

SENATOR BLOOM:

Yes, a question. On page 6...I guess it would be lines 21 through 29. You're setting up a research library at the State Board of Elections, is that correct?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Degnan.

SENATOR DEGNAN:

That is correct.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Bloom.

SENATOR BLOOM:

And apparently, you're saying, "included but not limited to every precinct in the State," is that it?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Degnan.

SENATOR DEGNAN:

That's correct.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Bloom.

SENATOR BLOOM:

And a map of every precinct and current precinct poll lists from...everyone in the State?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Degnan.

SENATOR DEGNAN:

...every election authority, Senator Bloom.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Bloom.

SENATOR BLOOM:

Current precinct poll lists from all election jurisdictions in the State, that's like every single precinct in the State and every single poll list in the State, as...as I understand it. How much will it cost, just for openers?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Degnan.

SENATOR DEGNAN:

I'm advised the estimates are four thousand, Senator Bloom.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Bloom.

SENATOR BLOOM:

It'll...it'll only cost about four thousand to have every precinct and every...voter in the State. Maybe I'm misunderstanding the...the language or the intent. Go ahead, could you...

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Degnan.

SENATOR DEGNAN:

Maybe I'm misunderstanding the intent, too. I'd like to take this out of the record.

PRESIDING OFFICER: (SENATOR BRUCE)

Take it out of the record. House Bill 1838, Senator Egan. House Bill 1864, Senator Savickas. Senator Savickas, I...I can't see. Do you...do you wish to proceed? Senator Savickas is recognized for a motion on House Bill 1864.

SENATOR SAVICKAS:

Well I guess we'll move to concur with the Conference Committee report. Wait...

PRESIDING OFFICER: (SENATOR BRUCE)

(Machine cutoff)...take it out just for a minute, Senator Savickas, and we'll get right back to you. Leave to take it out of the record? All right. House Bill 1941, Senator Schuneman, are you ready? Senator Schuneman is recognized on the second Conference Committee report on House Bill 1941.

SENATOR SCHUNEMAN:

Thank you, Mr. President. The Senate adopted Senator D'Arco's amendment which was Amendment No. 3. That amendment was later objected to by the House because of the outpatient psychiatric coverage that was being changed. That issue has been agreed upon now in this Conference Committee report, and I would urge adoption of the report.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. Has the second Conference Committee report been distributed?

PRESIDING OFFICER: (SENATOR BRUCE)

The Secretary...indicates that it has been, we'll...we'll...we'll wait just a second.

SENATOR LECHOWICZ:

No...no...no...no, just the...this is the first Conference Committee, first.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator, I'm...I think it is the second. The Calendar indicates the second report. All right. Senator Schuneman.

SENATOR SCHUNEMAN:

Well, the...the Calendar must be in error then, Mr. President, because this is the first Conference Committee. The...the report so indicates and...

PRESIDING OFFICER: (SENATOR BRUCE)

We've...we've checked our files and it is the first Conference Committee report. The Calendar is in error and anybody that thinks we can keep up with all this stuff...all right, we're...we're doing...doing very well. Now, Senator Lechowicz, have you found the first report? Senator Lechowicz is recognized.

SENATOR LECHOWICZ:

I always had the first report, I didn't have the second. I just wanted to bring it to the attention of the Chair.

PRESIDING OFFICER: (SENATOR BRUCE)

Right. Well, we were in error and thank you for correcting us. Senator Schuneman on...on the report.

SENATOR SCHUNEMAN:

I...I've described the report, Mr. President. I'd be glad to answer any questions if anyone has any. If not, I move that the Senate concur with the first Conference Commit-

tee report.

PRESIDING OFFICER: (SENATOR BRUCE)

The question is, shall the Senate adopt the first Conference Committee report to House Bill 1941. 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 51, the Nays are 1, none voting Present. The Senate does adopt the first Conference Committee report to House Bill 1941, and the bill having received the three-fifths affirmative vote of the members elected is effective immediately upon its becoming a law. House Bill 2014, Senator Rock. Senator Rock is recognized on a motion on the first Conference Committee report on House Bill 2014.

END OF REEL

REEL #7

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. The Conference Committee report on House Bill 2014 does two things; it calls for the Senate to recede from Senate Amendment No. 1 which was that provision that provided that poll watchers may not...or judges may not be poll watchers, that we...we recede from that amendment from that provision and we add the language that tracks...Senate Bill 1234, you will recall that Senate Bill 1234 which we received very widespread media attention was that proposal offered by the chairman of the City of Chicago Board of Election Commissioners with respect to judges of election having, frankly, full-time or at least professionalizing the judges of election in terms of their activities of registration and canvassing. This proposal, while not identical to 1234, contains the same concept. It provides for the...to afford the opportunity for those jurisdictions that have a Board of Election Commissioners to install...the system of administrative judges, judges of elections that may be assigned to register and canvass voters at anyplace within the precinct or at such fixed location as the election authority may deem. It calls for an equal balance between the political parties. It calls for compensation to be determined by the board of election commissioners, and it calls of reimbursement if, in fact, the board of election commissioners is currently being reimbursed. I would urge the adoption of Conference Committee Report No. 1 to House Bill 2014.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is to adopt. Discussion? Senator Macdonald.
SENATOR MACDONALD:

Thank you, Mr. President. I reluctantly, regretably have to say that there were no Republican signatures on this particular Conference Committee report, and I would like to ask the sponsor a question or two, if I might. When we talk about minimum performance...will...will he yield?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator...Senator Rock.

SENATOR MACDONALD:

When we talk about minimum performance standards, can you elaborate a little bit to tell us what we mean by minimum performance standards.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Rock.

SENATOR ROCK:

Well, I think, minimum performance standards are to be...we...we authorize the election authority to determine what, in their judgement as election officials, minimum performance standards ought to be, and we call for them to impose those standards on these designated judges.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Macdonald.

SENATOR MACDONALD:

Well, then we come down to reasonable compensation. Can you...can you tell us what...who establishes reasonable compensation and what...what is reasonable compensation?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Rock.

SENATOR ROCK:

Well, again, we suggest that reasonable compensation ought to be provided for those who provide this service; and we, again, leave the question of...or leave that determination to the proper authority, to the election authority who is actually assigning these individuals.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Macdonald.

SENATOR MACDONALD:

Well, lastly, it...in our analysis it says, "The report also contains a very unclear retroactive statement in the last paragraph." Could you elaborate on that, please?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Rock.

SENATOR ROCK:

I beg your pardon, I was preoccupied. Would you mind repeating the question?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Macdonald.

SENATOR MACDONALD:

Yes, in the last sentence of...of our analysis, it says that the report also contains a very unclear retroactive statement in the last paragraph. What...what does that mean exactly?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Rock.

SENATOR ROCK:

I think that applies, frankly, only to the City of Chicago Board of Election Commissioners. I...I think what they're getting at is it says, "If immediately prior to the effective date of this Act, any county made payments for expenses incurred in the registration and canvass of voters in connection with the general...Primary and General Election, such counties shall provide for and make payment for expenses incurred as herein provided for registration and canvassing." I think in our county, the county bore the cost of...of the registration and canvass, and if they did so, they would be placed in the position of having to bear at least part of the expenses of this new system.

PRESIDING OFFICER: (SENATOR BRUCE)

(Machine cutoff)...Macdonald.

SENATOR MACDONALD:

Mr. President and Ladies and Gentlemen of the Senate, I...I just echo the objections to my colleagues from the House and the others who were on the Conference Committee in the Senate to say that we just feel that this is a vague and...and not clear, and that some of the...some of the provisions in this Conference Committee report are...are...are really not acceptable and we would ask for your No vote.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Kustra.

SENATOR KUSTRA:

Mr. President, a question of the sponsor.

PRESIDING OFFICER: (SENATOR BRUCE)

Indicates he will yield. Senator Kustra.

SENATOR KUSTRA:

Senator Rock, is this part of the puff 'n stuff package?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Rock.

SENATOR ROCK:

Quite...quite to the contrary. I read a letter to the editor in one of our Chicago major newspapers from no lesser a personage than the United States Attorney from the northern district of Illinois who suggested that Mr. LaVelle's idea for professionalizing judges and canvassers and registrars was an excellent one, and I happen to agree and that's what this is about.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Kustra. Further...further discussion? Senator Rock may close.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. You will recall, and I'm sure Senator Macdonald will, when Senate Bill 1234, which was an amendment to the

Election Code, incorporating very specifically Chairman LaVelle's outline of...of what the administrative judge system ought to look like; and at that point, we heard a number of objections on the basis that it was much too specific and it really didn't give the Election Authority very much latitude. That bill passed out of this Chamber with 42 affirmative votes. Now, Mr. LaVelle, having suffered the slings and arrows of the House Committee, apparently, has decided that, well, general language which will afford him the opportunity to install this system in the City of Chicago, a system that has been lauded in the editorials and...and other media outlets in our city, now it's too broad or too vague or something. It is an attempt by the chairman of the Board of Election Commissioners to professionalize judges of election in terms of registration and cavassing. We leave the discretion in the hands...rightfully where it ought to be in the hands of the election authority, and we call for them to set up the system. It...it merely authorizes him to do this and I...I...I would ask that we adopt the first Conference Committee report on House Bill 2014.

PRESIDING OFFICER: (SENATOR BRUCE)

The question is, shall the Senate adopt the first Conference Committee report on House Bill 2014. 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 30, the Nays are 26, none voting Present. The bill having failed to receive the required three-fifths majority vote is declared lost, and the sponsor asks for the appointment of a second Conference Committee. House Bill 2058, Senator Schaffer. Is Senator Schaffer on the Floor? House Bill 26, Senator Vadalabene. Agent Grange Commission, Senator Vadalabene. For what purpose does Senator Keats arise? Oh, on this one. Senator Vadalabene is recognized for a motion.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. In the Conference...Committee Report No. 1, I move to concur in House Amendment No. 2 to the bill. As you...as I explained in the first report, the Vietnam veteran regional offices would have to be delegated to the DCCA. There was some comments by some Senators that...they had to be administered through the Department of Veteran Affairs, but it...it was...the grants had to be administered through the DCCA through the regional offices. Also, along with the committee report, Conference Committee Report No. 1; secondly, it adds public members to the following legislative commissions. Each legislative leader appoints one additional public member, and in the event the number of public members exceeded the number of legislative members, the number of legislative members were also increased. An increase in the number of the legislative members occurred in only seven such commissions. Twenty-six commissions received four additional public members and seven of the twenty-six increased legislative members...seven of the twenty-six increased legislative members for balance. Thirdly, in addition, at the Governor's request, there are two additional members for each of the following executive boards; the Illinois State Museum Board, the Illinois State Historical Library Board and the Illinois Pollution Board. This bill does not create any new commissions or boards, and I concur in House Amendment No. 2 to the...to Senate Bill 26.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? Senator Lechowicz.

SENATOR LECHOWICZ:

Well, Mr. President and Ladies and Gentlemen of the Senate, here we go, it's getting a little bit later and it's getting a little bit bigger, and now we're saying that not only do we have enough commissions in this State, but we're

going to expand them. We don't have enough people serving and gathering all this wonderful information for us, but we're going to expand them. And yes, the Governor's going to make his appointments; and, yes, the President of the Senate...the Speaker of the House is going to make their appointments and we're going to have all this wonderful participation, but the taxpayer is going to pay the bill. That's the ultimate situation. And I also want to point out to you, if you read this wonderful turkey, Senate Bill 26, first Conference Committee report, take a look at page 22, lines 18 through 21, and I've been reading this thing with absolute glee. It tells you that we even have a pay increment increase, board members shall be paid thirty thousand per year until July 1, '79, thirty-three thousand...thirty-four thousand nine hundred, thirty-seven thousand; chairman, thirty-five thousand. Oh, this is a beauty. This is an absolute delight, but if you have any concern about the people at home, you would definitely vote No on this first Conference Committee report.

RESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Friedland.

SENATOR FRIEDLAND:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senator Lechowicz hit it right on the button. This looks...on a time of budget crunches, we're increasing these commissions, this is watering day...watering time at theippo trough here, and there's some clinkers in here, and I'd urge you to reject this and take it back and take the clinkers out. Thank you.

RESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Collins.

SENATOR COLLINS:

Question of the sponsor.

RESIDING OFFICER: (SENATOR BRUCE)

Indicates he will yield. Senator Collins.

SENATOR COLLINS:

By increasing the numbers of members on these commissions and the operating costs for them in expense and everything else, the new chairmans, what's the total cost of this conference...report?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Vadalabene. The question is the cost of the...the commissions.

SENATOR VADALABENE:

First of all, I think the Senate...all right, I'll yield to Senator D'Arco for a minute.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator D'Arco.

SENATOR D'ARCO:

You know, Mr. President...I know it's late and maybe my eyes are deceiving me, because I got the impression that, according to Senator Lechowicz, we seem to be creating more commissions than are presently constituted or...but that's the impression you seem to be leaving me with this Body. I'm looking at a readout of the commissions that are in this bill and they all seem to be very good commissions, Ethnic Heritage is in this, the Municipal Problems Commission is in, the Dangerous Drug Commission is in this, all...very worthy commissions, Status of Women are in this. All I...I don't understand his objection to the fact that more legislative members are being put on these commissions or more public members are being put on these commissions. There is no increased funding in this bill that I am aware of. So, I don't think we should leave the impression with the Body that we're doing something uncanny here.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Collins.

SENATOR COLLINS:

...I asked a question of the sponsor. You allowed

another member to answer that question. Now, I must continue and say to Senator John Jr., that is not true. The fact that you increased legislative members on a commission, we are paid a per diem each day that we serve on those commissions plus travel cost to and from wherever we're going if it's overnight. Now...and so does the public members, so don't try and pretend here that this is not costing anything. This is costing enough money alone to make the difference between life and death of at least ten people in this State if you increase their general assistance. So, I said, no, we should not concur with this committee, it is unnecessary. And as to the impact of all of these commissions, probably...other than the Dangerous Drug Commission in here, we could just scrap them all because they are worthless.

RESIDING OFFICER: (SENATOR BRUCE)

For what purpose does Senator Lechowicz arise?

SENATOR LECHOWICZ:

Point of order, Mr. President...my opening remarks I pointed out the expansion of the existing commissions. If you take a look at page 21...

RESIDING OFFICER: (SENATOR BRUCE)

What...what is your point of order?

SENATOR LECHOWICZ:

My point of order is that there are new people being hired here, that's located on page 21, lines 24...

RESIDING OFFICER: (SENATOR BRUCE)

Well, Senator...that...that is a question for debate, it's not a point of order. Well, you may use...Senator Lechowicz, it's...it's a point of debate...we can get back to you on the second time around. All right, Ladies and gentlemen, I have Senators Zito, Hudson, Marovitz, Netsch, Markhausen and...and the Chair is happy to entertain everyone here at eleven twenty-two, but I...I would point out that...all right. Senator Zito.

SENATOR ZITO:

Thank you, Mr. President and members. If I can have the attention of the Body for a second, we heard this bill the other day; and the reason I'm interested in this, not because I have a spot on a commission, but because Representative John O'Connell, Representative Kustra, if you recall in the House, worked many long hours and got national publicity because we were the only...only State in the nation that had the guts to come forward and establish an Agent Orange Commission. He formed that commission. He's worked diligently on that commission. The arguments that we're talking about tonight are adding more members that John necessarily was not in agreement with, but we're working on that, and the argument the other day by Senator Davidson was that it's a turkey, that it should be killed. And the arguments he had the other day was about the job retraining. Well, Senator Davidson, I'm from that generation; and Senator Collins, to your remarks, I realize too that there's a lot of people in my generation that made sacrifices in the Vietnam War, and I think this is an opportunity where we can help Vietnam War Veterans in the State of Illinois find employment at no cost to the taxpayers and find a way out of all those things that you talk about that your people need as well. I think the time is now to pass this commission and to continue the work of the commission, it's already established. They're asking for another chance to continue do to the work. They're also asking for an opportunity to place people in employment if Federal dollars are available. They're not asking for another State dollar, they're asking to establish this commission so that they can help find work. If anybody has made any sacrifices, it's certainly been Vietnam War Veterans, and I think...I know it's late, but I think we should give it a little more consideration than...than what we're giving it right now. I urge an Aye vote.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Hudson.

SENATOR HUDSON:

Thank you, Mr. President. I'll try to make this very brief. Members of the Senate, it's not that we're doing anything necessarily uncanny here tonight; but probably with all due respect to Senator Sam we, have an idea that should be banned. I happen to be a chairman of one of the commissions on the listed here, and we have over since I...at least I've had anything to do with that commission, we have tried to operate it in very tight fiscal restraints and hold cost down. As a matter of fact, we haven't come in for any increase in our budget for the past three, four or five years now, and I believe that if we proceed down the route of the expanding the members...the numbers on these commissions, it's going to make our job tremendously more difficult to hold our costs in line which I feel we are compelled to do. I think that's what the public is expecting of us. It's what I think most of our colleagues here are expecting of us on these commissions, keep their costs in line; and if we begin to expand the membership, those costs, I think, are going to reflect the results by increase in costs. So, I'm somewhat reluctantly, and with all due respect to the sponsor, I...I would urge also a rejection of this Conference Committee report.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Marovitz.

SENATOR MAROVITZ:

Well, I...I think that we ought to vote this Conference Committee report down. I think there's a lot of stuff in this conference report that even the people who are on the commission...the chairman of the commissions don't even know about and what the effect is. Whoever drafted this thing didn't even talk to the people who are on these commissions

into trying to do the work that will benefit the people that are involved with the purview of the commissions, and I think we ought to vote this thing down so that we can put it back the way it originally was, leave the same members on. If...if all this...if all this bill does is expand the membership, then we don't need it.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. I would add only one new piece of information, perhaps, to the debate. The suggestion has been made that we are not creating any new commissions, that is literally true; but we are repealing the repealer on at least three commissions that I have been able to identify so far in this long monstrosity. I would consider that the creation of new commissions.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, I would simply add that apart from the expenses of all of the additional members that this Conference Committee report would call for, I would point out that among the boards and commissions which would have their membership expanded is the Pollution Control Board which would go from five to seven, an additional two positions. Each...each member there is paid thirty-seven thousand five hundred dollars a year. So, this bill has a price tag of seventy-five thousand just in salaries alone, let alone all of the expenses which will accrue. I think this...this type of report shows an...a real insensitivity to the taxpayers that we ought to be...we ought to be a little bit more conscious of our image the day after we did what we did yesterday.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Lechowicz, did you...all right. Senator...Senator Coffey.

SENATOR COFFEY:

Thank you, Mr. President and members of the Senate. I rise in opposition, also, to this Conference Committee report. I think...as just been stated by one of my colleagues that only yesterday we found it necessary to raise the taxes of this State to take care of the needs of the people of the State of Illinois. I don't think this is one of the needs that they...that they need, and I think we ought to eliminate this right quick.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Vadalabene may close.

SENATOR VADALABENE:

Yes, first of all, just let me say a few words. You know, this came to me just about as big a surprise as it came to all of you. Now, standing behind me, you know, you can hear him, Senator Davidson, you can hear him, he's got a good laugh, but let me tell you, he created the furor. We came over here with a good, clean Agent Orange bill, and he was the one that said it was a turkey. And because the clean bill did not pass, we got into this kind of a hassle; and I don't know what the hell they do over in that House, but every time I see a bill come back from the House, it's not the same damned bill that I sponsored, you know, and then I have the job of trying to get the damned thing passed. Now, I'm not in favor of what I'm doing here either, but this ought...this ought to teach some of us a lesson that when you have a good bill, a good Conference Committee bill, and they you...you massacre it, this is what you get later on, something like this. And, Senator Davidson, you can laugh, and this is not fun for me; but the next time you crucify a bill, you better know what you're talking about, and I ask for any kind of a roll call you want to give.

PRESIDING OFFICER: (SENATOR BRUCE)

No, Senator Geo-Karis, we've just about beaten this one to death. The question is, shall the Senate adopt the first Conference Committee report on Senate Bill 26. 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 10, the Nays are 43, none voting Present. The Senate does not adopt the first Conference Committee report to Senate Bill 46 and the Secretary shall so inform the House. Senator Vadalabene, do you request a second Conference Committee? All right. Second Conference Committee has been requested. Senate Bill 98, Senator Luft. Senator Luft is recognized for a motion.

SENATOR LUFT:

Thank you, Mr. President. I move that the Senate do adopt Conference Committee Report No. 1 on Senate Bill 98. Senate Bill 98 has two new provisions in it which were put in by the Conference Committee. One of those...provisions inserts new language into the Illinois Income Tax Act to provide...consistency with Internal Revenue Code. The language provides that when a taxpayer is living or traveling outside the United State and Puerto Rico on the date upon which his tax return is due to be filed, such taxpayer shall not be required to file...his return or be subject to penalty until sixty days from such due date. I want to point out that this provision is allowed under the Federal but not State Income Tax Law, and this pro-tax...language will allow taxpayers the same consideration they receive under Federal tax at the State level. We put this in the Conference Committee report at the request of the Taxpayers' Federation, and I would...move for the adoption of the Conference Committee Report No. 1.

PRESIDING OFFICER: (SENATOR BRUCE)

Discussion? Senator Barkhausen. Oh, sorry, Senator

Barkhausen, Senator Luft wanted to mention one other thing.
Senator Luft.

SENATOR LUFT:

I forgot part of the Conference Committee report. I would like to yield to Senator Etheredge to...please explain the second portion of this report.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there leave? Leave is granted. Senator Etheredge.

SENATOR ETHEREDGE:

Mr. President and Ladies and Gentlemen of the Senate, the second part of this Conference Committee report is the content of Senate Bill 477 which, if memory serves me correctly, passed out of this House on the Agreed Bill List. What it...what it does is to require the Department of Revenue to publish annually a report of the personal income tax receipts by county.

PRESIDING OFFICER: (SENATOR BRUCE)

Now, discussion? Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, just to explain why I had some reservations about signing this report. I...I like the portion which Senator Etheredge just explained. I had some misgivings about...even though it is apparently...I'd take the word for a fact that the Internal Revenue Code allows an extension of sixty days for filing for somebody that is traveling abroad. It seems to me that that's...you might even call it sort of a fat cat exemption, in that if one is going abroad for one week on business. I think everybody is conscious of when April 15th rolls around, and the mere fact that one is out of town for a few days in...in Europe or wherever shouldn't...shouldn't be in...if somebody owes ten thousand dollars in taxes, they should not necessarily be allowed to collect interest on that money for an additional sixty days because of the mere fact that they're taking a one

week trip to Europe on business or recreation, so I had some misgivings about that even though I'm told it's included in the Internal Revenue Code.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. Senator Barkhausen, the...the law requires that you may not pay a penalty but you pay interest from the date of April 15th in both...in both the Internal Revenue Code and this situation also. They would be paying interest to the government even though they have not filed. So, on the ten thousand dollars you were talking about, they'd probably be paying about twenty percent interest.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion?...Senator Barkhausen.

SENATOR BARKHAUSEN:

I didn't see that here, Senator Luft. I'll...I'll take your word for it but it's not clear, at least with the language contained in this Conference Committee report that interest would otherwise be due for that period of time.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. I...I don't see anything wrong with this provision really. In the Federal Tax Laws you are...granted an automatic extension if you just simply file a piece of paper for at least, I think it's two months, at least to June 15th. This is really not very different from that. In addition, I would suggest to Senator Barkhausen that if that individual owes ten thousand dollars, they probably greatly underestimated their income and they're probably going to get hit very badly in any event just simply for missing the estimation time. So, I...I don't think we're going

to be losing anything, and there are large numbers of people who are out of the country on business, not necessarily on frivolous activities. I don't see that this is not a reasonable protection for them.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Further discussion? Senator Luft may close.

SENATOR LUFT:

I just renew my motion, Mr. President.

PRESIDING OFFICER: (SENATOR BRUCE)

Question is, shall the Senate adopt the first Conference Committee report to Senate Bill 98. 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 40...51, the Nays are none, 1 voting Present. The Senate does adopt the first Conference Committee report to Senate Bill 98, and the bill having...received the affirmative vote of three-fifths of the members elected is effective immediately upon its becoming a law. Senate Bill 186, Senator Euzbee. Senate Bill 310, Senator Vadalabene. Senator Vadalabene is recognized for a motion.

SENATOR VADALABENE:

All right, Mr. President and members of the Senate, on the first Conference Committee on Senate Bill 310 this is the regional superintendent of schools pay increase, and what they've did is they've reduced the original amount from five thousand dollars to forty-five hundred the first year effective of August of 1, 1983, and one thousand dollar increase each year after that until July 1, 1986. If you recall, there were some colleagues on both sides of the aisle who were hesitant about the pay raise prior to the State Income Tax passage. Well, those of you who were concerned about the State Income Tax passing, as you well know, it passed and I

was one of the supporters of the State Income Tax. During the waiting of the process, the regional superintendents got together and reduced their salaries, as I have just mentioned. I think it's had plenty of debate, and I would like to concur with the...with the amendment.

PRESIDING OFFICER: (SENATOR BRUCE)

Discussion? Senator Collins.

SENATOR COLLINS:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Collins.

SENATOR COLLINS:

Senator Sam, how...what does a regional superintendent do?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Vadalabene.

SENATOR VADALABENE:

State reports, school lunch programs, send me letters, call me on the phone. Hell, I didn't even get to go to school, let alone know what a regional superintendent did.

PRESIDING OFFICER: (SENATOR BRUCE)

Discussion? Further discussion? Senator Lechowicz. Oh, Senator Collins, had you not concluded? Senator Collins.

SENATOR COLLINS:

Hey, this is serious. Now, what...what is their salaries for shuffling those papers, and sending you reports and letters, and lobbying on these bills for raises and whatever? What do...what do they make now? What's the salary?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator...Senator Vadalabene.

SENATOR VADALABENE:

The present salary of a regional superintendent...the current salary in populations of less than forty-eight thousand, he makes thirty-one thousand a year. In populations of

forty-eight thousand to nine hundred and ninety-nine thousand, he makes thirty-five five. In one hundred thousand to nine hundred and ninety-nine thousand, he makes thirty-nine thousand, and in one million and over, he makes forty-one thousand. And I know a lot of school people who make a hell of a lot more money than that.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Collins.

SENATOR COLLINS:

Yes, does...does he work year-round or just during the school season?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Collins.

SENATOR COLLINS:

He work...does he...does his office and he still shuffle papers year-round when school is out, or does he work nine months a year when school is in session?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Vadalabene.

SENATOR VADALABENE:

He works the year-round and also I...I have discovered that he also participates or controls the sale of school buildings as they close.

PRESIDING OFFICER: (SENATOR BRUCE)

All right, Senator Collins, did you...Senator Collins, it's twenty minutes till twelve. Senator Collins.

SENATOR COLLINS:

What...I...I noticed, Mr. President, that you've talked about twelve o'clock. What difference does it make?

PRESIDING OFFICER: (SENATOR BRUCE)

It makes no difference to me. I'm here...I'm here for the night. All right.

SENATOR COLLINS:

Oh, okay. I thought it had some impact on the...the

number of votes.

PRESIDING OFFICER: (SENATOR BRUCE)

Oh, no.

SENATOR COLLINS:

Okay. Okay. Well, everybody talks all year long and for seven years they've...you've talked, so it's my time now, and I have something to talk about. This is very serious. Now, I want to know the total amount of dollars we're talking about for this appropriation. Seven million is that...what...billion...what...what are you talking about...million, I mean.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Vadalabene.

SENATOR VADALABENE:

If I recall, in the original bill it was between seven hundred and eight hundred thousand dollars. If I recall. So,...and they took a reduction, so it'd be closer probably to seven hundred thousand.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Collins.

SENATOR COLLINS:

Well, I have to be against it. I don't think that we can when...even with the tax package that we passed yesterday, with the very optimistic projection on income revenue...I mean, revenue growth and a shortfall that we can afford to talk about giving anyone a raise, and most certainly someone that no one can honestly tell us what they really do or even what...if what they do have any...any real impact on the school system, and for that reason, I have to be against this report.

PRESIDING OFFICER: (SENATOR BRUCE)

All right, I have Senators Lechowicz, Fawell, Coffey, Bloom; and, Senator Demuzio, if you'd come up here I'd like to...all right. Senator Lechowicz.

SENATOR LECHOWICZ:

Not only...thank you, Mr. President. Not only does this provide a salary increase for the...county superintendents, but it also provides on page 3 an increase for two assistants. One assistant may be...compensated at...eighty percent in lieu of seventy-five percent rate, and the other not exceeding sixty-five...from sixty. Now, we defeated this measure twice already for the county superintendents. Now, we have a Conference Committee report not only in...making a slight adjustment...decreasing it from five thousand increase next year to forty-five hundred, then two increments after that at a thousand apiece, so it's really sixty-five hundred dollar raise, but now we're also taking care of the two assistants. I recommend a No vote.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Further discussion? Senator Fawell.

SENATOR FAWELL:

Thank you, very much, Mr. President. For my colleagues' edification on the other side of the aisle, what a regional superintendent does, first of all, they are in charge of this...certifying the teachers. I have to send my four dollars in to my regional superintendent every year to renew my certificate or else I cannot teach. He also is in charge of the institute days. He is in charge of the regional board who...who settles the disputes between school districts. For instance, right now in my...in my district Wheaton and Warrenville are trying to separate, and half of Wheaton wants to leave and the other half wants to keep them, and it is a major dispute. It is a full-time job. Very frankly, my regional superintendent is getting about half of what our superintendents of schools are getting, and yet, he has the same degree, he has put in the same amount of hours, if not more, works year-round, and I honestly think this is one pay raise which is long overdue.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Coffey.

SENATOR COFFEY:

Thank you, Mr. President and members of the Senate. I rise again in opposition to this bill, in all due respect to the sponsor of this bill and the...I know his efforts in trying to get this bill through but there's two problems I have with it, and one is, as I stated earlier, on some increases to similar commissions, but we're about to give another pay raise, and it is a sizable pay raise and I don't think if we would take the two gentlemen that's regional superintendents in my area there could be any two finer individuals and those two people...and probably not any more capable or competent than...in the State of Illinois to...to take care of this type of job...and one's a Republican and one's a Democrat, so it's not political. But for us to be here and discuss a pay raise, at this time, of this size, for these individuals when my constituents in my area are asking me, why do we even keep them around? And I would suggest, and I have suggested, to our regional superintendents that they shouldn't be down here asking for a pay raise at a time when some of my constituents are saying, we don't think we even need regional superintendents, and there is a pay increase for the two assistants also and, again, those assistants that I know and in my area are...are fine individuals, but I don't think we ought to be down here, especially a day after...and I don't want to be down here a day after raising the taxes on the people in my district and in this State, and here now determining...we got extra revenue now, we can start in giving pay raises, putting more money into commissions and...and going into that kind of spending. I supported the tax increase yesterday on the basis that we needed revenue for existing programs and services, and this is not existing costs, and I think we ought to turn down this Conference

Committee report.

PRESIDING OFFICER: (SENATOR DEHUZIO)

Further discussion? Senator Bloom.

SENATOR BLOOM:

Well, thank you, at the risk of being repetitious, I just want to pick up on a theme that Senator Coffey articulated and that is...this is one of the reasons why we need tax increases. We say it's for education but it never gets to the kids. It's always sopped up by educational administrators, and the teachers see this and you wonder why the teachers get together and try and get more because they see people that are essentially serving as middleman between an ossified education bureaucracy in Springfield and our school systems, they're very well paid for what they do. This is not what we should be doing. This is one of the reasons, as I said, why we have to raise our income taxes, and this is wrong, and I...I'm not chastising the sponsor 'cause he...he gave us the reason in the middle of his explanation, and I sure hope they get that school building sold, but I...I had to add my two cents. Thank you.

PRESIDING OFFICER: (SENATOR DEHUZIO)

Further discussion? Senator Bruce.

SENATOR BRUCE:

Well, thank you, Mr. President, I rise in support of this particular pay raise. I think that we have an obligation anytime that we're going to take over the setting of salaries in the State of Illinois to recognize that those of us who don't serve in this Body have to look to those who run in our districts and serve the schools in the State of Illinois that they have a right to get a pay raise every once in awhile. We gave these gentlemen a pay raise four years ago, and I have talked to many of them. One of the superintendents indicated to me that when he'd left...he left as an elementary school principal, and had he remained in that position until

today, the person that's in that position is making more money than he is, and so there have been pay raises in the industry that he regulates but not within his own occupation. It's been four years, it's time to take a look at their salary. They did come in with a five thousand dollar increase. They've now come down to forty-five hundred dollars, a total increase this year, State-wide, with this salary increase is six...six hundred and eighty-four thousand dollars. That's it. Now it's spread over the State of Illinois, I think there are fifty...I can't remember, I think there are fifty-seven of these superintendents State-wide. They are involved with State aid. They...distribute over a billion four hundred million dollars a year. They are involved with truancy. The truancy program is in their...they...register and certify every teacher in the State of Illinois. They're involved with the sale of...school property. They run the institute days if there's a dispute over consolidation. If we get into a question, as I have, of who is in or out of a school district and who wants to petition in or out as individual land owners, they, in fact, handle that. They have been involved in the last two years in Senate Bill 700, which we passed out of this Body, which allows them to be involved in the voluntary recognition of collective bargaining agents. They will be involved, if the Governor signs Senate Bill 1530, with additional obligations under collective bargaining in the State of Illinois. They have been elected. They will take office in August of this year. I think it reasonable to say that these gentlemen should get a forty-five hundred dollar raise. I think that all of us have had raises, and...and I...I wish that...who? Well, we...we passed a raise for ourself, you may recall, four years ago. And I...I believe that it is reasonable for us, for those people who are county officials and work back in the...our districts, to respond to the problems that they

have in raising their families, and we ought to vote for this pay raise.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Joyce.

SENATOR JEROME JOYCE:

Thank you, Mr. President. I rise in opposition to this pay raise. I think that the...the job they do, that Senator Bruce just mentioned it, that's amazing. I was on the county board for some six years. I served on that commission...or on the committee that dealt with superintendents, at that time they were called, and...and I finally asked to get off of it because there was nothing to do. I think they should thank their lucky stars that we aren't abolishing them, and I think that...you know, another thing, they haven't had a pay raise in four years, well, they weren't drafted.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Grotberg.

SENATOR GROTBERG:

A parliamentary inquiry, Mr. President. Because they take...August office, if thirty votes is what...or thirty...less than thirty-six votes goes on, what is the answer to that from a...from a final result? It's got nothing to do with next January or next July when it would take effect, because they are by Statute or Constitution, one way or the other, can't receive a pay raise once they're in office. Do you understand my question, Mr. President?

PRESIDING OFFICER: (SENATOR BRUCE)

Well, why don't you restate it because I'm not sure that I do.

SENATOR GROTBERG:

Okay, I'm...I'm having difficulty trying to...it takes thirty-six votes to make it effective in August. If it gets thirty and it becomes effective in July, I don't know whether it's got a...what kind of an effective date it has on it, but

constitutionally, they can't get a raise while they're in office. So, if the...if the raise goes into effect next January because of...do...do they ever get the pay raise, that's all I wonder, if it should pass with less than thirty-six votes?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Grotberg, within the Conference Committee report is an immediate effective date and, therefore, to become immediately effective it will require thirty-six affirmative votes. Thirty will not pass it because it has an immediate effective date. It's a Conference Committee report and, you know, we have a second Conference Committee report could be added and that whole question that you have brought up has been discussed, I am...sure. Further discussion? Further discussion? Senator Vadalabene may close.

SENATOR VADALABENE:

Yes, just let me make one point that the...the question was brought up about the assistants. In reducing the...the salaries of the regional superintendents, they also, in their wisdom, reduced the...the percentage of the assistants, and I thought I also ought to make that observation because that was brought up. I don't know how to respond. They haven't had a pay raise since 1979, and if they don't get this one, they'll have to go another four years. I think they do a good job. I can tell you sometime, you know, when I'm not...I'm not presenting this bill, how important a regional superintendent was to me. I wouldn't be here. However, I would ask for a favorable vote and see where we are.

PRESIDING OFFICER: (SENATOR BRUCE)

Question is, shall the Senate adopt the first Conference Committee report on Senate Bill 310. 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,

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the Ayes are 31, the Nays are 22. The Senate does not adopt the first Conference Committee report to Senate Bill 310. Senator Vadalabene, do you request a second Conference Committee report? All right. Senator Vadalabene has made a request for a second Conference Committee report. Senate Bill 437, Senator Fawell. Since Senator Vadalabene didn't do so well, it's appropriate that you be next. Senator Fawell.
SENATOR FAWELL:

Thank you, very much. This is the second Conference Committee and...and I would move that it be accepted. It just passed the House 73 to 23. What it does,...it...it just makes a...a few minor changes. It provides...for the...the bill now reads that it is a petty offense for anyone knowingly to allow underage drinking or possession of alcohol in a residence which he occupies if and only if it involves two or more persons at least one of whom is under eighteen, plus, and that means and, the person occupying the residency knows of the underage drinking or possession, and the underage possession or consumption is already unlawful under the Liquor Control Act, and the resident of the house...the occupant or the residency knows that the underaged drinker has left the resident drunk, and I move that it be concurred.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? Senator...Senator Sangmeister.

SENATOR SANGMEISTER:

This thing has been moved around a couple of...is the first or second Conference Committee report? This is the second, right? Boy,...it's getting late and I can't remember what's...is this thing now back to the way our first Conference Committee report was supposed to be? I guess that's the way to ask it.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Fawell.

SENATOR FAWELL:

The only addition...remember, I showed you when you signed the report, that it just said, the occupant of the residence knows that...that the minor has left and he is drunk.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Sangmeister. Perhaps...Senator Sangmeister, you might help by explaining where we are.

SENATOR SANGMEISTER:

Now...now everybody wants to know what the bill does...getting back to her question, if that's what you're asking for an explanation for, that...the House apparently wanted to have in there very clearly that when the eighteen year old left the premises intoxicated that you knew that he was intoxicated or she was intoxicated, when he left the premises, and that...I have no problem with that providing you buy the whole concept of the bill which went out of here once. If you want to debate that all over again...

PRESIDING OFFICER: (SENATOR BRUCE)

All right, further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, this has been cleaned up, and I urge a favorable roll call.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Collins.

SENATOR COLLINS:

One quick question. If you know that the...that the minor is drunk when they leave and you call the police and notify him,...are you still then charged or held responsible for if he's getting into trouble?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Fawell. Senator Fawell.

SENATOR FAWELL:

No, I...I don't...no, you wouldn't be.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Collins.

SENATOR COLLINS:

It...it clearly reads, you know, I want you to show me that...read that to me in that report. Don't...you know, you said, I don't know; then you said, I don't think so. That is very important because we cannot control an eighteen year old to keep him from leaving the house. Now you...all you can do is call the...the authorities and if you do, then that should...should excuse you from any liability as to what he's doing.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Fawell.

SENATOR FAWELL:

An eighteen year old is not supposed to be drinking. I mean, that's against the law right now.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Collins.

SENATOR COLLINS:

I...I agree with you, Senator Fawell, but the reality is we have fourteen and thirteen year olds drinking. Now if an eighteen year old get drunk in your house, you come in from work and he's there, or she's there, get into an argument, and tell him to go and clean up his room, and he storm out in the street, you call the police. What in the world can you do about it except inform the authorities?

PRESIDING OFFICER: (SENATOR BRUCE)

All right, Senator...Senator Fawell.

SENATOR FAWELL:

That's right, I would inform the authorities and...and, you know, I'd either keep them there, I mean, if it was my kid or my friend, I'd keep them there.

PRESIDING OFFICER: (SENATOR BRUCE)

All right, Senator...Senator Zito.

SENATOR ZITO:

Mr. President, I apologize, I don't mean to take the time of this Body, it's very late. Senator Fawell had introduced this bill. There were some questions with in when the House amendments were put on. We agreed in Conference Committee, as a cosponsor of the bill, that we would clean that language up and bring it back. It was agreed to on the Floor of this Body that that was going to be the case, and I just rise to that point of information. I think that eliminates some of the discussions. The debate and the people that are...are against the bill were probably against the bill when the bill was here for 3rd reading, so it would be fruitless to continue to do that.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Friedland. Senator DeAngelis.

SENATOR DeANGELIS:

Just a question of the Chair, Mr. President. I have a couple of communities in my area whose ordinances are stricter than this. Would this lower...would this...I'm asking the Chair, Geo, do you mind? I...maybe Senator Geo-Karis would like to ask my question for me.

PRESIDING OFFICER: (SENATOR BRUCE)

Why don't you ask me and let me take shot at it first.

SENATOR DeANGELIS:

Well...well, I want to know if this supersedes the ordinance?

PRESIDING OFFICER: (SENATOR BRUCE)

All right, we'll check...we'll get back to you. Senator Bloom.

SENATOR BLOOM:

Yes, briefly. George and...we have worked with Senate Bill 437 and tried to assist Senator Fawell, and I think part of...of the debate has disclosed that there are communities and villages with ordinances that are far broader and stricter than this, and as a practical matter, it will be

practically applied. The purpose, I think, is set out in the language on the first page where it starts to say that a person knowingly permits a gathering...a gathering. Now a gathering is not a term of art, but obviously...obviously, it's directed at teenage beer blasts.

PRESIDING OFFICER: (SENATOR BRUCE)

May we have some order please. We've done...we've done very well today. If we could just continue, I think, going for a few more moments. Senator Bloom.

SENATOR BLOOM:

AT very best. I don't know, if you lower the lights it gets more intimate and then there's less...less energy expended. I know. However, I...Senator Becker informs me that...Senator Geo-Karis doesn't like to get that intimate. But the point of the...point of the matter is, the bill has been worked and reworked, and I think that we can...we can find fault with an easement bill if we want to, and I...I...I'd urge people on both sides of the aisle to support this. It's not...it's not going to do that much that would be harmful to the fears you've expressed, and it certainly could do something positive to address the remedy that...I'm sorry, address the remedy, I'm as punchy as everyone else...to address the problem that was presented to our committee when it originally appeared. Thank you.

END OF REEL

REEL #8

PRESIDING OFFICER: (SENATOR BRUCE)

(Machine cutoff)...amendment. It seems to amend the Liquor Control Act, and it...it would not be a restriction on home rule units. They could have concurrent jurisdiction under their police powers to...to make more stringent ordinances in this area. Senator DeAngelis.

SENATOR DeANGELIS:

I don't want to take anymore time, but I wasn't applying it to a home rule unit. I'm talking about any village that might have an ordinance that's more severe than this.

PRESIDING OFFICER: (SENATOR BRUCE)

(Machine cutoff)...that's right. Nonhome...okay. Further discussion? Senator Fawell may close.

SENATOR FAWELL:

I would ask for a favorable vote, please.

PRESIDING OFFICER: (SENATOR BRUCE)

The question is, shall the Senate adopt the...second Conference Committee report on Senate Bill 437. 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 37, the Nays are 11, 3 voting Present. The Senate does adopt the second Conference Committee report to House Bill 437, and the bill having received the affirmative votes of three-fifths of the members elected is effective immediately upon its becoming a law. Alright. On the order...on your regular Calendar, on page 8, is House Bill 1805 with the first Conference Committee report. Senator Keats is recognized for a motion.

SENATOR KEATS:

Mr. President, I would move that we take a roll call on...first Conference Committee report of House Bill 1805.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Keats, did you wish to explain it?

SENATOR KEATS:

I'd be more than happy to.

PRESIDING OFFICER: (SENATOR BRUCE)

Well, I think you're going to have a...a chance to.

SENATOR KEATS:

Okay, thank you. No, I did not presume to go on to the roll call without explaining it. Okay, what Senate Bill 1805 is, it is the major revision of the Regional Transportation Authority. I will only take two seconds worth of...of political comments, and then I'll give you a quick description of the bill. Politically, if there's anyone in here who would rise to defend the operation of the RTA over the last ten years, I think we'd all laugh you out of the Chamber. In terms of...

PRESIDING OFFICER: (SENATOR BRUCE)

For...for what purpose does Senator Lechowicz arise?

SENATOR LECHOWICZ:

Point of order, Mr. President. I believe you didn't ask for leave to go to this order of business, and leave was not granted.

PRESIDING OFFICER: (SENATOR BRUCE)

We were on Conference Committee reports. We just...just considered Senator...

SENATOR LECHOWICZ:

One moment...one moment.

PRESIDING OFFICER: (SENATOR BRUCE)

Alright.

SENATOR LECHOWICZ:

We were not going in this order. And in order to do that you've got to get leave, and leave is not...I object to...giving you leave for that purpose.

PRESIDING OFFICER: (SENATOR BRUCE)

Well, Senator, when we're on the Order of Conference Committee Reports, we're on the Order of Conference Committee Reports. We...we are on that order. Senator Fawell just considered a...we've been on it for the last three hours. So, we're...we're there. Alright. Senator Lechowicz.

SENATOR LECHOWICZ:

We were not on this order of business. We were not on the Calendar for the...Conference Committees on...the first Conference Committee reports, and I believe we're on a...a totally different Calendar. In order to switch from one Calendar to another...and you're suppose to go straight in numerical order. In fairness, you should receive leave. That was not granted.

PRESIDING OFFICER: (SENATOR BRUCE)

Alright. Senator Keats has moved the adoption. Is there discussion? I think Senator Chew, Senator Kelly, Senator Watson. Senator DeAngelis,...are you...alright. Senator Keats to explain the first Conference Committee report.

SENATOR KEATS:

Okay, thank you. Quickly, I say, anyone who wants to defend the performance of the RTA over the last ten years, we'll laugh you out of this Chamber. This bill is the first major revamping we have done in the ten years that it's been in existence. What it basically does is sets up an oversight board...initially, we would have a transition board, and then over that...once we finish with the transitioning board...

PRESIDING OFFICER: (SENATOR BRUCE)

For what purpose does Senator Kelly arise?

SENATOR KELLY:

Yeah, point of order. I thought that Senator Lechowicz had raised a point here and...that we went to a different business without getting a leave, and there was never a...a response. And it seems to me that that was in a...his point was well-taken, and it should be, and that we did...

PRESIDING OFFICER: (SENATOR BRUCE)

Well...alright...

SENATOR KELLY:

...go to an odd point of order. We always go numerical in this...

PRESIDING OFFICER: (SENATOR BRUCE)

...alright. Let me just make the ruling. We were on the Order of Conference Committee Reports. We stayed on that order of business. We are now on the...on the Order of Conference Committee Reports on House Bill 1805, and that's the ruling of the Chair. Alright. We...we did not move from the order of business. We have been on that order, we have moved throughout the Calendar all night long. Senator Kelly.

SENATOR KELLY;

Okay. Mr. President, I want an inquiry to the Chair. Okay, if we're on that point of...of...of business, where on these conference reports in numerical order did we move from the last bill to this one? I'd like to know where...where it's located, on which one of these reports?

PRESIDING OFFICER: (SENATOR BRUCE)

It's on the regular Calendar on page 8. Senator Kelly.
SENATOR KELLY:

How did we get to the regular Calendar? We weren't on that just a minute ago?

PRESIDING OFFICER: (SENATOR BRUCE)

We were on that order of business. The...the Calendars are issued to...by orders of business, and we were on the Order of Conference Committee Reports, and the Chair has moved for the last twelve hours from one Conference Committee report to the other as gentlemen came off the Floor or left all day long. But we are on that order of business. Alright...for what purpose does Senator Chew arise?

SENATOR CHEW:

I rise on a point of personal privilege. It is now after

noon at night. 1805 is going to require a lot of time. There's a lot of questions got to be asked on it, and according to what I have received recently, nothing has changed. I don't think this Chamber want to go into this tonight. I think we ought to recognize the fact that we're human beings. And it's no use attempting to rush anything through this Chamber, and I don't think we ought to debate it, and I would so move that we would adjourn.

PRESIDING OFFICER: (SENATOR BRUCE)

(Machine cutoff)...you were not recognized for the purpose of a motion. No, you were recognized on a point of personal privilege, Senator. Alright. Senator Rock.

SENATOR ROCK:

Well, I can see that this is going nowhere fast. The House has adjourned as you...I'm sure you know. We've had the appropriations people working now for in excess of twelve hours, and they tell us that the paper work...although the budget is in excellent shape because of their efforts, it will still take about four hours to process the paper and get everything in front of us. So, I suggest, Mr. President, that we stand adjourned until nine o'clock tomorrow morning.

PRESIDING OFFICER: (SENATOR BRUCE)

Alright. The motion is to adjourn. We have some announcements. Senator D'Arco.

SENATOR D'ARCO:

Well, this...you know, I think we're stalling here, and...I don't...I don't think we're accomplishing anything. I think we should vote on this bill now. It's a very major bill, and we should vote on it now. And if we have to come back tomorrow, we can come back tomorrow and take up whatever other business we have. But I don't suggest that we adjourn, and I would oppose that motion and ask all of our colleagues to oppose it and vote on this bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Alright. The motion to adjourn is not debatable. The question is, shall the Senate adjourn until...there's been a request for a roll call. We will have a roll call. Those in favor of adjournment till nine o'clock tomorrow morning will vote...well, the question is to...to Recess. Recess until nine o'clock this morning. The motion...Senator Brock...is...is it appropriate we...amend your motion? It's a motion to Recess until 9 a.m. today. On the motion, 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 32, the Nays are 20. By...majority vote, the Senate stands in recess until the hour of nine o'clock. For what purpose does Senator D'Arco arise?

SENATOR D'ARCO:

I want to verify the affirmative roll call.

RESIDING OFFICER: (SENATOR BRUCE)

Alright. No, that...that is...that is in order. Will the members please be in their seats. There's been a request for a verification. The Secretary will call those who voted in the affirmative.

SECRETARY:

The following voted in the affirmative: Barkhausen, Becker, Berman, Bloom, Bruce, Buzbee, Carroll, Collins, Darrow, Davidson, Demuzio, Etheredge...

RESIDING OFFICER: (SENATOR BRUCE)

Senator...Senator D'Arco.

SENATOR D'ARCO:

I can't...I can't here the roll call, Mr. President.

RESIDING OFFICER: (SENATOR BRUCE)

Alright.

SECRETARY:

Fawell...

RESIDING OFFICER: (SENATOR BRUCE)

If we will slow down, give Senator D'Arco a chance, and...and, Senator D'Arco, just...just so you know...we'll have to get twelve off. It doesn't require thirty, it takes just a majority of those voting, so you have to work it down to twenty...twenty before we...okay...okay, I...I thought maybe we...the Chair might help you on that. The motion to verification is...is withdrawn. The Senate stands in Recess until the hour of nine o'clock. For what purpose does Senator DeAngelis arise?

SENATOR DeANGELIS:

Well, some of us have been here for eleven days, some of us would like to see our family. If it's going to be nine and everybody's tired, let's make sure everybody is here at nine o'clock.

PRESIDING OFFICER: (SENATOR BRUCE)

Alright.