

85TH GENERAL ASSEMBLY

REGULAR SESSION

MAY 13, 1987

PRESIDENT:

The hour of ten having arrived, the Senate will please come to order. Will the members be at their desks and will our guests in the gallery please rise. Our prayer this morning by Father John Spreen, The Church of the Little Flower, Springfield, Illinois. Father.

FATHER JOHN SPREEN:

(Prayer given by Father Spreen)

PRESIDENT:

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

SENATOR HALL:

Mr. President, I move that reading and approval of the Journals of Wednesday, May 6th; Thursday, May 7th; Friday, May 8th and...Tuesday, May 12th, in the year 1987, be postponed pending arrival of the printed Journals.

PRESIDENT:

You've heard the motion as placed by Senator Hall. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries. And it is so ordered. Committee reports, Madam Secretary.

SECRETARY:

Senator Savickas, chairman of the Committee on Assignment of Bills, reports the assignment of the...of House bills to the following committees: Elementary and Secondary Education - House Bill 10; Executive - House Bills 162, 265, 300, 714 and 860; Insurance, Pensions and Licensed Activities - House Bills 88 and 640; Judiciary - House Bills 1, 39, 49, 147, 218, 357 and 388; Local Government - House Bills 9 and 632; and Revenue - House Bill 160.

PRESIDENT:

Messages from the House.

SECRETARY:

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

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

House Bill 89, House Bill 173.

Passed the House May 12th, 1987.

PRESIDENT:

All right. With leave of the Body, we'll move to page 67 on the Calendar, on the Order of House Bills 1st Reading. House bills 1st. Any member has been requested by a House member to pick up a bill please inform the Secretary. House bills 1st reading, Madam Secretary.

SECRETARY:

House Bill 81 offered by Senator Vadalabene.

(Secretary reads title of bill)

House Bill 121 offered by Senators Collins and Newhouse.

(Secretary reads title of bill)

House Bill 642 offered by Senator Jacobs.

(Secretary reads title of bill)

House Bill 898 offered by Senator Hall.

(Secretary reads title of bill)

House Bill 1337 offered by Senator Topinka.

(Secretary reads title of bill)

House Bill 1401 offered by Senator Luft.

(Secretary reads title of bill)

House Bill 1726 offered by Senator Berman.

(Secretary reads title of bill)

House Bill 1939 offered by Senator Thomas Dunn.

(Secretary reads title of bill)

House Bill 2022 offered by Senator Topinka.

(Secretary reads title of bill)

1st reading of the bills.

PRESIDENT:

Resolutions, Madam Secretary.

SECRETARY:

Senate Resolution 253 offered by Senators Brookins, Smith, Alexander, Jones, Newhouse, Collins and Hall.

PRESIDENT:

Senator Brookins.

SENATOR BROOKINS:

Yes, Mr. President, I'd like to move for immediate consideration on this Resolution 253.

PRESIDENT:

All right. The gentleman has...has moved to suspend the rules for the immediate consideration and adoption of Senate Resolution 253. It is a congratulatory resolution which has to be delivered, I'm told, this evening. Senator Brookins.

SENATOR BROOKINS:

Yes, it's a death resolution.

PRESIDENT:

Death resolution. Okay. Thank you.

SENATOR BROOKINS:

It's a death resolution for one of the long-time funeral directors, Charles Robert Collins, in Chicago, Illinois. Mr. Collins also served as the...chairman of the Funeral Director's Act board.

PRESIDENT:

All right. Senator Brookins has moved to suspend the rules for the immediate consideration and adoption of Senate Resolution 253. All in favor of the motion to suspend indicate by saying Aye. All opposed. The Ayes have it. The rules are suspended. Senator Brookins now moves the adoption of Senate Resolution 253. All in favor indicate by saying Aye. All opposed. The Ayes have it. The resolution is adopted. Senator Demuzio, for what purpose do you arise, sir?

SENATOR DEMUZIO:

Is this...is this the proper time to change sponsorship on a bill?

PRESIDENT:

It's as good a time as any. Yes, sir.

SENATOR DEMUZIO:

All right. On the Calendar is Senate Bill 1218. Senator Barkhausen is the principal sponsor. He's here at my desk and I would seek leave of the Body to be added as the first...first sponsor, Demuzio-Barkhausen to Senate Bill 1214.

PRESIDENT:

All right. The gentleman seeks leave of the Body to be shown as the chief sponsor on Senate Bill 1218 with Senator Barkhausen as the hyphenated cosponsor. Without objection, leave is granted. Senator Geo-Karis, for what purpose do you arise?

SENATOR GEO-KARIS:

Could I ask, Mr. President, did...did you say 1214, was it...or 1218?

PRESIDENT:

1218, I thought it was.

SENATOR GEO-KARIS:

1218? I think that was the wrong number. I think...if I may be so brash to suggest to Senator Demuzio, I think you meant 1214.

PRESIDENT:

...1214. Yes, all right. If the Chair misspoke, Senator Demuzio had sought leave of the Body to be added as...as the chief sponsor on Senate Bill 1214, 1-2-1-4, with Senator Barkhausen shown as the hyphenated cosponsor. Without objection, leave is granted. 1-2-1-4, it's on page 59 of the Calendar. All right. We'll begin again on page 2 on the Calendar and go through the bills on 2nd reading, again, with the exception of the appropriation bills which will be

SB 39
2nd Reading

handled tomorrow morning. So I'd ask the members to please be attentive. A number...the Secretary informs the Chair that a number of fiscal notes have, in fact, been filed. Where they have not yet been filed we will obviously again skip them and get back to them tomorrow. Top of page 2, Senate Bill 2, Senator DeAngelis. Senate Bill 17...now don't start today. Senate Bill 17, Senator Collins. Senate Bill 28, Senator Davidson. 34, Senator Poshard. 39, Senator Brookins. On the Order of Senate Bills 2nd Reading, the middle of page 2, is Senate Bill 39. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 39.

(Secretary reads title of bill)

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

PRESIDENT:

Senator Brookins on Committee Amendment No. 1.

SENATOR BROOKINS:

Yes, thank you, Mr. President...Amendment No. 1 corrects some technical errors and also...removes...and clarifies it...the injury...is received by...also while traveling to and from in attendance of activity related to the officer's employment as a lawful enforcement officer.

PRESIDENT:

All right. Senator Brookins has moved the adoption of Committee Amendment No. 1 to Senate Bill 39. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

SB 85
2nd Reading

SECRETARY:

No amendments from the Floor.

PRESIDENT:

3rd reading. 40, Senator Netsch. 43, Senator Berman. 82, Senator Demuzio. 85, Senator Fawell. On the Order of Senate Bills 2nd Reading, bottom of page 2, ladies and gentlemen, is Senate Bill 85. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 85.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Are there amendments from the Floor?

SECRETARY:

No Floor amendments. Pardon me...yes...pardon me, there is one Floor amendment. Senator Fawell offers Amendment No. 1.

PRESIDENT:

Senator Fawell on Amendment No. 1.

SENATOR FAWELL:

Thank...thank you, very much, Mr. President. This amendment is the amendment that I agreed to in committee. It removes the...the result that a county clerk may still issue a marriage license to the parties; however, the Department of Public Health will be notified if there is a positive result and...and will provide a program of counseling to the parties of the proposed marriage concerning problems which may be encountered by the children of the proposed marriage by reason of the positive result.

PRESIDENT:

All right. Senator Fawell has moved the adoption of Amendment No. 1 to Senate Bill 85. Discussion? Senator Smith.

SENATOR SMITH:

...thank you, Mr. President and...and to the Senate. I'd like to...ask Senator Fawell a question.

PRESIDENT:

Sponsor indicates she'll yield, Senator Smith.

SENATOR SMITH:

I'd like to find out, does this address the confidentiality in the bill and also could you give me a cost factor?

PRESIDENT:

Senator Fawell.

SENATOR FAWELL:

Yes. The...it's only the Department of Public Health that will be notified and, of course,...the...the Department of Public Health is already bound by the confidentiality rule. And the cost factor for Fiscal Year '81 according to the Department of Public Health is ninety-one thousand six hundred and twenty-two dollars. Seeing as the...Public Health Department also has said that one AID patient now costs us a hundred and forty thousand dollars, I believe that's cheap.

PRESIDENT:

Senator Smith.

SENATOR SMITH:

Thank you. Senator Fawell, in the subcommittee there were two items that was of much concern; number one, whether the second level, the western block test would be required and also about the confidentiality of the applicant.

PRESIDENT:

Senator Fawell.

SENATOR FAWELL:

The western block test is only used if there are two negative tests that come...two positive tests that come back, and that would be covered by this fiscal note. That's what we're talking about with the ninety-one thousand.

PRESIDENT:

Senator Smith.

SENATOR SMITH:

Thank you. The amendment that you presented does not cover either of these areas.

PRESIDENT:

Senator Fawell.

SENATOR FAWELL:

I...I beg to differ...with you, they cover both of those areas.

PRESIDENT:

Senator Smith.

SENATOR SMITH:

I'd like to see that.

PRESIDENT:

All right. Further discussion? Senator Demuzio.

SENATOR DEMUZIO:

Well, Senator Fawell, apparently there...seems to be some...difference of opinion relevant to...to your amendment. I was wondering if you might want to take this out of the record. Our staff indicates that...that...what Senator Smith has been indicating here is accurate and perhaps there's some...we ought to just take it out of the record and...explain it.

PRESIDENT:

Senator Fawell.

SENATOR FAWELL:

Think...I think I've...I've explained it enough, and I would like to have a...a vote on it. And I would like a roll call vote.

PRESIDENT:

That request is in order. Senator Fawell has moved the adoption of Amendment No. 1 to Senate Bill 35. Further discussion? Senator Marovitz.

SENATOR MAROVITZ:

Senator Fawell, have you...addressed the concerns regarding confidentiality of the test results in your...in your bill?

PRESIDENT:

Senator Fawell.

SENATOR FAWELL:

Confidentiality is already in the Statutes as far as the Public Health Department is concerned. They cannot release information such as that, and anyway, sir, I believe you've got a bill on the Floor right now that would address that problem.

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

Well, we're addressing Senate Bill 85 right now, that's what we're addressing. And I'm glad to hear your support of my bill which does address confidentiality but we're not addressing that bill right now, we're addressing Senate Bill 85; and if you check with the department, they will tell you that concerns regarding confidentiality need to be addressed. They are addressed in several other bills and they should be addressed in this bill. And I think it's a very serious flaw that confidentiality questions are not addressed in this bill. They need to be addressed. I think you should take the bill out of the record and amend the bill because it's a serious flaw and...and one that no...no AIDS bill, no testing bill should be passed unless at the very least the concerns regarding confidentiality are addressed, because, as you know, the ramifications of a positive test result and that information getting out to the general public are so serious to anybody, so serious, that without addressing them, you're doing great harm to anybody taking the test.

PRESIDENT:

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, Mr. President and Ladies and Gentlemen of the Senate, we're talking about AIDS. AIDS is a death matter, it's not like syphilis where you can get cured or be maimed and I think this is very important. I think we should go on record whether we're going to try and save lives or we're going to just sit back and let the ACLU direct how we're going to pass these bills.

PRESIDENT:

Further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Well,...I...I have not read the bill, but if the issue is whether confidentiality is addressed in this bill, I might point out for the members of the Body that I directly asked Director Turnock if there had ever been any breach of confidentiality based on the current laws that we had in the history of the State of Illinois, and he said, no. Now, I don't know why we're making this an issue when there's been no breach of confidentiality and Senator Fawell has not changed anything in her bill that changes existing law regarding confidentiality. I think it's a rather insincere objection.

PRESIDENT:

Further discussion? Senator Topinka.

SENATOR TOPINKA:

...Mr. President and Ladies and Gentlemen of the Senate, somewhat in...in agreement with the comments that have preceded this, but after listening to this bill discussed, you know, in our subcommittee and having worked on it with Senator Fawell, my concern as minority spokesman on that committee and I suppose just being interested in health matters in general is that if we do not provide some methodology like this, we're talking about really not paying attention to

a...a health issue, a public health issue which...which far and away is...is out there; I mean, we're talking about AIDS which probably has the ability to rival the Black Death in the Middle Ages. Now somewhere along the line here we're going to have to address the public health nature of this bill and of this problem, and confidentiality is...is going to have to take a slightly second place if need be just to keep people healthy and keep people from dying wholesale. And on that basis, I think Senator Fawell has done a most adequate job in addressing those issues in this bill.

PRESIDENT:

Further discussion? Senator Smith.

SENATOR SMITH:

Thank you, Mr. President. Senator Fawell, I merely stand on a point of principle here. You promised in subcommittee that you would include confidentiality...and what is this other...in...in your amendment. And as I have your amendment here, it does not state that, it's just a matter of fact. That's what I'm standing on.

PRESIDENT:

Further discussion? Was that a question, Senator Smith? I'm sorry. All right.

SENATOR SMITH:

...it's merely a statement, a fact to her.

PRESIDENT:

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

SENATOR FAWELL:

Thank you, very much. All this bill...all this amendment does is it allows people who do test positive to get married, which was the main objection. As far as the confidentiality method is concerned, it is already taken care of in present law. I have changed nothing in present law. I am not talking about any other thing except making sure that these people understand what they are getting into. And I would

appreciate a Yes vote on this, and I would ask for a roll call.

PRESIDENT:

All right. The question is the adoption of Amendment No. 1 to Senate Bill 85. All in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments? Further amendments, Madam Secretary?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. If I can have the attention...a gentleman from the Chicago Tribune and one from UPI would like leave of the Body to ask...have asked leave of the Body to take some pictures, so everybody is on red alert. Without objection, leave is granted. 102, Senator Netsch. Top of page 3, ladies and gentlemen, a long way to go. Senator Woodyard on 145. Senator Lechowicz on 153. Senator Netsch, 172. Senator Zito, 176. Fiscal note been filed, Madam Secretary? Has not yet been filed. 181, Senator Joyce. 184, Senator Watson. On the Order of Senate Bills 2nd Reading, middle of page 3, is Senate Bill 184. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 184.

(Secretary reads title of bill)

2nd reading of the bill. The...no committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 191, Senator Joyce. 192, Senator Marovitz. Middle of page 3. 200, Senator Holmberg. 205, Senator Netsch. 206, Senator Weaver. On the Order of Senate Bills

2nd Reading, Senate Bill 206. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 206.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 209 and 210, Senator Jones. Top of page 4. 236, Senator Demuzio. 242, Senator Kelly. 253, Senator Smith. On the Order of Senate Bills 2nd Reading, top of page 4, is Senate Bill 253. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 253.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on...on Public Health, Welfare and Corrections offers one committee amendment.

PRESIDENT:

Senator Smith on Committee Amendment No. 1.

SENATOR SMITH:

Thank you, Mr. President and members of the Senate. Senate Bill...253 amends the Child Care Act regarding inspections of facilities. It allows the Department of Children and Family Services to visit any licensed child care facility without notice during their hours of operation, limits visits to licensed day-care centers and licensed day-care homes to three visits a year. This amendment to Senate Bill 253 was recommended by the Department of Children and Family Services to reduce the fiscal impact of the bill. I...Mr. President, I move for the adoption of this amendment.

PRESIDENT:

All right. Senator Smith has moved the adoption of Committee Amendment No. 1 to Senate Bill 253. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 255, Senator Smith. On the Order of Senate Bills 2nd Reading, Senate Bill 255. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 255.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Public Health, Welfare and Corrections offers one committee amendment.

PRESIDENT:

Senator Smith on Committee Amendment No. 1.

SENATOR SMITH:

Thank you, Mr. President and members of the Senate. Senate Bill...255 amends Volunteer Service Credit Program for service...certain services. It makes the Volunteer Respite Care Program a demonstration project in three areas of the state. It deletes the provision mandating the department to develop a contingency plan to make sure that services are available in the event no appropriate volunteer is available. It adds a...July 1, '88 effective date and makes certain of technical changes. I move for the adoption of this amendment.

PRESIDENT:

All right. Senator Smith has moved the adoption of Committee Amendment No. 1 to Senate Bill 255. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. If I can have the attention of the Body, 273 is listed on the Calendar. In the course of human events sometimes clerical errors are made, I know that's hard to believe but it happens. This is one of those events. With leave of the Body, we'll strike 273 from the Calendar. 279, Senator Netsch. We'll skip the appropriation bills until tomorrow. 301, Senator Joyce. On the Order of Senate Bills 2nd Reading, top of page 5, is Senate Bill 301. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 301.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 302, Senator Joyce. All right, ladies and gentlemen, top of page 7...or middle of page 7. Senator Marovitz, 358, the middle of page 7. On the Order of Senate

DB 389
2nd reading

Bills 2nd Reading, middle of page 7, is Senate Bill 358.
Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 358.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 365, Senator Zito. On the Order of Senate Bills 2nd Reading, Senate Bill 365. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 365.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 368, Senator Collins. 375, Senator Topinka. 389, Senator Dunn. On the Order of Senate Bills 2nd Reading, bottom of page 7, is Senate Bill 389. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 389.

(Secretary reads title of bill)

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

PRESIDENT:

Senator Dunn on Committee Amendment No. 1.

SENATOR TOM DUNN:

The committee amendment would include the chairpersons and...minority spokespersons of the House and Senate committees to which the bill has been assigned.

PRESIDENT:

All right. The gentleman has moved the adoption of Committee Amendment No. 1 to Senate Bill 389. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

Senator Thomas Dunn offers...Amendment No. 2.

PRESIDENT:

Senator Dunn on Amendment No. 2.

SENATOR TOM DUNN:

No. 2 merely extends the effective date from January 1 of '88 to January 1 of '89.

PRESIDENT:

All right. Senator Dunn has moved the adoption of Amendment No. 2 to Senate Bill 389. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further Floor amendments.

PRESIDENT:

3rd reading. Top of page 8. 398, Senator Smith. On the Order of Senate Bills 2nd Reading, top of page 8, ladies and gentlemen, Senate Bill 398. Read the bill, Madam Secretary.

SECRETARY

Senate Bill 398.

SB 400
2nd Reading

(Secretary reads title of bill)

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

PRESIDENT:

Senator Smith on Committee Amendment No. 1.

SENATOR SMITH:

Thank you, Mr. President and members of the Senate. The amendment to Senate Bill 398 offered by the Judiciary Committee merely addresses the concern raised by the committee referring to persons inquiring about the victim of child abuse. It allows school authorities to withhold information regarding the whereabouts of any victim of a child abuse that is in protective custody, specifies that the school is to direct the person inquiring to the Department of Children and Family Services or to local law enforcement agencies. I move for the adoption of this amendment.

PRESIDENT:

All right. Senator Smith has moved the adoption of Committee Amendment No. 1 to Senate Bill 398. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 400, Senator Luft. On the Order of Senate Bills 2nd Reading, top of page 8, is Senate Bill 400. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 400.

(Secretary reads title of bill)

2nd reading of the bill. The committee on...Committee on Finance and Credit Regulations offers one committee amendment.

PRESIDENT:

Senator Luft on Committee Amendment No. 1. Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. Committee Amendment No. 1 was simply a technical clean-up amendment, and I would move for its adoption.

PRESIDENT:

All right. Senator Luft has moved the adoption of Committee Amendment No. 1 to Senate Bill 400. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

Senator Berman offers Amendment No. 2.

PRESIDENT:

Senator Berman on Amendment No. 2.

SENATOR BERMAN:

Thank you, Mr. Chairman. Ladies and Gentlemen of the Senate, Amendment No. 2 is a subject that has received considerable discussion in the media and I would suggest to you is probably the most important consumer issue to be presented to us in this Session of the General Assembly. The subject matter of Amendment No. 2 is imposing a cap on credit cards. Let me give you a little bit of background and why I am suggesting this amendment be added to Senate Bill 400. I introduced Senate Bill 186. Senate Bill 186 imposes a formula

for...for a cap on credit cards and that formula is seven points over the Federal discount rate. What that translates into today is that a bank credit card would have a cap of twelve and a half percent interest per year and a retail credit card would have a cap of fourteen and a half percent cap. Now that bill was introduced with cosponsorship of a majority of the members of the Senate Committee on Finance including the chairman...

PRESIDENT:

...Senator Berman, let me try to get a little order here. All right. Ladies and gentlemen, if we can have a little order, please. Senator Berman.

SENATOR BERMAN:

Senate Bill 186 was cosponsored by a majority of the members of the finance...Committee on Finance including the two sponsors of Senate Bill 400, Senator Luft and Senator Zito. However, when the bill was called for a hearing, the bills were sent to a subcommittee, that's my bill and Senator Kelly's bill and Senator Marovitz' bill and there was one other which I don't recall, but there was one other cap bill, and it was sent to a subcommittee which would not meet until May 15th, this coming Friday, which, ladies and gentlemen, translated to say that there would be no action by this General Assembly on this important issue during this Session of the General Assembly. I think that that is a shame. I think that there ought to be debate. I think there ought to be evaluation. And this motion to send to subcommittee was made three weeks ago, and, ladies and gentlemen, in the history of the General Assembly, three weeks is a lifetime. We evaluate and dig into some of the most complex issues and resolve them in a lot less than three weeks. But be...be it as it may, Senate Bill 186 and other credit card cap bills was sidetracked and pigeonholed into a subcommittee that won't meet until next Friday. I think the issue deserves debate on

the Floor of this Senate and on the Floor of the House, and one of the ways that that can be done is by suggesting and adopting Amendment No. 2 to Senate Bill 400. Let me share with you why I think this is important. I sent out a little survey in my district. In my district I've got very poor people, I've got some very rich people and I've got a large segment of what I'll call middle-class people. And that survey was in my newsletter, and a lot of you do this, and I asked the people to answer about ten questions and send back the answers. And they had to...answer the questions and put a stamp on it and send it back to me. And I got about a three percent return, which according to the experts on direct mail is a terrific response. And I want you to know that on the question of whether there should be a cap imposed on credit card interest rates, seventy-seven percent of my district, middle-class district, seventy-seven percent said yes, nineteen percent said no. What is in Amendment No. 2 is, I think, a reasonable approach to a cap, twelve and a half percent on the bank credit cards, fourteen and a half percent on the retail. VISA issued by the First National Bank of Chicago today charges 19.8 percent, 19.8 percent. They've been charging 19.8 percent when the prime rate was at twenty. Today the prime rate is at eight, and it's still at 19.8 percent on the First National Bank of Chicago's first VISA card. Marshall Field's charges on its revolving charge for its retail credit, are you ready, are you sitting down, 21.6 percent from the leading retailer in the State of Illinois, 21.6 percent. They charged that when the prime rate was at twenty, today...it's at eight, they're still at 21.6. Now this is nothing new, this issue, but it's new to this Floor, ladies and gentlemen, because never before has a credit card cap bill been allowed, allowed, to be debated on the Floor of this Senate. They've always been quietly killed in the committees. In fact, a couple of years ago a bill was

voted out on a partisan roll call, regrettably, and was recommitted to the committee without any debate on the Floor. Now I would suggest to you that there are issues that ought to be debated. We have never seen...although we've been threatened by some of the banks that they're going to pull out their jobs and move their credit card operations, because if a cap is placed on it, it's not profitable. Well, ladies and gentlemen, I haven't seen any books and records, any reports of the profitability or nonprofitability of credit cards that charge 19.8 or 21.6 percent and I think we're entitled to that. I would suggest to you that if you want to do something meaningful for your constituents in this Session of the General Assembly vote Aye on Amendment 2, and with Amendment 2 on Senate Bill 400 vote Aye when the bill passes the Senate. Thank you, Mr. President.

PRESIDENT:

Senator Berman has moved the adoption of Amendment No. 2 to Senate Bill 400. Discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, Mr. President, Ladies and Gentlemen of the Senate, I think we better look at it very, very broadly. First of all, there are two kinds of credit card users, the ones who use them for convenience and the others who are the borrowers who get in tight spots every now and then. The best way to handle the situation is by the Senate Bill 400 which does make the rates available and the...the interest that is to be paid and the cost to all consumers, all they have to do is check with the Attorney General. There's nothing better than competition, but if the Legislature sets an interest rate...ceiling on these things, the...the inevitable...the inevitable result will be that the people with the less...creditworthy status will be having a hard time to get any credit. I don't think you're going to help the people who really need credit by having such an amendment. I don't

think caps are the answer. I think competition is the answer, let people shop around, and as long as they can get the information from the Attorney General's Office which credit card company has what rates and what costs, I think that's when we're going to bring the credit card rates down, not by putting artificial caps on it. Therefore, I rise regrettably, because I do like the sponsor of the amendment, to speak against the amendment for the sake of competition and better trade and more credit card availability.

PRESIDENT:

Further discussion on Amendment No. 2? Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. I rise in opposition to Senator Berman's amendment. Initially, when I introduced Senate Bill 400 and got the help of the chairman of the committee, Senator Zito, I had read some articles on credit card caps and it was suggested that there may be another way of addressing the credit card situation in the State of Illinois and that was with a disclosure bill. Since there had already been three or four credit card cap bills introduced, I decided to try the route of disclosure. I feel that we've come up with a bill that will help the consumer in the State of Illinois. I also feel if Mr....Senator Berman's amendment is added on to this bill, we have jeopardized a bill which will be beneficial not to all of us...not only to all of us here but to all of those that we serve. Therefore, I would seriously ask that you reject this amendment and let us proceed with Senate Bill 400 as is, and I think we will respond to the problem in the State of Illinois if one exists and also to the constituents that we represent.

PRESIDENT:

All right. Question is the adoption of Amendment No. 2...further discussion? Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President and members of the Senate. I rise to support Senator Berman on this issue. I also had surveyed my district and I had found a...received an eight percent response to my questionnaires that I sent out and there was something like an eighty percent favoritism to capping interest rates. Now I know this is not just perfect, that you're not going to help everybody, that there are going to be certain price increases if you're going to be placing caps; but the fact remains there's a principle involved here...when we lifted...and I was one of the people that supported lifting the caps, we were told that the marketplace would adjust itself. Ladies and gentlemen, we know the industry abused the privilege which we extended to them. And I think that in all fairness and...it can be regulated by a...a reasonable cap that Senator Berman is trying to achieve. So I will support his amendment. Thank you.

PRESIDENT:

All right. Question is the adoption of Amendment No. 2. Further discussion? Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I, too, rise in opposition to Senator Berman's amendment. We all know that whenever we conduct surveys that it's how we phrase the question that is going to give you the response. It's a little bit like, when did you stop beating your wife? And I feel that in my district, I guess maybe I have a little different district. I have yet to have the first constituent come up to me and say why don't you put a...a cap on credit cards. I think Senator Zito, as chairman of the committee, is doing an excellent job in trying to...to get all the facts and with those facts then we can go forward, and at that particular point in time maybe Mr. Berman's memo would be in order.

PRESIDENT:

All right. Senator Berman has moved the adoption of Amendment No. 2 to Senate Bill 400. Further discussion? Senator Zito.

SENATOR ZITO:

Well, thank you, Mr. President and members of the Senate. I rise in strong opposition to Amendment No. 2 to Senate Bill 400 for a number of reasons, but, first of all, I am compelled to report to you as chairman of the Senate Finance Committee that all of the bills dealing with this issue were committed to a subcommittee by a convincing 8 to 4 vote in an attempt to fully understand the economic impact of this important issue. That subcommittee will hold statewide hearings commencing this Friday, May the 15th, in the State of Illinois Building in Chicago. Now there's no question, ladies and gentlemen, that every member of this Senate would love to go back to their constituents and tell them that we have lowered interest rates on credit cards. It would also, I assume, make wonderful copy in our next districtwide newsletter, but, unfortunately, like everything else, it is just not that simple. There are many, many important questions we will need answers to before we cast a vote on that...this concept. If we are to cap interest rates, what formula should we employ? This amendment, Amendment No. 2, offers the fourth computation I have seen by four different sponsors. Now which one is the best one? Apparently the sponsors are as uncertain as we are. We should also know what the fate will be of Federal legislation offered by Congressman Annunzio to nationally regulate interest...rates. That legislation is being considered now in Congress. And domestically here in Illinois we should have data detailing the impact of this legislation and it's effect on Illinois' economy. Now Senate Joint Resolution 17, which I sponsored and unanimously passed this Chamber, requested DCCA to conduct such a study. The Federal Reserve Board has also issued

a detailed report which will hopefully shed some additional light on this important subject. But aside from the reports, I can tell you that the cap proposals have already had a serious and far-reaching effect on our industry, and let me...let me share an example with you. The Boatman Bank which is located in Belleville, Illinois has already discharged five employees and has cancelled its plans to hire hundreds more of Illinois residents and has moved their entire credit card operation to the State of Delaware several months ago on the rumor...on the rumor that the Illinois General Assembly was going to consider capping interest rates. I don't think we can allow that to continue. And how will the caps impact our consumers in Illinois? Will consumers and residents be able to continue to get credit? Now we've all heard about the great and wonderful new Optima card which offers a very low interest rate of 13.5 percent. But how many...how many of you in this Chamber know that before you can get the Optima card you must first be a card-carrying member of the expensive American Express Card which charges the outrageous annual membership fee of forty-five dollars and then you must be...and...and they demand the monthly balance payments, then you must pay an additional membership fee of fifteen dollars to carry the Optima card. Now, my friends, that's sixty dollars per year and you haven't charged a thing yet. And if that isn't enough, Optima in its own advertisement specifically states that if your income isn't thirty thousand dollars a year or more, you need not apply. Now I don't know about you but the constituents in my district aren't aware of that small print in the Optima provision, much less could I...would I think that many of them could meet the minimum requirement of salary. Who then are we trying to help? Are caps really going to help the people that we're trying to help? And finally, ladies and gentlemen, I have a great deal of respect for the sponsor

of this amendment; but, Senator, I'm deeply troubled by your persistence and blatant disregard of the Finance Committee's decision, a two to one vote...a two to one margin, mind you, and a resolution that was passed unanimously by this Body to study the impact of this issue by placing these bills in a working subcommittee. You know, you're to be commended, Senator Berman, for your excellent work on Senate Bill 730, our education reform package, because that put Illinois at the forefront nationally of education in this country. But I'll remind you that that concept and that legislation was developed over a two and a half year period with numerous committee and subcommittee hearings. I suggest this issue before us today is no less important; yet, you are quick to embrace the committee structure on one hand and attempt to circumvent that same structure on the other. Now you can't have it both ways. The importance and urgency of this issue is consumer knowledge, consumer education, so that credit card users in Illinois can intelligently select and shop for the best credit card with the best interest rates for...to suit their needs. Senate Bill 400 unamended addresses this goal and meets this urgency. I distributed this morning, along with Senator Keats, some editorials and one of them, a Chicago Tribune editorial, stated that we need not be opportunists and carelessly pass legislation to cap interest rates without comprehensive and detailed hearings. I undoubtedly, wholeheartedly agree. You know, I take the responsibility of committee chairman very, very seriously and I would never, ever submit legislation for your consideration without providing you enough information to adequately formulate an intelligent decision. Let the subcommittee do its work, let them provide the information so that you and I together can make an intelligent decision. For all those reasons, Mr. President, I am strongly opposed to this amendment and would urge all of your opposition as well.

PRESIDENT:

Further discussion? Senator Berman, you wish to close?

SENATOR BERMAN:

Thank you, Mr. President. Let me address some of the comments that have been made. First of all, I want to underline, this is a floating cap, it is seven points above the Federal discount rate which is now at five and a half percent for the banks, that's seven and...plus five and a half would be a twelve and a half percent cap. If the discount rate goes up, the cap goes up. Secondly, I submit to you that this is a profitable rate, it is a rate that the Arkansas Legislature has imposed and we have been solicited by Arkansas banks to utilize their bank credit cards. Third, the question of waiting to see what Congress does, I think that when we look at our track record of consumer responsiveness versus Congress, I am proud to be a member of the Illinois General Assembly. I think that Senator...Congressman Annunzio wants to do the right thing, but I hate to hold my breath waiting for the House and the Senate to do this kind of action, we don't have to wait for them. I applaud Congressman Annunzio but I'm not sure he's going to have the votes. Last but not least, your vote today delivers a message. The action that we have seen by some banks that have issued lower cards, by some retailers that have issued lower cards, they haven't lowered it just because that they want to charge a lower interest, it has been the public discussion, the public pressure that has been generated by the State Treasurer during his campaign, by the awareness of the Attorney General who's the author of the original Senate Bill 400 and by legislators who talk about lowering the interest rate. There is public initiative, public response and legislative pressure, legislative pressure. Even the First National Bank two...two weeks ago talked about waiving its twenty dollar fee for those people that charge twenty-

four hundred dollars a year on their VISA card. Now I can guarantee you, if it wasn't for this kind of debate, that would never have even...been talked about. Now they didn't even do it; they announced it and they said they'll do it in August. I hope August comes. Ladies and gentlemen, the only way you're going to keep the pressure on is by voting Yes so this amendment gets on the Floor, so we have honest debate about it. I'm not telling you that this formulary of this cap is chiseled in granite, there might be things that have to be done about it, it is a complex issue. But let's debate it, let's keep the pressure on, let's work for the consumer, not for the banks. I urge an Aye vote.

PRESIDENT:

The question is the adoption of Amendment No. 2 to Senate Bill 400. Those in favor of the amendment will vote Aye. 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 18 Ayes, 36 Nays, none voting Present. Amendment No. 2 fails. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. 413, Senator Jones. On the Order of Senate Bills 2nd Reading, top of page 8, is Senate Bill 413. Read the bill, Madam Secretary. The machine has justified its existence, I guess, just barely. Senator Holmberg, for what purpose do you arise?

SENATOR HOLMBERG:

Thank you, Mr. President, on a point of personal privilege.

PRESIDENT:

State your point, ma'am.

SENATOR HOLMBERG:

I have with me today in the President's Gallery a contingent of businessmen from Woodard Governor, one of our major corporations in Rockford, and I would like the Senate to recognize that they are here.

PRESIDENT:

Will our guests in the gallery please rise and be recognized. Welcome to Springfield. All right. Ladies and gentlemen, top of page 8, on the Order of Senate Bills 2nd Reading, Senate Bill 413. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 413.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Insurance, Pensions and Licensed Activities offers one committee amendment.

PRESIDENT:

Senator Jones on Committee Amendment No. 1.

SENATOR JONES:

Thank you, Mr. President. Amendment No...Committee Amendment No. 1 to Senate Bill 413 allows a state policeman to retire after twenty-five years of service regardless of age if...withdrawal from service is a result of stress related medical condition. It increases the retirement formula to one and a half percent for the final compensation for covered employees and two percent for uncovered employees. It provides for a compound at three percent automatic annual increase, provides for a payment of credit interest on refunds of contributions to members who withdraw. For the Chicago Police it provides widow's annuity to those who have been...who were married after the policeman withdrew from service or have worked until they was age 63. It requires an audit of the funds at least once every year by an independent certified public accounting firm and authorized the board of trustees to make investments under the prudent pension rule. And that's the gist of Amendment No. 1 to Senate Bill 413. I

move its adoption.

PRESIDENT:

Senator Jones has moved the adoption of Committee Amendment No. 1 to Senate Bill 413. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 418, Senator Zito. On the Order of Senate Bills 2nd Reading, middle of page 8, Senate Bill 418. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 418.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

Senator Zito offers Amendment No. 1.

PRESIDENT:

Senator Zito on Amendment No. 1.

SENATOR ZITO:

Thank you, Mr. President and members. Amendment No. 1 to Senate Bill 418 primarily is a technical amendment for the rewrite of the Pharmacy Practice Act which streamlines and modernizes the regulation of pharmacy. I understand that there are negotiations, we've offered this amendment, and I make a commitment to this Body, we'll move it to 3rd but if there's any further developments, I have made the commitment

to move it back from 3rd for additional amendments. And I would move for its adoption.

PRESIDENT:

Senator Zito has moved the adoption of Amendment No. 1 to Senate Bill 418. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. 423, Senator Marovitz. On the Order of Senate Bills 2nd Reading, middle of page 8, Senate Bill 423. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 423.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator...Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President. This amendment was one that was requested by the committee and by the Judiciary...by the Bar Association and requires notice to all parties, and I would ask for the adoption of Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Marovitz moves the adoption of Amendment No. 1 to Senate Bill 423. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

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

SENATOR DeANGELIS:

Thank you, Mr. President. I would like to have leave of the Body to be shown as a hyphenated sponsor on Senate Bill 219 and to be removed as a hyphenated sponsor on Senate Bill 1340. I have talked to the sponsor...of both of those bills.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator, we...we'd appreciate it if you would do this at the end of the Session. Now you've heard the Senator's motion. Is there objection? Hearing no objection, leave is granted. We would like to do this...order of business at the end of our Session here on bills. Senate Bill 427, Senator Maitland. Senate Bill 430, Senator Degnan. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 430.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

Senator Degnan offers Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Degnan.

SENATOR DEGNAN:

Thank you, Mr. President. Senate Bill 430...confers certain police powers to the Metropolitan Sanitary District police force. Amendment No. 1 was suggested by the committee and that provides for notification of the appropriate local

police when those powers are to be exercised. I'd move its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Degnan moves the adoption of Amendment No. 1 to Senate Bill 430. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

Senator Degnan offers Amendment No. 2.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Degnan.

SENATOR DEGNAN:

I wonder if she could read Amendment No. 2, there might be some mistake on amendments here.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Madam Secretary, would you read the amendment.

SECRETARY:

(Secretary reads Amendment No. 2 to S. B. 430)

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Degnan.

SENATOR DEGNAN:

That's a duplicate, Mr. President. I choose to withdraw that amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

...are there further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 442, Senator Netsch. Senate Bill 445, Senator D'Arco. 448, Senator Barkhausen. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 448.

(Secretary reads title of bill)

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2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 449, Senator Barkhausen. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 449.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 450, Senator Barkhausen. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 450.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 455, Senator Alexander. Senate Bill 456, Senator Degnan. Senate Bill 468, Senator Joyce. Senate Bill 469, Senator Dunn. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 469.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Dunn.

SENATOR TOM DUNN:

The committee amendment would create theft by deception when the offender obtained at least five thousand dollars or more from a victim at least sixty years of age and it becomes a nonprobational Class 2 Felony.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Dunn moves the adoption of Amendment No. 1 to Senate Bill 469. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 470, Senator Dunn. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 470.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Dunn.

SENATOR TOM DUNN:

The amendment substitutes a provision prohibiting the PTAB from acting on any petition until a local board of

review has filed proof of service of the petition on the affected taxing body.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Dunn moves the adoption of Committee Amendment No. 1 to Senate Bill 470. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill...476, Senator Barkhausen. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 476.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Judiciary offers two committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, Committee Amendment No. 1 requires notice by certified mail to the owner of goods before they can be sold in the enforcement of the Small Liens Act. And Committee Amendment No. 2 provides that a lien under the Uniform Commercial Code takes precedence over a lien under the Small Liens Act. Both of these committee amendments and I would ask for their adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Barkhausen moves

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the adoption of Committee Amendments No. 1 and 2 to Senate Bill 476. Is...all those in favor indicate by saying Aye. Those opposed. The Ayes have it. Committee Amendments 1 and 2 are adopted. Any further amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 478, Senator Etheredge. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 478.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Etheredge, for what purpose do you arise?

SENATOR ETHEREDGE:

Mr. President, I believe there is a committee amendment for this, is there not? No, okay...then...let's just move it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

No amendments from the Floor? 3rd reading. Senate Bill 483, Senator Etheredge. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 483.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments. Senator Etheredge offers Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President and members. This amendment becomes the bill, it deletes everything after the enacting clause. We discussed this amendment in committee but apparently through some oversight was not adopted. But the amendment becomes the bill. What it does is to authorize counties and municipal governments to work together to plan for the disposal of solid waste. I would move for the adoption of the amendment, Mr. President.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Etheredge moves the adoption of Amendment No. 1 to Senate Bill 483. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 484, Senator Poshard. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 484.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Take it out of the record. Senate Bill 487, Senator Karpel. Senate Bill 500, Senator Marovitz. Senate Bill 504, Senator Woodyard. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 504.

(Secretary reads title of bill)

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator...

SECRETARY:

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

Senator Woodyard offers Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Woodyard.

SENATOR WOODYARD:

Thank you, Mr. President. Senate Bill 504 is one of the package of coroners' bills. The amendment...corrects a drafting error in the bill itself. The bill was drafted to...to where the Illinois State Police would actually conduct training programs, that was not the intent. The intent was to have the Local Government Law Enforcement Officers Training Board actually conduct the training and that's what the amendment does. And I would move for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Woodyard moves the adoption of Amendment No. 1 to Senate Bill 504. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

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3rd reading. Senate Bill 505, Senator Friedland. 509,
Senator Barkhausen. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 509.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 515, Senator D'Arco. Read the
bill, Madam Secretary.

SECRETARY:

Senate Bill 515.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Insurance, Pen-
sions and Licensed Activities offers one committee amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. We have to adopt this amend-
ment. The following amendment deletes this language, but for
our purposes, we have to adopt this one. So I move to adopt
Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator D'Arco moves the
adoption of Amendment No. 1 to Senate Bill 515. Those in
favor indicate by saying Aye. Those opposed. The Ayes have
it. Amendment No. 1 is adopted. Are there further amend-
ments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

Senator D'Arco offers Amendment No. 2.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator D'Arco.

SENATOR D'ARCO:

Thank you. Mr. President, Amendment No. 2 becomes the bill and it was an agreed amendment between the doctors and the physical therapists, and it provides for a referral system to the doctors from the therapists in the case that there was a diagnosis that something is wrong with the patient. And I move to adopt Amendment No. 2.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If...Senator Davidson.

SENATOR DAVIDSON:

Yes. Question of the sponsor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR DAVIDSON:

The last word I understood from people representing the other health professions that this doesn't totally meet their objections. Has that been worked out...particularly those of us who are licensed under the Medical Practice Act, does this remove all of their objections?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator D'Arco.

SENATOR D'ARCO:

I...what do you mean by those of us? What does that mean?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Davidson.

SENATOR DAVIDSON:

I'm sorry, I...I did not understand you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator D'Arco asked...Senator D'Arco.

SENATOR D'ARCO:

Who is those of us? You mean Senator Davidson, are you...you talking about yourself or what?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Davidson.

SENATOR DAVIDSON:

Yeah, I happen to be one of those that's involved in this 'cause I'm licensed under that Medical Practice Act and presently physical therapists are not trained to make a diagnosis of a...of an illness. And we refer out, the MD, the osteopath or the chiropractor and some other people and I'm very interested because this bill as it started let the physical therapists to do diagnosis out there free standing, and I don't agree with that and...this morning, the last time I checked, the people connected with the Medical Practice Act said this didn't totally meet their objection. And you were stating that it had been worked out and I just want to know is this different or whether it has been worked out.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator D'Arco.

SENATOR D'ARCO:

This is...this is the amendment that the Medical Society gave to the physical therapists in lieu of Amendment No. 1 which was the amendment that the physical therapists offered in committee.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Davidson.

SENATOR DAVIDSON:

Well, let me...with the understanding, if you would, let me check with them and if this isn't correct and remove all their objections, would you bring it back for the amendment that would correct their objection?

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will. Is there further discussion? If not, Senator D'Arco moves the adoption of Amendment No. 2 to Senate Bill 515. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senator Bill 517, Senator Maitland. Read the bill, Madam Secretary.

END OF REEL

REEL #2

SECRETARY:

Senate Bill 517.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President. Before I speak to the amendment, I would like to ask leave of the Body to show Senator O'Daniel as a hyphenated cosponsor, please. You've heard the motion. Hearing no objection, leave is granted.

SENATOR MAITLAND:

To the amendment, Mr. President, it simply takes out any reference to...to...to sale or purchase of land and I would move for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland moves the adoption of Amendment No. 1 to Senate Bill 517. Is there discussion? If not, those in favor indicate by saying Aye. Those opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

...any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senator Berman, 519. For what purpose Senator D'Arco arise?

AB 524
2nd Reading

SENATOR D'ARCO:

Ask leave of this Body to make Senator Newhouse a hyphenated cosponsor on Senate Bill 515.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator, we would appreciate all these additions and deletions be done at the end of our regular business, but you heard the motion. Is there objection? Hearing no objection, leave is granted. Senator, we will be here for awhile yet Senate Bill 524, Senator Marovitz. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 524.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

Than you, very much, Mr. President and...and members of the Senate. Amendment No. 1 to Senate Bill 524 deletes the provision for durable power of attorney for health care decisions. It...it deletes that controversial portion of the bill and the remaining portion of the bill codifies the authority of agents under the power...Powers of Attorney Act and I would ask for the adoption of Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Marovitz moves the adoption of Amendment No. 1 to Senate Bill 524. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

AB 550
2nd Reading

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 525, Senator Marovitz. Senate Bill 527, Senator Marovitz. Senate Bill 537, Senator Watson. Senate Bill 541, Senator Degnan. Senate Bill 548, Senator Hawkinson. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 548.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

Senator Hawkinson offers one committee...one Floor amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Mr. President. This is an amendment suggested by Enrolling and Engrossing. It corrects the spelling of a word and inserts a period.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Hawkinson moves the adoption of Amendment No. 1 to Senate Bill 548. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 550, Senator Marovitz. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 550.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Elementary and Secondary Education offers one committee amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. This bill...this amendment was agreed to by the sponsor and...and the committee and deletes the hourly requirements. It maintains the requirements but deletes any hourly requirement and I would ask for the adoption of the amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Marovitz moves the adoption of Amendment No. 1 to Senate Bill 550. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 556, Senator DeAngelis. Senate Bill 559, Senator Jerome Joyce. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 559.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. If we could have your attention and have a moment of leave we have Senator Jeremiah Joyce who is here with the Marist High School wrestling team, and at this time I would like to introduce Senator Joyce to introduce the Marist High School wrestling team to our General Assembly here. Senator Joyce.

SENATOR JEREMIAH JOYCE:

This is the...this is the 1986-1987 Illinois State High School wrestling championship team. This team is a very special team to me in that my son is a member of it, but more importantly, I suppose, for our purposes, this team is considered by most to have been and the finest state high school wrestling team in the history of Illinois. They're undefeated and untied, they were ranked number three in the nation this year, and with the team is Coach Mark Gervais who has the finest record of any active high school wrestling coach in the State of Illinois, and I would ask him at this time to say a word to the members of the Senate. Mark.

MR. MARK GERVAIS:

(Remarks given by Mr. Gervais)

SENATOR JEREMIAH JOYCE:

Thank you, very much.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Top of page 11 is Senate Bill 561. Madam Secretary, read the bill, 5-6-1.

SECRETARY:

Senate Bill 561.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Public Health, Welfare and Corrections offers one committee amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Savickas.

SENATOR SAVICKAS:

Yes, Mr. President and members of the Senate, this amendment to Senate Bill 561 was recommended by the Illinois Health Care Association and, as far as we know, the Department of Public Aid has not taken a position on the amendment. I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas has moved the adoption of Committee Amendment No. 1 to Senate Bill 561. Is there discussion? If not, those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 564, Senator Marovitz. 566, Senator Brookins. Senator Brookins, 566? On the Order of Senate Bills 2nd Reading is Senate Bill...pardon...I'm sorry, Senator Brookins, there's a fiscal note required with that one. 567 is a fiscal note. 574...pardon? We're checking to see if the fiscal note has been met on 566. Senator Brookins.

SENATOR BROOKINS:

Thank you. It's been filed and been given to you is my understanding and copies given to me also.

PRESIDING OFFICER: (SENATOR DEMUZIO)

We'll give the clerk a copy here. All right. With leave of the Body, we will...we will go back to 566. Leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading is Senate Bill 5-6-6. Madam Secretary, read the bill.

SECRETARY:

Senate Bill 566.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Insurance, Pensions and Licensed Activities offers one committee amendment.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Brookins.

SENATOR BROOKINS:

Yes...the amendment to which was placed on in...in the committee satisfied concerns of the registered nurses.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

All right. Senator Brookins has moved the adoption of Committee Amendment No. 1 to Senate Bill 566. Is...is there discussion on the amendment? Senator Schuneman.

SENATOR SCHUNEMAN:

A question of the sponsor, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Indicates he will yield. Senator Schuneman.

SENATOR SCHUNEMAN:

Senator, we ask for fiscal notes as a matter of course on all these events. Could you...I didn't get a copy of it, I'm just curious to know what...what the report indicates.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

...Senator Schuneman, the...the fiscal note has in fact just...just been met. Senator Brookins.

SENATOR BROOKINS:

Yes. The fiscal note addressed a figure of, I think, it was ninety-six thousand...I...I can't recall the figure.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Ladies and gentlemen, we're bogging down here.

SENATOR BROOKINS:

Yes, it shows a figure of a hundred and ninety-five thousand cost from the General Revenue Fund, but I've also been assured by the Fiscal Commission that there is enough in the

population large enough to cover that cost. So it should wash the cost out.

PRESIDING OFFICER: (SENATOR DEHUZIO)

Senator Schuneman.

SENATOR SCHUNEMAN:

Well,...I simply wanted to raise that issue, Mr. President, thank you.

PRESIDING OFFICER: (SENATOR DEHUZIO)

Further discussion? If not, Senator Brookins has moved the adoption of Committee Amendment No. 1 to Senate Bill 566. Those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEHUZIO)

Any amendments from the Floor?

SECRETARY:

Senator Brookins offers Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEHUZIO)

Senator Brookins.

SENATOR BROOKINS:

Yes, Amendment No. 2 which will prohibit respiratory...therapists from administering any drugs dealing with an anesthesiologist and the explicit exempt registered nurses and nurses from anesthesiologist from this provision. This satisfies the anesthesiologists concern. So there's no opposition to this bill at present.

PRESIDING OFFICER: (SENATOR DEHUZIO)

Senator Brookins has moved the adoption of Amendment No. 2 to Senate Bill 566. Is there discussion? If not, those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 2 is adopted. Further committee amendments? I'm sorry...further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 574, Senator del Valle. On the Order of Senate Bills 2nd Reading is Senate Bill 574, Madam Secretary.

SECRETARY:

Senate Bill 574.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Elections and Reapportionment offers one committee amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator del Valle.

SENATOR del VALLE:

Yes, the committee amendment, Mr. President, deletes the language referring to the use of envelope and post card as an acceptable form of identification.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Is there discussion? Senator del Valle has moved the adoption of Committee Amendment No. 1 to Senate Bill 574. If not, those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Amendments from the Floor?

SECRETARY:

Senator...del Valle offers Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator del Valle.

SENATOR del VALLE:

Mr. President, Amendment No. 2 reinserts the phrase "but not limited to," also recommended by committee.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Discussion? Senator Del Valle has moved...the adoption of Amendment No. 2 to Senate Bill 574. If not, those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEBUZIO)

3rd reading. 586, Senator Degnan. On the Order of Senate Bills 2nd Reading is Senate Bill 586, Madam Secretary.

SECRETARY:

Senate Bill 586.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DEBUZIO)

Senator Degnan.

SENATOR DEGNAN:

Thank you, Mr. President. Committee Amendment No. 1 is technical in nature. I move its adoption.

PRESIDING OFFICER: (SENATOR DEBUZIO)

Senator Degnan has moved the adoption of...of Committee Amendment No. 1 to Senate Bill 586. Is there discussion? If not, those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEBUZIO)

Amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEBUZIO)

3rd reading. Senate Bill 588 had a request for a fiscal

note and it's my understanding that it's...the obligation has been met. On the Order of Senate Bills 2nd Reading, Senate Bill 588.

SECRETARY:

Senate Bill 588.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. I only point out to the membership, on these fiscal notes that are...that...that are being met, it would be advisable to give a copy to each of the staffs on both sides of the aisle. I think that will help to speed up this process. On the Order of Senate Bills 2nd Reading is Senate Bill 597. Madam Secretary, read the bill.

SECRETARY:

Senate Bill 597.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments...I'm sorry, 2nd reading of the bill. The Committee on Elementary and Secondary Education offers one committee amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. The committee amendment simply clarifies some of the administrative provisions in the bill and provides for the rights of employees. I move adoption of the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Schuneman has moved the adoption of Committee Amendment No. 1 to Senate Bill 597. If not, those

SB 651
2nd Reading

in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 630, Senator Carroll. 651, Senator DeAngelis. On the Order of Senate Bills...2nd Reading is Senate Bill 651, Madam Secretary.

SECRETARY:

Senate Bill 651.

(Secretary reads title of bill)

...2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

And I'm happy to report that the fiscal note, in fact, conforms to the...to the Statute. Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senator DeAngelis, we are delighted that you concurred with the opinion of the Chair yesterday and your private discussions last night with me, I'm...I accept your...your explanation. 669, Senator Marovitz. On the Order of Senate Bills 2nd Reading, Senate Bill 6-6-9, Madam Secretary.

SECRETARY:

Senate Bill 669.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Senator Marovitz offers Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. Amendment No. 1 to 669 is an amendment that was requested by Representative...Senator Schuneman and the committee. They wanted to know A rating and what...and what...what is an A rating and by whom, and I agreed to put in...Standard and Poors Moody. That's exactly what this bill does as I committed to the committee, and I ask for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Marovitz has moved the adoption of Amendment No. 1 to Senate Bill 669. If not, those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 681. On the Order of Senate Bills 2nd Reading is Senate Bill 681, Madam Secretary.

SECRETARY:

Senate Bill 681.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Macdonald.

SENATOR MACDONALD:

Thank you, Mr. President. This amendment deleted every-

thing after the enacting clause and was an amendment...that will indemnify and ensure volunteers...to the same extent as offices, directors, employees and agents of any not-for-profit organization.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

All right. Senator Macdonald has moved the adoption of Committee Amendment No. 1 to Senate Bill 681. Is there discussion? If not, those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

3rd reading. Top of page 12, 687, Senator DeAngelis. Senator DeAngelis on the Floor? 688, Senator Poshard. Senator Poshard on the Floor?...690, Senator Weaver. On the Order of Senate Bills 2nd Reading, top of page 12, is Senate Bill 6-9-0, Madam Secretary.

SECRETARY:

Senate Bill 690.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Finance and Credit Regulations offers one committee amendment.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. Committee Amendment No. 1 is merely a technical amendment and I'd move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Weaver has moved the adoption of Committee Amend-

ment No. 1 to Senate Bill 690. Is there discussion? If not, those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 697, Senator Berman. 706, Senator Severns. On the Order of Senate Bill...Senator Severns, there has been a request for a fiscal note. Has it been met? Senator Severns.

SENATOR SEVERNS:

Thank you, Mr. President and members of the Chamber. This committee amendment makes changes...

PRESIDING OFFICER: (SENATOR DEMUZIO)

...we're on the fiscal note. Has the fiscal note requirement been met? It is not filed with the Secretary. Senator, we don't...we don't have it, you might...okay. 710, Senator Vadalabene. 711, Senator Berman. 713, Senator Kustra. 714, Senator Mahar. 719, Senator Jerome Joyce. 720. 722. Page 13, on the Order of...736, Senator Marovitz. Senator Marovitz, 736?

SENATOR MAROVITZ:

Are there any amendments on that bill?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz, there is...there aren't any. On the Order of Senate Bills 2nd Reading is Senate Bill 736, it is the top of page 13. Madam Secretary, read the bill.

SECRETARY:

Senate Bill 736.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

3rd reading. 742, Senator Watson. On the Order of Senate Bills 2nd Reading is Senate...there's a fiscal note been...been requested. Okay. On the Order of Senate Bills 2nd Reading is Senate Bill 742, Madam Secretary. Read the bill.

SECRETARY:

Senate Bill 742.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Amendments from the Floor?

SECRETARY:

Senator Watson offers Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. I'd like to ask the Secretary, is there just one amendment filed? We...we withdrew the other two amendments, is that correct or the other...so there is just one amendment. Okay. This particular amendment exempts the...the Act from...or the assets of the Act from the requirement by law that they...that the assets be destroyed or they're harmful to public. This particular amendment does this and the rest of the amendment is...just technical. I move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Well, Senator Watson, this fiscal note is from the

department but does not bear the signature of anyone from the department. Let's take it out of the record. Take it out of the record. 744, Senator Woodyard. 745, Senator Woodyard. 762, Senator Topinka. 771, Senator Smith. Senator Smith, 771? On the Order of Senate Bills 2nd Reading is Senate Bill 771, Madam Secretary.

SECRETARY:

Senate Bill 771.

(Secretary reads title of bill)

...2nd reading of the bill. The Committee on Public Health, Welfare and Corrections offers one committee amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Smith.

SENATOR SMITH:

Thank you, Mr. President and Ladies and Gentlemen of the Senate...Amendment to Senate Bill 771 creates an Act in relation to the bodies of deceased persons who have AIDS. It is a violation of the Act or the confidentiality provision or any regulation issued under...hereunder shall constitute a Class B...Misdemeanor, six months or five hundred dollars. This amendment to Senate Bill 771 was encouraged by the Subcommittee on AIDS...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Smith,...pardon me, for interrupting, but you have the same problem that Senator Watson does. The Department of Public Health has not signed their fiscal notes. So, let's take it out of the record. Senator Smith.

SENATOR SMITH:

I'll take it out of the record.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Let's take it out of the record. Senator Schuneman, for what purpose do you arise?

SENATOR SCHUNEMAN:

Inquiry of...an inquiry of the Chair, Mr. President.

AB 777
2nd Reading

You've ruled on these fiscal notes and the fact that...that they're not valid according to the...to the law, the...I checked the Statute yesterday and, apparently, fiscal notes are required to be signed by the director of the agency. I was involved in one yesterday and the director is out of town. I...

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator...

SENATOR SCHUNEMAN:

...my point...my point is simply to ask for some direction for the members from the Chair, because oftentimes the director himself might not be available on the particular day that we need a fiscal note and...

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator, the...the Chair has no desire to be that precise, you know, someone from the department...it just seems to me...I'm not trying to be dilatory...I have no...I have no desire to be dilatory, all I...all the Chair wishes to do is to be...is to be fair to everyone. Now, if there's a chief executive officer, someone who is authorized to sign, the Chair will accept. Senator Schuneman.

SENATOR SCHUNEMAN:

Well, fine, you're defending yourself and I'm not attacking you. I...I've just been corrected, the...the law says that it must be signed by the director or a...a responsible representative of the director. So in the case of...of legislative liaisons and such people, you're going to accept those. Fine, thank you.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

744, Senator Welch. 777...777, Senator Weaver. On the Order of Senate Bills 2nd Reading is Senate Bill 777, Madam Secretary.

SECRETARY:

Senate Bill 777.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Finance and Credit Regulations offers one committee amendment.

PRESIDING OFFICER: (SENATOR DEHUZIO)

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. Committee Amendment No. 1 merely phases in these fee increases over a three-year period and I'd move its adoption.

PRESIDING OFFICER: (SENATOR DEHUZIO)

All right. Senator Weaver has moved the adoption of Committee Amendment No. 1 to Senate Bill 777. Is there discussion? If not, those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEHUZIO)

Amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEHUZIO)

3rd reading. 790...Senator Rigney. On the Order of Senate Bills 2nd Reading is Senate Bill 7-9-0, Madam Secretary.

SECRETARY:

Senate Bill 790.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DEHUZIO)

Senator Rigney.

SENATOR RIGNEY:

Well, Mr. President, the purpose of this legislation

affects lease cost planning for those utilities that are located outside of Illinois and have very few in-state customers. The committee amendment and the Floor amendment that's going to be offered are really nothing more than clarifying language to that...to that bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rigney has moved the adoption of Committee Amendment No. 1 to Senate Bill 790. Is there discussion? If not, those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Amendments from the Floor?

SECRETARY:

Senator Rigney offers Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rigney.

SENATOR RIGNEY:

Same explanation as last time.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rigney has moved the adoption of...Amendment No. 2 to Senate Bill 790. Is there discussion? If not, those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Page...795 has a fiscal note that has not been met. 798, Senator Savickas. On the Order of Senate Bills 2nd Reading is Senate Bill...is Senator Savickas on the Floor? On the Order of...on page 14, 802, Senator Philip. Take 798 out of the record. 802, Senator Philip. Senator

Philip, top of page 14, 802? 804, Senator Schuneman. 812, Senator Savickas. 813, Senator Poshard. On the Order of Senate Bills 2nd Reading is Senate Bill 8-1-3, Madam...all right, take it out of the record. 814. On the Order of Senate Bills...2nd Reading is Senate Bill 814, Madam Secretary, read the bill. Senator Poshard, your fiscal note is...is not signed and you're in the same posture as the other two. So take it out of the record. 822, Senator Marovitz. Oh, Senator Joyce, for what purpose do you arise?
SENATOR JEROME JOYCE:

Yes, thank you, Mr. President. A...a point of...personal privilege. In the gallery to my back is the Limestone eighth grade students, I'd like to introduce them.
PRESIDING OFFICER: (SENATOR DEMUZIO)

If our guests in the gallery will please rise and be recognized by the Senate. Welcome to Springfield. 822, Senator Marovitz. 833, Senator Poshard. 834. On the Order of Senate Bills 2nd Reading is Senate Bill 834, Madam Secretary. Could you read the bill, please.
SECRETARY:

Senate Bill 834.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Senator Poshard offers Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Poshard.

SENATOR POSHARD:

Thank...thank you, Mr. President. This amendment is a result of negotiations between DCCA and the local labor management committees that helped draft the bill in behalf of the sponsor. This language would allow DCCA to deny grants

if the program is not specifically funded by the General Assembly and to determine if eligibility guidelines have been met.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Poshard has moved the adoption of Amendment No. 1 to Senate Bill 834. Is there discussion on the amendment? If not, those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. There was, in fact, a request for a fiscal note. It is, in fact, has been met. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Page 15, 841, Senator Karpziel...page 15. On the Order of Senate Bills 2nd Reading is Senate Bill 841, Madam Secretary.

SECRETARY:

Senate Bill 841.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Karpziel.

SENATOR KARPIEL:

Thank you, Mr. President. I'm looking at the wrong paper. I think you better take this out of the record, I don't have a copy of the amendment here.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Take it out of the record. 843, Senator Collins. Senator Collins on the Floor? 848, Senator Jacobs. On the Order...on the Order of Senate Bills 2nd Reading is Senate Bill 848, Madam Secretary.

SECRETARY:

Senate Bill 848.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading...oh, I'm sorry...Senator Jacobs.

SENATOR JACOBS:

Mr. President, we're waiting for an amendment to that bill and I would like to have leave to return to that bill once the amendment is ready. The amendment becomes the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator Jacobs, I've already moved it to 3rd reading.

SENATOR JACOBS:

Well, Senator, I had my...my speaking light on and you jumped on me before I had a chance.

PRESIDING OFFICER: (SENATOR DEMUZIO)

It's...it's hard for the Chair to read everybody's mind this morning. Let's...let's take the bill out of the record. Take it out of the record. All right, take it out of the record. 856, Senator Kustra. 861, Senator Schuneman. 865. On the Order of Senate Bills 2nd Reading is Senate Bill 865, Madam Secretary, read the bill.

SECRETARY:

Senate Bill...Senate Bill 865.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on...I mean,...I'm sorry, no committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEHUZIO)

3rd reading. 873, Senator Kustra. 875, Senator Holmberg. 877, Senator O'Daniel. 897, Senator Jones. 900, Senator Watson. On the Order of Senate...Senator Watson, we have a request for a fiscal note on this bill and it hasn't been met. Senator Watson. Senator Watson.

SENATOR WATSON:

The Department of Transportation then has not filed a fiscal note, is that correct? They're the agency that would have to file.

PRESIDING OFFICER: (SENATOR DEHUZIO)

...there...there...no, there is no fiscal note filed with the Secretary.

SENATOR WATSON:

All right.

PRESIDING OFFICER: (SENATOR DEHUZIO)

All right.

SENATOR WATSON:

Thank you.

PRESIDING OFFICER: (SENATOR DEHUZIO)

905, Senator Schuneman. Fiscal note...fiscal note request has been filed...and has not been answered. Senator Schuneman.

SENATOR SCHUNEMAN:

Well,...on 905 a fiscal note request has been filed?

PRESIDING OFFICER: (SENATOR DEHUZIO)

That's what the...that's what the Secretary indicates.

SENATOR SCHUNEMAN:

Well, I was unaware of that, Mr. President, can't imagine why.

PRESIDING OFFICER: (SENATOR DEHUZIO)

Well, you'll have to ask Senator Jones, he's the one who filed it. There's a fiscal note on 906. Well,...no, there isn't? My Calendar indicates a fiscal note has been

requested on 906, has it not? Senator Schuneman, you hit the jackpot. The fiscal note request on 906 has been withdrawn. On the Order of Senate Bills 2nd Reading, bottom of page 15, is Senate Bill 906. Madam Secretary, read the bill.

SECRETARY:

Senate Bill 906.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Insurance, Pensions and Licensed Activities offers one committee amendment.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. Chairman...Mr. President. I would ask the Secretary, I believe, there was an...a committee amendment and then there's a Floor amendment. Am I not correct?

PRESIDING OFFICER: (SENATOR DEMUZZIO)

...there is, in fact,...the Secretary indicates a Floor amendment. We are on...all right. Committee Amendment No. 1.

SENATOR SCHUNEMAN:

Okay. The...Committee Amendment No. 1 simply adopts the Model Risk Retention Act for Illinois, the model of the National Association of Insurance Commissioners and it was the model that...the latest copy of that model Act that the Insurance Department had at the time of the committee meeting. I move adoption of that amendment.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Schuneman has moved the adoption of Committee Amendment No. 1 to Senate Bill 906. Is there discussion? If not, those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

SECRETARY:

No further committee amendments.

AB 909
2nd Reading

PRESIDING OFFICER: (SENATOR DEMUZIO)

Amendments from the Floor?

SECRETARY:

Senator Schuneman offers Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. Subsequent to our committee meeting a revised copy of that National Association of Insurance Commissioners Model Act was provided, and so Amendment No. 2 simply embodies that latest version. I move adoption of the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schuneman has moved adoption of Amendment No. 2 to Senate Bill 906. Discussion? If not, those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 909, Senator Barkhausen. On the...on the Order of Senate Bills 2nd Reading, top of page 16, is Senate Bill 909, Madam Secretary.

SECRETARY:

Senate Bill 909.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 910. On the Order of Senate Bills 2nd Reading is Senate Bill 910, Madam Secretary. Read the bill,

please.

SECRETARY:

Senate Bill 910.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 916, Senator Donahue. On the Order of Senate Bills 2nd Reading is Senate Bill 9-1-6, Madam Secretary.

SECRETARY:

Senate Bill 916.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Agriculture and Conservation offers one committee amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President and Ladies and Gentlemen of the Chamber. Committee Amendment No. 1 simply is a technical amendment and I would move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Donahue has moved the adoption of Committee Amendment No. 1 to Senate Bill 916. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Amendments from the Floor?

SB943
2nd reading

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEHUZIO)

3rd reading. 917, Senator Donahue. Senator Donahue, 917? 935, Senator Schaffer. 937, Senator Joyce. 938, Senator Marovitz. 939, Senator Dunn. On the Order of...Senate Bills 2nd Reading is Senate Bill 939. Madam Secretary, read the bill.

SECRETARY:

Senate Bill 939.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEHUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEHUZIO)

3rd reading. 942, Senator Jones. 950, Senator Mahar. Oh, wait a minute. Senator Jones. Bottom of page 16, 942. On the Order of Senate Bills 2nd Reading is Senate Bill 942, Madam Secretary. Read the bill, please.

SECRETARY:

Senate Bill 942.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEHUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEHUZIO)

3rd reading. On the Order of Senate Bills 2nd Reading, Senate Bill 943. Madam Secretary, read the bill.

SECRETARY:

Senate Bill 943.

SB 950
2nd Reading

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEHUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEHUZIO)

3rd reading. 950, Senator Mahar. On the Order of Senate Bills 2nd Reading, bottom of page 16, Senate Bill 9-5-0, Madam Secretary.

SECRETARY:

Senate Bill 950.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DEHUZIO)

Senator Mahar.

SENATOR MAHAR:

Thank you, Mr. President. Senate Bill 950...amendment becomes the bill. Senate Bill 950 requires that the court order...enter orders of protection under certain categories as listed in the bill...individuals convicted of certain crimes. It requires the state police to maintain a file of orders of protection in their LEAD system and supplies further definitions of...of notification requirements to possible subjects of orders of protection. The bill...the amendment passed unanimously from committee and I move its adoption.

PRESIDING OFFICER: (SENATOR DEHUZIO)

Senator Mahar has moved the adoption of Committee Amendment No. 1 to Senate Bill 950. Is there discussion? If not, those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEHUZIO)

Amendments from the Floor?

SECRETARY:

Senator...Mahar offers Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEHUZIO)

Senator Mahar.

SENATOR MAHAR:

Thank you, Mr. President. In the drafting of the committee amendment, Subsection G was...was left out. This merely puts it back in, it's purely technical.

PRESIDING OFFICER: (SENATOR DEHUZIO)

Senator Mahar has moved the adoption of Amendment No. 2 to Senate Bill 950. Discussion? If not, those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEHUZIO)

3rd reading. Top of page 17, Senator...951. 952, Senator Savickas. 953, Senator Welch. 957, Senator Jones. On the Order of Senate Bills...well, there's a fiscal note been...has been filed. Has it been met? It has not been met, Senator Jones. 964, Senator Barkhausen. 968, Senator Weaver. On the Order of Senate Bills 2nd Reading is Senate Bill 968, Madam Secretary. Read the bill.

SECRETARY:

Senate Bill 968.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DEHUZIO)

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. Committee Amendment No. 1 deletes some unnecessary language and I'd move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Weaver has moved the adoption of Committee Amendment No. 1 to Senate Bill 968. Is there discussion? If not, those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, my calendar indicates there's a Floor amendment. The Calendar indicates there's to be a Floor amendment on 968. Senator Weaver. Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. It's our understanding that in committee on Senate Bill 968 that there would be an amendment added on 2nd reading that would add the other university systems to the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. It's my understanding that there are very few, if any, of the universities that could qualify. Is Senator Welch on the Floor? I thought we talked about letting each one stand on its own merit and approving each project in the future if there is that need. I have no objection, but I just don't think that any other system could qualify.

SB 972
2nd Reading

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Is Senator Welch on the Floor? Well, Senator, we...we've adopted the committee amendment. Senator Welch. Senator Welch is now in the Chamber. Senator Luft. Senator Luft.

SENATOR LUFT:

...thank you, Mr. President. It's my understanding it was Senator Davidson that had requested the amendment.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Weaver.

SENATOR WEAVER:

If there's any problem with it and they have an amendment, I'll certainly bring it back.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

All right. Senator Weaver has indicated his desire to bring it back...any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

3rd reading. 972, Senator Raica. On the Order of Senate Bills 2nd Reading is Senate Bill 9-7-2, Madam Secretary. Read the bill, please.

SECRETARY:

Senate Bill 972.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

3rd reading. 976, there's a fiscal note. 977, Senator Etheredge. On the Order of Senate Bills 2nd Reading is Senate Bill 977, Madam Secretary.

SECRETARY:

Senate Bill 977.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Senator Etheredge offers Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President. What the amendment does is to bring the grant awards level from the BHE to the Governor's level. I would move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...Senator Etheredge has moved the adoption of Amendment No. 1 to Senate Bill 977. Is there discussion? If not, those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 981, Senator Woodyard. 994, Senator Marovitz. Page 18, 1001. Senator D'Arco on the Floor? 1014, Senator Severns. Senator Severns, 1014? 1022, Senator D'Arco. 1032, Senator Weaver. 1032? On the Order of Senate Bills 2nd Reading is Senate Bill 1032, Madam Secretary. Read the bill, please.

SECRETARY:

Senate Bill 1032.

(Secretary reads title of bill)

2nd reading of the bill. No committee...the Committee on Executive offers one committee amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Weaver on Committee Amendment No. 1.

SENATOR WEAVER:

Thank you, Mr. President. This is a technical amendment. The bill was not drafted properly...in....from the LRB.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

All right. Senator Weaver has moved the adoption of Committee Amendment No. 1 to Senate Bill 1032. Is there discussion? If not, those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

3rd reading. 1038, Senator Mahar. 1041. 1043, Senator Schaffer. 1076...1096, Senator del Valle. 1-0-9-6? On the Order of Senate Bills 2nd Reading is Senate Bill 1096, Madam Secretary.

SECRETARY:

Senate Bill 1096.

(Secretary reads title of bill)

The Committee on Elementary and Secondary Education offers one committee amendment.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator del Valle.

SENATOR del VALLE:

1096, Committee Amendment No. 1, Mr. President, requires that the general state aid claims must be made under an oath or affirmation and deletes duplicate language.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator...Senator del Valle has moved the adoption of

Committee Amendment No. 1 to Senate Bill 1096. Is there discussion? If not, those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Senator del Valle offers Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator del Valle.

SENATOR del VALLE:

I...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Did you...

SENATOR del VALLE:

...I don't have a...a second amendment on...

PRESIDING OFFICER: (SENATOR DEMUZIO)

(Machine cutoff)...Secretary, is there an amendment filed? All right...an amendment was filed in...in error, apparently, the Floor amendment matched the committee amendment and just proper notation was not made. So any Floor amendments?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading.

PRESIDENT:

1103, Senator del Valle. On the Order of Senate Bills 2nd Reading, Senate Bill 1103. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 1103.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

Senator del Valle offers Amendment No. 1.

PRESIDENT:

Senator del Valle.

SENATOR del VALLE:

Mr. President, Amendment No. 1 simplifies the reporting requirement in Senate Bill 1103. It allows the various colleges and university systems to determine the manner and form of the report to be issued. I move for the adoption of this amendment.

PRESIDENT:

All right. Senator del Valle has moved the adoption of Amendment No. 1 to Senate Bill 1103. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. 1104. 1108, Senator Luft. On the Order of Senate Bills 2nd Reading, the bottom of page 18, is Senate Bill 1108. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 1108.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

Senator Luft offers Amendment No. 1.

PRESIDENT:

Senator Luft on Amendment No. 1.

SENATOR LUFT:

On 1108? I don't have an amendment filed to my knowledge.

PRESIDENT:

Take it out of the record, Madam Secretary, and we'll make sure Senator Luft gets a copy of his amendment. 1109. Top of page 19, on the Order of Senate Bills 2nd Reading, Senate Bill 1109. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 1109.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor.

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 1112. 1113. 1115, Senator Jones. 1119, Senator Berman. Senator Berman. On the Order of Senate Bills 2nd Reading, top of page 19, is Senate Bill 1119. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 1119.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

Senator Berman offers Amendment No. 1.

PRESIDENT:

Senator Berman on Amendment No. 1.

SENATOR BERMAN:

Thank you, Mr...thank you, Mr. President. Amendment No. 1 was submitted by the Secretary of State. This deals with service of summons on alien corporations and what it does is shifts the burden of mailing of the notice from the Secretary of State to the attorney that's handling the process. I move the adoption of Amendment No. 1.

PRESIDENT:

All right. Senator Berman has moved the adoption of Amendment No. 1 to Senate Bill 1119. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

Senator Berman offers Amendment No. 2.

PRESIDENT:

Senator Berman on Amendment No. 2.

SENATOR BERMAN:

Thank you, Mr. President. Senate...Amendment No. 2 is the body of Senate Bill 219 which will be amended when we get back around that, but...this...deals with the cause of actions against the beneficiary of a land trust regarding the...the running of the Statute of Limitations. This was approved and is...was approved by the Judiciary Committee, is now on the Calendar in the body of Senate Bill 219. I'm putting it into this bill to move it forward. Move the adoption of Amendment No. 2.

PRESIDENT:

Senator Berman has moved the adoption of Amendment No. 2 to Senate Bill 1119. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. 1121, Senator Smith. On the Order of

Senate Bills 2nd Reading, Senate Bill 1121. Read the bill,
Madam Secretary.

SECRETARY:

Senate Bill 1121.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Public Health,
Welfare and Corrections offers one committee amendment.

PRESIDENT:

Senator Smith on Committee Amendment No. 1.

SENATOR SMITH:

Thank you, Mr. President and members of the Senate. The
lottery winning intercept shall be performed by the Comptrol-
ler rather than the director of the Department of Lottery.
This amendment to Senate Bill 1121 was recommended by the
Department of Public Aid and this amendment reflects the
Department...of Public Aid's current practices by rule. I
move for the adoption of this amendment.

PRESIDENT:

All right. Senator Smith has moved the adoption of
Committee Amendment No. 1 to Senate Bill 1121. Discussion?
Senator Geo-Karis.

SENATOR GEO-KARIS:

Will the sponsor yield for a question?

PRESIDENT:

Sponsor indicates she'll yield, Senator Geo-Karis.

SENATOR GEO-KARIS:

Did I understand correctly to say that...that your amend-
ment provides that instead of the director of the lottery
having the overview it will be the Comptroller?

PRESIDENT:

Senator Smith.

SENATOR SMITH:

The...this reflects the department's current actions on
public aid.

PRESIDENT:

Senator Geo-Karis.

SENATOR GEO-KARIS:

Which department?

PRESIDENT:

Senator Smith.

SENATOR SMITH:

The Department of Public Aid.

PRESIDENT:

Further discussion? If not, Senator Smith has moved the adoption of Committee Amendment No. 1 to Senate Bill 1121. All in favor indicate by saying Aye. Opposed. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

Senator Smith offers Amendment No. 2.

PRESIDENT:

Senator Smith on Amendment No. 2.

SENATOR SMITH:

Thank you, Mr. President and members of the Senate. Amendment No. 2 is purely technical. This amendment was incurred by the Department of the State Lottery. I move for its adoption.

PRESIDENT:

All right. Senator Smith has moved the adoption of Amendment No. 2 to Senate Bill 1121. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. 1125, Senator Karpel. 1131, Senator Barkhausen. On the Order of Senate Bills 2nd Reading, Senate Bill 1131. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 1131.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 1135, Senator Kustra. 1136, Senator Kustra. 1138. 1142. 1155, Senator Marovitz. Top of page 20, Senator Philip. Top of page 20, 1164. On the Order of Senate Bills 2nd Reading, top of page 20, is Senate Bill 1164. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 1164.

(Secretary reads title of bill)

2nd reading of the bill...no committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 1170, Senator Marovitz. 1171, Senator Savickas. 1173, Senator Newhouse. Top of page 20. On the Order of Senate Bills 2nd Reading, top of page 20, is Senate Bill 1173. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 1173.

(Secretary reads title of bill)

SB 1192
2nd reading

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 1175, Senator Newhouse. 1180, Senator Demuzio. On the Order of Senate Bills 2nd Reading, Senate Bill 1180. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 1180.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Has the fiscal note been met?

SECRETARY:

It has.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Thank you. 3rd reading. 1181, Senator Marovitz. 1182, Senator Joyce. 1186, Senator Jones. 1192, Senator Barkhausen. On the Order of Senate Bills 2nd Reading is Senate Bill 1192, Madam Secretary.

SECRETARY:

Senate Bill 1192.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 1194. On the Order of Senate Bills 2nd Reading is Senate Bill 1194, Madam Secretary.

SECRETARY:

Senate Bill 1194.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Elementary and Secondary Education offers one committee amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Smith.

SENATOR SMITH:

...thank you, Mr. President, members of the Senate. I would like to Table the committee's amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Smith has moved to Table Committee Amendment No. 1 to Senate Bill 1194. Is there discussion? If not, those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is Tabled. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Senator Smith offers Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Smith.

SENATOR SMITH:

Thank you, Mr. President and members of the Senate. The Floor amendment delays the start of this program until the 1988-89 school year and delays funding until Fiscal Year 1989.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Smith has moved the...

SENATOR SMITH:

I move for the adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Smith has moved the adoption of Amendment No. 2 to Senate Bill 1194. Is there discussion? If not, those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 1201. On the Order of Senate Bills 2nd Reading is Senate Bill 1201, Madam Secretary.

SECRETARY:

Senate Bill 1201.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Madigan.

SENATOR MADIGAN:

Thank you, Mr. President. I would move that the committee amendment be Tabled.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Madigan has moved to Table Committee Amendment No. 1 to Senate Bill 1201. Is there discussion? If not, those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is Tabled. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Amendments from the Floor?

SECRETARY:

Senator Madigan offers Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Madigan.

SENATOR MADIGAN:

Thank you, Mr. President. On the Floor amendment, it changes corrective language from a hundred and seventy-five thousand population to one hundred and eighty-five thousand population. I would move for that...adoption of that amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...Senator Madigan has moved the adoption of Amendment No. 2 to Senate Bill 1201. Is there discussion? If not, those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 1202, Senator Haitland. On...1203, Senator DeAngelis. Top of page 21, Senator Joyce, 1204. 1206, Senator Luft. 1206? 1207. 1210, Senator Savickas. 1217, Senator Jones. 1231, Senator Weaver. On the Order of Senate Bills 2nd Reading is Senate Bill 1231, Madam Secretary. Read the bill, please.

SECRETARY:

Senate Bill 1231.

(Secretary reads title of bill)

PRESIDING OFFICER: (SENATOR DEMUZIO)

...take it out of the record. 1234, Senator Raica. Fiscal note has been requested. Madam Secretary, has the fiscal note been filed? It has not. 1239, Senator DeAngelis. 1244, Senator Joyce. 1245, Senator Alexander. Bottom of page 21, 1245. Senator DeAngelis on 1239. Is that...is that one you wish called? All right. Senator DeAngelis was on the Floor and the Chair didn't see him.

With leave of the Body, we'll go back to the Order of Senate Bill 1-2-3-9. Madam Secretary, 1-2-3-9, read the bill.

SECRETARY:

Senate Bill 1239.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Fiscal note requested?

SECRETARY:

No.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 1249, Senator Fawell. On the Order of Senate Bills 2nd Reading, Senate Bill 1249, Madam Secretary. Read the bill.

SECRETARY:

Senate Bill 1249.

(Secretary reads title of bill)

2nd reading of the bill. The...no committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Senator Fawell offers Amendment No...(Machine cutoff)

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. There's also been a fiscal note requested on...on this bill as well. All right. Senator Fawell. Senator Fawell on Amendment No. 1.

SENATOR FAWELL:

Thank...thank you, very much, Mr. President. All this amendment does, it's a technical amendment. It is an agreed amendment between the Chamber of Commerce and the State Board

of Education. They...and they merely wanted to clean up some of the language.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Fawell has moved the adoption of Amendment No. 1 to Senate Bill 1249. Is there discussion? If not, those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Fiscal note has been met. 3rd reading. 1251, Senator Newhouse. 1257, Senator Rock, bottom of page 21. All right. Senator Newhouse...I'm sorry. On the Order of Senate Bills 2nd Reading is Senate Bill 1251, bottom of page 21, Madam Secretary. Read the bill. Senator Newhouse, are you expecting a...a Floor amendment to this...for this bill, 1251? All right. On the Order of Senate Bills 2nd Reading is...Senate Bill 1251. Read the bill.

SECRETARY:

Senate Bill 1251.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis, for what purpose do you arise?

SENATOR DeANGELIS:

Yeah, Mr. President, I want to apologize. We have been trying to draft an amendment for the Floor that was discussed in committee on this and, unfortunately, the first one was drafted incorrectly by LRB and we're awaiting the second one.

I really don't want to hold up your bill. Is it possible to wait a little while and permit him to call it back a little later on while...the amendment is expected momentarily.

PRESIDING OFFICER: (SENATOR DEHUZIO)

Well, you know,...we are literally trying to get through the Calendar...

SENATOR DeANGELIS:

I understand that.

PRESIDING OFFICER: (SENATOR DEHUZIO)

...and try to do...do something...in an orderly process. Senator...Senator Newhouse. I...I...the Chair would like to make a suggestion...if...we...we ought to just do this on recall...on Thursday, either that or take it out of the record, whatever you wish. I...I can't guarantee you we're going to get back to it. Senator DeAngelis. All right, take it out of the record. 1257, Senator Rock. Page 22, 1258. Top of...all right. On the Order of Senate Bills 2nd Reading is Senate Bill 1-2-5-8, Madam Secretary. Read the bill.

SECRETARY:

Senate Bill 1258.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEHUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEHUZIO)

3rd reading. There's a fiscal note on 1262...has...has it been answered? Senator Lechowicz on the Floor? All right. On the Order of Senate Bills 2nd Reading, Senate Bill 1-2-6-2, Madam Secretary. Read the bill.

SECRETARY:

Senate Bill 1262.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Insurance, Pensions and Licensed Activities offers Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Committee Amendment No. 1 makes a technical change to properly designate the Department of Registration and Education in accepting the responsibility of this bill, and I move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Lechowicz has moved the adoption of Committee Amendment No. 1 to Senate Bill 1262. Is there discussion? If not, those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

And the fiscal note has been met. 3rd reading. Senate Bill 1263, Senator Holmberg. On the Order of Senate Bills 2nd Reading is Senate Bill 1-2-6-3, Madam Secretary, read the bill, please.

SECRETARY:

Senate Bill 1263.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on...Elementary and Secondary Education offers one committee amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Holmberg.

SENATOR HOLMBERG:

Thank you, Mr. President...Ladies and Gentlemen of the Senate. Amendment No. 1 deletes everything after the enacting clause and puts in an amendment suggested by the State Board of Education to establish a model project grant program to encourage the development of systems approaches to student counseling and kindergarten through grade nine.

PRESIDENT:

Senator Holmberg has moved the adoption of Committee Amendment No. 1 to Senate Bill 1263. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

Senator Holmberg offers Amendment No. 2.

PRESIDENT:

Senator Holmberg on Amendment No. 2.

SENATOR HOLMBERG:

Thank you, Mr. President. Amendment No. 2, the Floor amendment, is a technical...amendment and merely specifies that grants be awarded to districts with attendance centers maintaining grades K through 9.

PRESIDENT:

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

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. 1268, Senator Savickas. 1270, Senator Kustra. On the Order of Senate Bills 2nd Reading, middle of page 22, is Senate Bill 1270. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 1270.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on...I'm sorry, no committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 1271, Senator Kustra. On the Order of Senate Bills 2nd Reading, Senate Bill 1271. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 1271.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 1272, Senator Welch. 1275, Senator del Valle. 1283, Senator Friedland. On the Order of Senate Bills 2nd Reading, Senate Bill 1283. Madam Secretary, read the bill, please.

SECRETARY:

Senate Bill 1283.

(Secretary reads title of bill)

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

PRESIDENT:

Senator Friedland on Committee Amendment No. 1.

SENATOR FRIEDLAND:

Thank you, Mr. President. This is a suggested amendment by the committee which would provide that a defendant could use in evidence the...the result of a breath screening test. Thank you. Urge your favorable consideration.

PRESIDENT:

Senator Friedland has moved the adoption of Amendment No. 1 to Senate Bill 1283. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. Senator Geo-Karis, for what purpose do you arise?

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, on a point of personal privilege. I'm very proud and very delighted to introduce to this Assembly three young people up in the President's Gallery, Lisa Alexander from North Chicago, Robert Chang from part of Wildwood and Jennifer Schwartz from Antioch who are students in the Illinois Mathematics and Science Academy. They're visiting us today to see us in operation and I would appreciate it if we'd give them a welcome because they deserve it, they're very good kids.

PRESIDENT:

Will our guests in the gallery please rise and be recognized. Welcome to Springfield. 1292, Senator Dunn. On the Order of Senate Bills 2nd Reading, Madam Secretary, Senate Bill 1292. Read the...I beg your pardon? Fiscal note not yet with us. 1303, Senator Weaver. On the Order of Senate Bills 2nd Reading, Senate Bill 1303. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 1303.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 1304, Senator Weaver. 1314, Senator Dunn. 1319, Senator Lechowicz. Fiscal note, I'm sorry, fiscal note. 1322, Senator Friedland. On the Order of Senate Bills 2nd Reading, top of page 23, is Senate Bill 1322. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 1322.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 1340, Senator...fiscal note, Senator, fiscal note. 1343, Senator Marovitz. 1353, Senator Marovitz. 1356, Senator Dunn. On the Order of Senate Bills 2nd Reading, Senate Bill 1356. Read the bill, Madam Secre-

tary.

SECRETARY:

Senate Bill 1356.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. Let's pick up 1304, Madam Secretary. On the Order of Senate Bills 2nd Reading, Senate Bill 1304. Read the bill, Madam Secretary.

END OF REEL

REEL #3

SECRETARY:

Senate Bill 1304.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 1359, Senator Dunn. On the Order of...Senate Bills 2nd Reading is Senate Bill 1359. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 1359.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 1360, Senator Dunn. On the Order of Senate Bills 2nd Reading, Senate Bill 1360. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 1360.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 1361, Senator Dunn. On the Order of Senate Bills 2nd Reading, Senate Bill 1361. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 1361.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 1384, ...all right 1369, Senator Degnan. On the Order of Senate Bills 2nd Reading, Senate Bill 1369. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 1369.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 1384, Senator Dunn. On the Order of Senate Bills 2nd Reading, Senate Bill 1384. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 1384.

(Secretary reads title of bill)

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

PRESIDENT:

Senator Dunn on Committee Amendment No. 1.

SENATOR TOM DUNN:

The committee amendment made a provision that would only affect townships of fifteen thousand or more and it clarified that the commissioner is to appoint by the supervisor with the advice and consent of the trustees, and the third aspect was, it would delete the requirement that the plan commission have a paid secretary and staff and make that permissible.

PRESIDENT:

All right, Senator Dunn has moved the adoption of Committee Amendment No. 1 to Senate Bill 1384. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

Senator Thomas Dunn offers Amendment No. 2.

PRESIDENT:

Senator Dunn on Amendment No. 2.

SENATOR TOM DUNN:

The Floor amendment...changed the threshold population from fifteen thousand down to twelve thousand.

PRESIDENT:

All right, Senator Dunn has moved the adoption of Amendment No. 2 to Senate Bill 1384. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. 1385, Senator Vadalabene. On the Order of

DB 1400
2nd reading

Senate Bills 2nd Reading, bottom of page 23, is...I beg your pardon, fiscal note, Senator Sam. 1393, top of page 24, Senator Jerome Joyce. Fiscal note. 1400, Senator Severns. On the Order of Senate Bills 2nd Reading, top of page 24, is Senate Bill 1400. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 1400.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Labor and Commerce offers one committee amendment.

PRESIDENT:

Senator Severns on Committee Amendment No. 1.

SENATOR SEVERNS:

Thank you, Mr. President and members of the Senate. Committee Amendment No. 1 changes the short title to the Illinois Domestic Products Procurement Act. Requires the State of Illinois to purchase domestic made products when contracting or...subcontracting for commodities or goods. I move for its adoption.

PRESIDENT:

All right, Senator Severns has moved the adoption of Committee Amendment No. 1 to Senate Bill 1400. Discussion? Senator Hudson.

SENATOR HUDSON:

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

PRESIDENT:

Sponsor indicates she'll yield, Senator Hudson.

SENATOR HUDSON:

Senator, would you be kind enough to fill us in a little bit as to the...the import of the amendment you're offering...again...been difficult for me to hear. There's quite a bit of noise.

PRESIDENT:

All right, that...your point is well-taken, Senator. Would the members please be in their seats. I'd ask the staff to take their conferences off the Floor. Senator Severns.

SENATOR SEVERNS:

Yes, Senator Hudson, it...it's a committee amendment which takes a look at the...we used the Steel Procurement Act, we're changing the language but we're exempting local governments and municipalities. We're suggesting that the State of Illinois, first and foremost, should look at Illinois and domestic made products before going out of the country to make purchases. We're just really trying to provide a little more responsibility in this state before we so casually purchase products out of the state or out of the country.

PRESIDENT:

Senator Hudson.

SENATOR HUDSON:

I...thank you, very much. I do understand, I think, the...what the bill does, but I was curious about the amendment. Is that one that Caterpillar was interested in?

PRESIDENT:

Senator Severns.

SENATOR SEVERNS:

The amendment that Caterpillar is interested in will become a Floor amendment...is a Floor amendment. This is a committee amendment that we're addressing now.

PRESIDENT:

Senator Hudson.

SENATOR HUDSON:

Yes, I beg your pardon. I thought you were addressing the Floor amendment.

PRESIDENT:

All right, Senator Severns has moved the adoption of

Committee Amendment No. 1 to Senate Bill 1400. Any discussion? Further discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

Senator Severns offers Amendment No. 2.

PRESIDENT:

Senator Severns on Amendment No. 2.

SENATOR SEVERNS:

Thank you, Mr. President and members of the Senate. A major employer in the state, Caterpillar, and...major employer in my district was concerned that because of their international operations that they might have...that they could be impacted by Senate Bill 1400. The amendment on the Floor addresses this concern by defining domestic products as commodities and goods manufactured or supplied by companies including subsidiaries or affiliates whose entire product line consists of at least fifty percent United States content. This amendment was worked out with Don DeFoe of Caterpillar.

PRESIDENT:

Any discussion? Senator Hudson. All right, Senator Severns has moved the adoption of Amendment No. 2 to Senate Bill 1400. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. Senator Dunn on 1403. On the Order of

*SB 1421
2nd Reading*
*SB 1416
2nd Reading*

Senate Bills 3rd Reading, Senate Bill 1403. Read the bill,
Madam Secretary.

SECRETARY:

Senate Bill 1403.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 1416, Senator Luft. On the Order of Senate
Bills 2nd Reading, Senate Bill 1416. Read the bill, Madam
Secretary.

SECRETARY:

Senate Bill 1416.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 1417, Senator Savickas. 1421, Senator
Rigney. On the Order of Senate Bills 2nd Reading is Senate
Bill 1421. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 1421.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

Senator Rigney offers Amendment No. 1.

PRESIDENT:

Senator Rigney on Amendment No...pardon me, Amendment No. 1.

SENATOR RIGNEY:

Mr. President, this the Bed and Breakfast Act and...what we're doing here is fulfilling a promise that was made to the committee. Inadvertently when the original legislation was drafted, we left out the requirement for smoke detectors in...in every room and this adds in the smoke detector language. It also adds in that these establishments will be subject to hotel and motel taxes.

PRESIDENT:

All right, Senator Rigney has moved the adoption of Amendment No. 1 to Senate Bill 1421. Is there any discussion? Senator Demuzio.

SENATOR DEMUZIO:

Senator Rigney, on the amendment, are...do we now require payment for...state and local taxes for bed and breakfast facilities?

PRESIDENT:

Senator Rigney.

SENATOR RIGNEY:

Well, first of all, we don't even have any legislation on the books at the present time that even addresses the subject of bed and breakfast. So, we are creating somewhat of a new animal here, and we felt that it was an oversight not to mention the fact that they would be obligated to pay any hotel and motel taxes.

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

Well, I'm just speaking with our revenue expert here and they've never seen this. I'm just wondering why...are they not required now to...to pay...state and local taxes?

PRESIDENT:

Senator Rigney.

SENATOR RIGNEY:

Well, I think lacking any legislation, this is the problem that led to the legislation in the first place. We do not now have a special provision for bed and breakfast establishments. So, now they would be looked upon as being basically a hotel or a restaurant. So, we are creating a new animal by this Act and the industry is perfectly willing to assume the taxes that should go and...and properly be paid by this type of an operation, they're not attempting to get around any taxes, they are clearly bringing themselves under...those laws.

PRESIDENT:

All right, any further discussion? If not, Senator Rigney has moved the adoption of Amendment No. 1 to Senate Bill 1421. All in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. 1425, Senator Welch. 1426. 1428, Senator Collins. 1436, Senator Degnan. On the Order of...hold that one, okay. 1443, Senator Degnan. On the Order of Senate Bills 2nd Reading is Senate Bill 1443. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 1443.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Judiciary offers Amendment No. 1.

PRESIDENT:

Senator Degnan on Committee Amendment No. 1.

SB 1456
2nd Reading

SENATOR DEGNAN:

Thank you, Mr. President. Amendment No. 1 is clarifying in nature.

PRESIDENT:

Senator Degnan moves the adoption of Committee Amendment No. 1 to Senate Bill 1443. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 1447, Senator Savickas. 1452, Senator Woodyard. 1456, Senator Welch. On the Order of Senate Bills 2nd Reading, Senate Bill 1456. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 1456.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

Senator Welch offers Amendment No. 1.

PRESIDENT:

Senator Welch on Amendment No. 1.

SENATOR WELCH:

Thank you, Mr. President. In committee I advised the committee that I was passing out a vehicle bill and would amend it on the Floor and I advised the committee what the amendment would be. Let me briefly go over those promises.

What this amendment does is include congressionally or state chartered veterans' organizations among those veterans' organizations able to receive funds to assist indigent veterans. Secondly, it includes superintendents of Veterans' Assistances Commissions among the persons whose orders shall be proper vouchers for expenditures of those funds. Third, it requires chartered veterans' organizations and superintendents to report annually to the Governor such portions of their transactions that may be of interest to the organization and Illinois citizens. Fourth, it removes county board chairmen's or presidents' powers of general oversight over the distribution of funds. Fifth, requires the superintendents to comply with the regulations adopted by the Veterans' Assistance Commission and Department of Public Aid and requires county boards to reimburse commission members' expenses. This amendment in this particular bill came about through County Veterans' Assistance Commissions, particularly in northern Illinois who were being stymied on many points of getting assistance to indigent veterans, and I would move adoption of the amendment.

PRESIDENT:

Senator Welch has moved the adoption of Amendment No. 1 to Senate Bill 1456. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. 1459, Senator Dudycz. 1463, Senator Berman. 1468, Senator Newhouse. 1475, Senator Jerome Joyce. 1477, Senator Hall. On the Order of Senate Bills 2nd Reading is Senate Bill 1477. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 1477.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

Senator Hall offers Amendment No. 1.

PRESIDENT:

Senator Hall on Amendment No. 1 to Senate Bill 1477.
Senator Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This applies only to one community college and that's the State Community College of East St. Louis. The Governor makes all the appointments and he will still do so. There are nine members...from the Governor and the board members of the State Community College in East St. Louis are currently appointed by the Governor. The Governor also appoints the chairman of the board. This merely says that the amendment provides that members who are appointed by the Governor shall select a chairman from among themselves. That's all it does.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall has moved the adoption of Amendment No. 1 to Senate Bill 1477. Discussion? If not, those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No...no further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 1482, Senator Welch. 1488, Senator Schaffer. 1489, Senator Madigan. On the Order of...Senate...Senate Bills 2nd Reading is Senate Bill 1489, Madam Secretary.

SECRETARY:

Senate Bill 1489.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEHUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEHUZIO)

Has the fiscal note been met?

SECRETARY:

It has.

PRESIDING OFFICER: (SENATOR DEHUZIO)

All right. 3rd reading. 1501, Senator Topinka. On the Order of Senate Bills 2nd Reading is Senate Bill 1501, Madam Secretary.

SECRETARY:

Senate Bill 1501.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEHUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEHUZIO)

3rd reading. 1507. 1513. 1514. Senator Vadalabene, for what purpose do you arise?

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. There'll be a Democratic Caucus in Room 212 immediately and it will be for at least an hour.

PRESIDING OFFICER: (SENATOR DEHUZIO)

All right, Democratic Caucus in Room 212. Senator Rock, ...Senator Rock, for what purpose do you arise?

SENATOR ROCK:

AB1
3rd Reading

Yes, thank you. I've advised Senator Philip...I'd like to make a motion that the Senate stand in Recess for one hour. We'll reconvene at two-fifteen, at which time we will begin on the Order of 3rd Reading...Senate bills 3rd reading and handle the bills in numerical order as the sponsor sees fit and we'll work until approximately 6:00 p.m. And also Senator Philip and I have discussed tomorrow, in order to accommodate our friends on the other side, we're going to adjourn tomorrow at one o'clock. So, we will start at nine tomorrow morning on the Order of 2nd Reading and work until approximately one o'clock at which time we will adjourn for the weekend.

PRESIDING OFFICER: (SENATOR DEHUZIO)

All right, Democratic Caucus in Room 212. Senator Rock has moved that the Senate stand in Recess till the hour of two-fifteen. Senate stands in Recess.

RECESS

AFTER RECESS

PRESIDENT:

The Senate will please come to order. We will begin on page 25 on the Order of Senate Bills 3rd Reading. This will be final action. I would ask those members, Senator Severns, Topinka, Davidson, Demuzio, Schuneman, Collins, Woodyard, Topinka, Friedland, Davidson, Fawell, Watson...one out of twelve isn't bad, Doc, right? I would ask them, please, to come to the Floor if they wish to present their legislation for passage. Senator Topinka is back with us. On the Order of Senate Bills 3rd Reading, the bottom of page 25, Senate Bill 1. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 1.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Severns.

SENATOR SEVERNS:

Thank you...thank you, Mr. President and members of the Senate. Senate Bill 1 is geared toward job retention and increased competitiveness. The U.S. Department of Commerce just recently released figures to suggest that for every one billion dollars worth of U.S. goods and services exported, that twenty-five thousand jobs result. We want those jobs in Illinois. While there are no magic formulas or policies to increase our state's competitiveness, there's only hard work and our providing the necessary tools to do the job. Senate Bill 1 has had serious input from the Department...Commerce and Community Affairs, the Department of Agriculture and the Lieutenant Governor's Office, in addition to our work with the low-tech, high return efforts here in Illinois. We've worked together to make this bill a stronger, better piece of legislation. The prime purpose of Senate Bill 1 is designed to create new domestic and international export markets. For Illinois businesses and industry we've provided plenty of incentives to bring companies to Illinois. Senate Bill 1 provides incentives to keep companies in Illinois. Senate Bill 1 would not only set up the Export Trade Company Act to promote not only for small businesses but also large...promote the possibility of increased domestic and international markets, but it would also establish a unit which would collect data on export trade companies and products by developing...an electronic data base to compile information on international trade and investment activities in Illinois companies. We would strengthen the efforts to promote Illinois firms and Illinois products. We would facilitate the establishment of foreign sales corporations through the Illinois Export Council. We would establish through the Illinois Export Authority, created in 1983, a financing tool for performance bond guarantees. The cost of

such a bond can...preclude the completion of the contract and it makes the package more attractive. I believe Senate Bill 1 is a step forward to increase markets domestically and internationally. I think it's time that we stop reacting to our adversaries' moves and...and start acting like the bold, hopeful, incentive people that we were born to be, ready to move forward and meet the challenges of the domestic and global marketplace. Senate Bill 1 attempts to do that and I urge its passage today.

PRESIDENT:

All right, the question is the passage of Senate Bill 1. Discussion? Senator Dudycz.

SENATOR DUDYCYZ:

Thank you, Mr. President. I have a question of the sponsor.

PRESIDENT:

Sponsor indicates she will yield, Senator Dudycz.

SENATOR DUDYCYZ:

Yes, Senator Severns, I heard your opening statement but could you just answer one question, please? What does this bill do?

PRESIDENT:

Senator Severns.

SENATOR SEVERNS:

First and foremost, it creates the Export Trade Company Act, something that's been used very successfully in less than a handful of states that have used it to date. It increases the possibility that Illinois will move forward to increase our domestic and international markets. It provides the tax incentive for companies to do that through the export trade companies.

PRESIDENT:

Further discussion? Senator Schaffer.

SENATOR SCHAFFER:

A series of questions. Is this an administration bill?

PRESIDENT:

Senator Severns.

SENATOR SEVERNS:

I welcome the administration's support.

PRESIDENT:

Senator Schaffer.

SENATOR SCHAFFER:

As I understand it, this bill includes a Buy Illinois provision.

PRESIDENT:

Senator Severns.

SENATOR SEVERNS:

It includes a Buy Illinois provision. The amendment, Amendment 2, which was...which was offered by DCCA, allows the Office of Export Development, created in the original legislation, to establish a unit which would collect data on the export trade companies and strengthen the original Buy Illinois program to promote Illinois firms and Illinois products.

PRESIDENT:

Senator Schaffer.

SENATOR SCHAFFER:

I...I see no one's warned you about DCCA amendments. I know with interest that you're also sponsoring Senate Bill 1400 which is a Buy USA bill. Don't these two concepts conflict? Are we going to buy Illinois or can we buy from other parts of the state or do we have to buy only Illinois-US products?

PRESIDENT:

Senator Severns.

SENATOR SEVERNS:

I think the...the two bills are complementary. The main goal of both is to increase Illinois competitiveness and to

increase our share in the domestic and international marketplace.

PRESIDENT:

Senator Schaffer.

SENATOR SCHAFFER:

I personally don't see anything too dramatically wrong, but I would point out to my friends on the other side of the aisle that Senator Keats is a cosponsor.

PRESIDENT:

Further discussion? Senator Karpriel.

SENATOR KARPIEL:

Thank you, Mr. President. Senator...Senator, I supported this bill in committee and I think the concept is probably very good, but I have a few problems and the Lieutenant Governor's Office has a few technical problems with the bill, and I wonder if you have been in touch with his office and whether or not you have cleared up some of the technical problems?

PRESIDENT:

Senator Severns.

SENATOR SEVERNS:

Yes, Senator Karpriel, we have been in touch with the Lieutenant Governor specifically and his staff and they offered, in fact, amendments that you supported in committee to clarify the...I mean, to address the problems that they had with the bill.

PRESIDENT:

Senator Karpriel.

SENATOR KARPIEL:

Well, it's my understanding that the Lieutenant Governor's Office is disturbed because this is still a violation of some international treaty or something because this is...these are tax exempt companies, and I wonder if in these bills that the other states have whether or not they give

this tax exempt status.

PRESIDENT:

Senator Severns.

SENATOR SEVERNS:

Specifically we addressed that in Amendment 2 in the committee which added language to ensure that our export trade companies status shall not be allowed to violate any international agreements or treaties and it expanded the membership and functions of the Export Council and requires the council to develop a model...a model shared foreign service corporation. It...Amendment 2 in committee addressed the Lieutenant Governor's concerns in that aspect specifically.

PRESIDENT:

Senator Karpziel.

SENATOR KARPIEL:

I know we put these amendment on in committee but we all know how fast that goes and nobody had a chance to read them at that time. I'm also concerned because you have to have a special fund in the treasury for this...and an appropriation. Has that been done?

PRESIDENT:

Senator Severns.

SENATOR SEVERNS:

No, that has not been done.

PRESIDENT:

Senator Karpziel.

SENATOR KARPIEL:

Do you have any idea how much this would start up this...money this would cost?

PRESIDENT:

Senator Severns.

SENATOR SEVERNS:

The dollar...I'm sorry. A dollar amount has not been

arrived at. When I quizzed the Economic and Fiscal Commission, their...in terms of the cost of this overall package, their response was that it would be negligible. I'm not certain how many dollars will...you know, that...that question is still to be resolved. I think to make an effective program, obviously, we're going to have to appropriate the dollars to make it work. We have not arrived at any specific figure.

PRESIDENT:

Senator Karpiel.

SENATOR KARPIEL:

I have one last question and this one seems to disturb quite a few members on this side. Why is there going to be a feasibility study for the creation of an Illinois World Trade Center at O'Hare Airport?

PRESIDENT:

Senator Severns.

SENATOR SEVERNS:

Frankly, Senator Karpiel, I was a little puzzled by that insertion as well, but that came from the Lieutenant Governor's Task Force on Rural...Rural Revival and he suggested...his people suggested that that be included. So, in an attempt to accommodate the Lieutenant Governor, we included it. I had the same concerns and same questions.

PRESIDENT:

Further discussion? Oh, Senator Karpiel.

SENATOR KARPIEL:

Was...was the Lieutenant Governor's Task Force suggestion for this...center to be specifically...did he spell it out to be at O'Hare Airport?

PRESIDENT:

Senator Severns.

SENATOR SEVERNS:

He specifically spelled that out, yes.

PRESIDENT:

Senator Karpiel.

SENATOR KARPIEL:

Well, I guess my question then is for him. Thank you, very much.

PRESIDENT:

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

SENATOR SEVERNS:

Thank you, Mr. President and members of the Senate. While we've constantly...on both sides of this aisle have participated and heard continue arguments for making the case to bring new companies and industries to this state, the focus of Senate Bill 1 is to increase the possibilities and markets for companies in Illinois. I think the hour of decision has arrived to make Illinois more competitive. I don't think we can afford to wait and see what the international...market dictates. I believe that this bill while it's not the answer to every challenge that we meet within the international and domestic marketplace, I think it's a step forward to making this state more competitive and I urge members on this Floor for a favorable vote today. Thank you.

PRESIDENT:

Question is, shall Senate Bill 1 pass. Those in favor will vote Aye. Opposed will vote Nay. The voting is open. 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 57 Ayes, 1 Nay, none voting Present. Senate Bill 1 having received the required constitutional majority is declared passed. Congratulations. Ladies and gentlemen, before we continue, Senator Topinka, I know is ready, we have a special guest who has just walked over from the House. He is an old personal friend of mine, not so old, a personal friend of mine, he is

the Consul General of Ireland for the midwest. He is based, obviously, in Chicago. Peter Gunning has been a member of the Ireland's Foreign Service for more than thirteen years. He has served in Dublin, he has served his country in Moscow and he has served his country in Iran and now he serves his country in Chicago. Please welcome my friend, Peter Gunning, the Consul General of Ireland.

CONSUL GENERAL OF IRELAND PETER GUNNING:

(Remarks made by Consul General Peter Gunning)

PRESIDENT:

All right, bottom of page 25, on the Order of Senate Bills 3rd Reading, Senator Topinka, Senate Bill 3. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 3.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Topinka.

SENATOR TOPINKA:

Yes, Mr. President and Ladies and Gentlemen of the Senate, if I might, first of all, ask for a point of personal privilege and introduce someone who is very near to me who is in the gallery right above you, and that is the good Chief of Police of the Village of Riverside, Don Dynesky, and if we could all make him welcome.

PRESIDENT:

Chief, welcome to Springfield. Will our guest please stand and be recognized. Senator Topinka.

SENATOR TOPINKA:

Thank you. One should always keep one's police chiefs happy, but anyway, going on, and since everybody is in good form after having voted so overwhelmingly for Senator Severns bill, Senate Bill 3 eliminates our last jury exemption, that

for the press. It still provides that the press...and we're talking now about the written media because this...this exemption never at all pertained to the broadcast media which is, by the way, supporting this bill. If, indeed, there is a problem and there's any undo hardship, the bill does, indeed, cover the fact that they can be excused because of business affairs, of undo hardship, physical health, family situation, active duty in the National Guard or naval militia or other personal affairs. I...it...it...went through the committee overwhelmingly and I see no reason why it shouldn't go through here the same way.

PRESIDENT:

Any discussion? Is there any discussion? If not, the question is, shall Senate Bill 3 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 51 Ayes, 4 Nays, none voting Present. Senate Bill 3 having received the required constitutional majority is declared passed. Senator Davidson on Senate Bill 9. Top of page 26, on the Order of Senate Bills 3rd Reading is Senate Bill 9. Read the bill, Madam Secretary, please.

SECRETARY:

Senate Bill 9.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Davidson.

SENATOR DAVIDSON:

Mr. President and members of the Senate, this bill does exactly as it says on the Calendar. This is a bill that came about because the Federal Government changed those regulations. This is a worked out agreement between Department of Public Health and the Department of Agriculture. This will

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3rd Reading

keep the thirty-three wood preserving companies that are in business which furnish employment and business. I'd appreciate a favorable vote.

PRESIDENT:

...discussion? Is there any discussion? If not, the question is, shall Senate Bill 9 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. Senate Bill 9 having received the required constitutional majority is declared passed. Senator Demuzio. On the Order of Senate Bills 3rd Reading is Senate Bill 10. Read the bill, Madam Secretary, please.

SECRETARY:

Senate Bill 10.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator...Demuzio.

SENATOR DEMUZIO:

Thank you. This permits newly established political parties to merge with one another and sets up the process by which they can do that. The last Primary Election a political party received five percent of the statewide vote and, therefore, was established as a political party. This would allow the option for a party such as that to merge with another party upon meeting specific criteria that's set out in the bill. I would ask for your...complete support on...Senate Bill 10.

PRESIDENT:

All right, question is passage of Senate Bill 10. Discussion? Senator Dudycz.

SENATOR DUDYCZ:

Yes, thank you, Mr. President and ladies and gentlemen,

specifically those on this side of the aisle, we just want you to understand what Senate Bill 10 does. If you can recall last year the party of our colleagues on the other side of the aisle were involved in a primary debacle where the result...was there...there was a dispute between two factions of that party, and since then there was a formation of a...second Democrat Party under the label of Illinois Solidarity. Now, this legislation is intended to bring back both factions under one banner and it is simply an attempt to resolve an interparty dispute, and for those reasons, I intend to vote Present and I urge my colleagues on this side of the aisle to do likewise.

PRESIDENT:

Further discussion? Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. I would just like to point out that the factions, as Senator Dudycz referred to, are not factions of our party but rather interlopers who happened to file under the banner of our party and they were summarily dispensed with from our state convention last year. They are not members of the party and they never will be. Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Keats, do you wish to comment? Is there further discussion? If not, Senator Demuzio wishes that all of you who support Senate Bill 10 will vote Aye. Those opposed will vote Nay and 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 none, 18 voting Present. Senate Bill 10 having received the constitutional majority is declared passed. Senate Bill 12, Senator Schuneman. Senate Bill 20, Senator Collins. Senate Bill 23, Senator Woodyard. 27, Senator Topinka. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 27.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Topinka.

SENATOR TOPINKA:

Yes, Senate Bill 27 which began life as a Northeastern Illinois Planning Commission bill amends the Environmental Protection Act to prohibit the establishment of sanitary landfills or regional pollution control facilities in certain sensitive areas which are flood plains, and what's I think interesting to know, we have removed the definition of an aquifer, the definition of a wetland has been removed, so now we're dealing basically with the flood plain...the hundred year flood plain. There's a lot of business language in here, though there are some business groups that continue to be opposed. The Northeastern Illinois Planning Commission continues to support the bill, as does the Northwest Municipal Conference, the Westcentral Municipal Conference, the Illinois Environmental Council, the EPA, the Pollution Control Board is neutral, and I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Weaver.

SENATOR WEAVER:

Senator Topinka, did I understand you to say that you've removed the prohibition of siting over an aquifer?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Topinka.

SENATOR TOPINKA:

Yes, we did because we could not come up with a definition that would be applicable and it would just leave it much too loose.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Weaver.

SENATOR WEAVER:

Well, what is in the law now...does an aquifer have to be so deep or...so many feet down before they can site over it? I'm...I'm concerned about siting landfills in areas where they're drawing from one or two or three aquifers...of...various depths.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Topinka.

SENATOR TOPINKA:

In very long and involved discussions with EPA and all the conceivable players, including the geological survey people, they said that ultimately aquifer could be defined in such a way that it was basically present under all strata of Illinois in some capacity or another and, therefore, it...it was just too difficult to try and put into this bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Dunn.

SENATOR DUNN:

Thank you, Mr. President. With leave of the chief sponsor, I ask to be granted leave to be added as a hyphenated cosponsor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

You've heard the motion. Is there objection? Hearing no objection, leave is granted. Is there further discussion? If not, Senator Topinka, you may close.

SENATOR TOPINKA:

I would just appreciate a favorable vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall Senate Bill 27 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, 2 voting Present. Senate Bill 27 having received the constitutional majority is declared passed. Senate Bill

31, Senator Topinka. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 31.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Topinka.

SENATOR TOPINKA:

Wait I was...didn't have my file in front of me, if you will just...okay, here we go...on Senate Bill 31 what we are basically doing here is we're authorizing the Department of Commerce and Community Affairs via the Build Illinois Act to provide grants from the Build Illinois Bond Fund or for Build...the Build Illinois Purposes Fund to local units of government in order to demolish abandoned factories for the purpose of making unimproved land available for purchase by businesses for economic development, and I think everybody who has been involved here has signed off, especially DCCA which did have some concern and which amended the bill to make sure, you know, this would be limited to factories which...which could not be...be marketed in any other way; in other words, this is a last ditch effort. And then the department would also have the ability to determine if and when a grant would be provided and also would be based on whether or not economic development would be generated by allowing this to occur. It's something that we feel has been very strongly needed in urbanized areas where we did have a lot of very customized factory, they...they were only built for one purpose and one purpose alone. They're very difficult to market. They become dogs on the...on the market and this may be one way that we can help get some of those kind of regentrification funds back into the cities and our immediate suburbs.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Schaffer.

SENATOR SCHAFFER:

Do I understand correctly that this is a proposal to use Build...Illinois money to blow up buildings?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Topinka.

SENATOR TOPINKA:

Well, Senator Schaffer, I mean, you do have a way with words. I think if one stretched it to that point, it would be something like that.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, the question is, shall Senate Bill 31 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. Senate Bill 31 having received the constitutional majority is declared passed. Senate Bill 35, Senator Friedland. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 35.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator...Friedland.

SENATOR FRIEDLAND:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate Bill 35 is presented to you on behalf of the State Fire Marshal's Office and firefighters throughout Illinois. It's patterned after legislation adopted in New York and Massachusetts and would require medical personnel to report to the State Fire Marshal's Office those persons who receive burns over five percent or more of their body. It's an effort to...attack arsonists and we found in the other

states where this has been adopted, it also helps in the...in the child abuse area, helps...correct that. The...I must tell you, the Hospital Association and the Medical Society objected to the bill in committee because it will require another form or two for them to file with the State Fire Marshal's Office, and the committee urged them not to let a form or two stand in the way of attempting to get at these arsonists, and I'd urge your favorable consideration of this measure.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall Senate Bill 35 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 50, the Nays are 4, none voting Present. Senate Bill 35 having received the constitutional majority is declared passed. Is that his first bill in twelve years? Senate Bill 37, Senator Davidson. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 37.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Davidson.

SENATOR DAVIDSON:

Mr. President and members of the Senate, the bill does as it says on the Calendar. This is a bill that's been worked out with Department of Conservation, Department of Agriculture, the Illinois Farm Bureau, the Illinois Farmers Union, the Outdoor Sports...Coalition, the Sportsmen...Legislative Coalition of Illinois Duck and Goose Hunters, et cetera, et cetera. I'd appreciate a favorable vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Keats.

SENATOR KEATS:

...I just want to make sure, it looks good, but I'm saying, if someone owns a large tract of land where you've got ponds on it et cetera and people come in there and fish with or without permission, they are not liable if somebody breaks their leg and they're fishing on their property. That's what this is saying, right?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Davidson.

SENATOR DAVIDSON:

That's right.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, the question is, shall Senate Bill 37 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, I voting Present. Senate Bill 37 having received the constitutional majority is declared passed. Senate Bill 38, Senator Fawell. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 38.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Fawell.

SENATOR FAWELL:

Thank you, very much, Mr. President. This is basically a...a bill that has been recommended by the Supreme Court. It allows the trial court additional time for maintaining jurisdiction over a sentenced defendant's case so that the court could enter an order reducing the defendant's sentence. In their decision they said, and I quote, "There are, how-

ever, the consideration of many factors such as the need of taking additional evidence, illness, involvement in trial and vacations that could prevent the disposition of the motion within a thirty-day period." It has been...it has the support of the Bar Association and I would ask for a favorable vote unless there's any questions.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall Senate Bill 38 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are 1, none voting Present. Senate Bill 38 having received the constitutional majority is declared passed. Senate Bill 41, Senator Watson. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 41.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. This bill was put in on behalf of the county officials of Illinois and it deletes the requirement that counties must pay interest to tax sale purchasers who are...refuse a tax deed because of the failure of that particular purchaser to meet certain statutory requirements. This bill would relieve the counties from having to pay interest when it's really the tax...purchaser who has failed to fulfill the statutory requirements. It passed out of the committee unanimously and I know of no objections, but I'll...glad to answer any questions.

PRESIDING OFFICER: (SENATOR SAVICKAS)

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

Senate Bill 41 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 59, the Yeas...no Nays, none voting Present. Senate Bill 41 having received the constitutional majority is declared passed. Senate Bill 47, Senator Carroll. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 47.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is a Bond Authorization Act. To keep moving through the process, this takes last year's level and adds a dollar to each category until we know what bonds are actually going to be needed. I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall Senate Bill 47 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 51, the Nays are 1, 1 voting Present. Senate Bill 47 having received the constitutional majority is declared passed. Senate Bill 54, Senator Watson. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 54.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. This bill was introduced on behalf of the egg industry in Illinois and it's, of course, a growing industry in southern Illinois and something that we naturally want to support. Senate Bill 54 amends the Illinois Egg and Eggs Product Act to change the definition of an adulterated egg. The new language would provide that an egg is a...is adulterated if it is processed in a manner that does not allow the examination of the content of the individual egg and allows the egg content to comingle with the egg shell or the egg membrane during processing.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Carroll.

SENATOR CARROLL:

Question of the sponsor, if he'll yield.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will, but don't shake him.

SENATOR CARROLL:

Just wanted to know, who got to the chicken that made it an adulterated egg?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR DeANGELIS:

Do you have mandatory testing for those eggs?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Further discussion? Senator Watson may close.

SENATOR WATSON:

Appreciate your favorable vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Question is, shall Senate Bill...Senator Watson.

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SENATOR WATSON:

I'd just appreciate a favorable vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall Senate Bill 54 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. Senate Bill 54 having received the constitutional majority is declared passed. Senate Bill 60, Senator Vadalabene. Read the bill, Miss...Madam Secretary.

SECRETARY:

Senate Bill 60.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of...of the Senate. Senate Bill 60 amends the Election Code in regard to the proof of name change. Eligible voters who move and change their name during the thirty days prior to...an election will remain eligible to vote in a...precinct from which they...they have moved if they can provide proof of such name change in the form of marriage certificate or court order, affidavit is required, and I would appreciate a favorable vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall Senate Bill 60 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. Senate Bill 60 having received the constitutional majority is declared passed. Senate Bill 65, Senator Keats. Read the bill, Madam Secre-

tary.

SECRETARY:

Senate Bill 65.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Keats.

SENATOR KEATS:

Thank you, Mr. President. Senator...Senate Bill 65 which passed out of committee 7 to nothing to 2 is to tighten up the disclosure requirements from grand jury investigations. The bill is patterned after the Grand Jury Secrecy Provisions embodied in the Federal Rules of the Criminal Procedure. It prohibits persons to whom disclosure has been made from leaking the information outside of their official duty. It...it changes some of the words saying, "matters that may be disclosed" saying, "shall not be...disclosed except," and then set forth specific provisions of when it can be disclosed et cetera. The bill is clear that...disclosures to government personnel must be made in performance of a state's attorney's duty to enforce the law and in terms of the court's ability to follow up on it. What it really is doing is just tightening up the kind of information leaked out of grand jury investigations. You know, sometimes that can be extremely damaging to someone's personal reputation. This gives them a little more protection. I would solicit your support.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall Senate Bill 65 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are 1, none voting Present. Senate Bill 65 having received the constitutional majority is declared passed.

Senate Bill 66, Senator Geo-Karis. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 66.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, last year we passed the...a bill which said that any township that had the same boundaries as a city and surrounded property, automatically the property would be annexed to the...that city. Well, Zion happens to have been a dry city for eighty-five years and when that bill took place, automatically two taverns were taken into the City of Zion. What this bill simply says is when the sale of alcoholic beverages is permitted in the unincorporated territory and such sale is not permitted in the coterminous township and city unless such annexation is approved by the corporate authorities of the city, then the city has ninety days after the effective date of this Act to disconnect that portion of the property that contains the liquor licenses and let it be...reconnected to the township from which it was disconnected. I would appreciate a favorable vote and I give my word that this bill is...this is the way this bill is going to be, nothing else can be attempted on it 'cause if it is, then I will Table the bill. I have given my word to the Illinois Municipal League and the township officials and they are not against it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Lechowicz.

SENATOR LECHOWICZ:

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

PRESIDING OFFICER: (SENATOR SAVICKAS)

She indicates she will.

SENATOR LECHOWICZ:

Does this bill affect the City of Chicago at all?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

No, it doesn't because my city is the only dry town...this only affects my town.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Lechowicz.

SENATOR LECHOWICZ:

This only affects Zion? Will this help the mayor of Zion?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

I don't if it'll help or hinder her, but it does affect my town.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lechowicz.

SENATOR LECHOWICZ:

If it affects your town, it affects all of our towns. I would strongly encourage an Aye vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Question is, shall Senate Bill 66 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are 1, none voting Present. Senate Bill 66 having received the constitutional majority is declared passed...Senate Bill 67, Senator Jones. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 67.

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(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Jones.

SENATOR JONES:

Thank you, Mr. President. Senate Bill 67 allows a resident insurance reducer to countersign for a nonresident producer by way of...facsimile and that's all the bill does, and I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall Senate Bill 67 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are...56, the Nays are none, none voting Present. Senate Bill 67 having received the constitutional majority is declared passed. Senate Bill 68, Senator Jones. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 68.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Jones.

SENATOR JONES:

Thank you, Mr. President and members of the Senate. Senate Bill 68 allows for a owner of a vehicle whose car has been totaled and that car is more than eight years old that that owner can purchase that car back from the insurance company. Current law provides that if a vehicle is totaled, that car...the insurance company has to take title to the car and issue a salvage certificate, but this way a car that is eight years or older, the owner can...can secure that car from the insurance company, and I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If...Senator Fawell.

SENATOR FAWELL:

Senator Jones, I notice according to our analysis that...oh, I'm sorry. Will you yield for a question?

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will.

SENATOR FAWELL:

I notice according to our analysis that the Secretary of State originally was opposed to this bill. Is he still opposed to it or did your amendment take care of it?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Jones.

SENATOR JONES:

The original bill called for five years. The Secretary of State wanted eight years, so the Secretary of State objections have been withdrawn.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, the question is, shall Senate Bill 68 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are...59 Ayes, no Nays, none voting Present. Senate Bill 68 having received the constitutional majority is declared passed. The Daily Herald seeks leave to take still photos. Is leave granted? Hearing no objection, leave is granted. Senate Bill 69, Senator Jones. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 69.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Jones.

SENATOR JONES:

Yeah, thank you, Mr. President. Senate Dill 69...allows insurance companies to invest in a first mortgage on real estate if the...if the real estate is encumbered by a second mortgage. This is a...a amendment that was worked out and agreed between Department of Insurance and a representative of the insurance industry, and I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall Senate Bill 69 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. Senate Bill 69 having received the constitutional majority is declared passed. Senate Bill 73, Senator Geo-Karis. Senate Bill 74, Senator Dunn. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 74.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Dunn.

SENATOR RALPH DUNN:

Thank you, Mr. President and members of the Senate. Senate Bill 74 is the same bill that I had last year except this year I had the concurrence from the Office of Education and have...got a 17 to nothing vote out of the committee. The Carbondale Public School System and seventy-one other school systems around the state were owed money from 1976-77 school year for the money...for the Orphanage Act. They had changed the...the formula for paying and this money has been owed to these school districts for some ten years. By Senate Bill 74 it would require...or it would allow the state to pay five million dollars at a million dollars a year over the

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next five years. This is not an appropriation bill...authorization bill, perhaps if we get the tax raise, why we get a million dollars. I'd be glad to answer any questions...like an Aye vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall Senate Bill 74 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. Senate Bill 74 having received the constitutional majority is declared passed. Senate Bill 76, Senator Zito. Read the bill, Madam Secretary.

END OF REEL

REEL #4

SECRETARY:

Senate Bill 76.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Zito.

SENATOR ZITO:

Thank you, Mr. President and members. Senate Bill 76 is not a new concept to...to this Chamber or the other Chamber, but what it does in...in essence is eliminate the double taxation on...utility bills to our constituents and ratepayers in the State of Illinois in the...in view of the rising utility bills and the complications of the method by which utility taxes are collected. It's very hard for me to explain to my constituents why a tax on a tax needs to be payed, and let me give you an example of what we're trying to address with Senate Bill 76. If your utility bill comes to twenty dollars, the state imposes a seven percent tax which would increase your bill then from twenty dollars to twenty-one dollars and forty cents. If your local municipality has a tax and the limit is five percent, they would impose that tax not on the twenty dollar bill but on the bill of twenty-one forty. What Senate Bill 76 says is that we will eliminate that...that tax...that municipality tax only on that dollar and forty so there wouldn't be a tax on the state tax. I'd be happy to answer any questions. It made it out of the very tough and hard-nosed Revenue Committee with no opposition. And I would ask for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is,

shall...Senator Jacobs.

SENATOR JACOBS:

Thank you. I rise in opposition to this bill with my good friend, Senator Zito. As a mayor, we do have a five percent utility tax. Because we are not a home rule unit we have limited out on our property tax base approximately...eight or ten years ago. We currently are in a position to where the only thing that we really have to rely upon for any inflationary factors is the utility tax, and I agree wholeheartedly with Senator Zito that it is a tax upon a tax, and I agree with that from day one. However, on the other hand, it will have a detrimental effect not only on my city but also some of the other cities in my district and, for that matter, even for the City of Chicago which I understand has a utility tax also. So I'd ask that we defeat this bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Topinka.

SENATOR TOPINKA:

Yes, Mr. President and Ladies and Gentlemen of the Senate, I would rise in support of Senator Zito for the simple reason that I think that Senator Jacobs made, it is a tax on a tax, and fairness just on its face dictates right away what we're doing here and I think what we're trying to relieve. And if...as we go through this whole volume of bills through this whole Session this will probably be the fairest bill that we have to deal with. So I would encourage the people on the Republican side to think twice as they vote and hopefully go green.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Karpiel.

SENATOR KARPIEL:

Thank you, Mr. President. Just a question, Senator Zito.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR KARPIEL:

I...I thought that several years ago we passed...passed a bill that would have taken off the tax on a tax.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Zito.

SENATOR ZITO:

Well, that...my...my recollection of that legislation, Senator, was the state version of the tax on a tax and not the municipal version. So...this bill, Senate Bill 76, will address, I believe for the first time, the municipal tax rather than the state tax.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Karpziel.

SENATOR KARPIEL:

Thank you. I had thought that we had actually done this a few years ago. No? All right. I mean, I'm...I don't object to it, I think it's a good bill, but I thought we had done it already.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President, just a point. I don't think any of us object to the theory of what's being done here. The problem that I see is somewhat the same as Senator Jacobs was trying to point out to you, throughout this state there are many, many rural communities especially with declining...declining sales tax revenues, declining property tax revenues, and while this may not amount to a lot of money to any one individual community, it is a significant thing; and perhaps what Senator Zito is suggesting is right, but the timing, I think, is bad.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hawkinson.

SENATOR HAWKINSON

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

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will.

SENATOR HAWKINSON:

Senator, why are you exempting this from the Mandates Act, given the point that Senator Schuneman just made?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Zito.

SENATOR ZITO:

Thank you for the question, Senator. We're exempting it on the recommendations of a member of the Revenue Committee who sits on your side of the aisle, Senator Rigney, and maybe he'd like to address that. I was told that if the amendment went on that the Revenue Committee would accept it and so I offered the amendment...or the committee offered the amendment in that spirit.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

Yes...Senator Zito, I understand what you're trying to do and it sounds real good, but...based on...information I have from the Illinois Economic and Fiscal Commission, we're talking about...for the City of Chicago could lose something in the neighborhood of about 7.4 million dollars. I don't know where we would make up that lost revenue, why it doesn't seem that much money. But it most certainly does have some impact and I don't think at this point that...that...that we can just brush off without...what...what is...what do you...what...what is the total fiscal impact of it to local municipalities?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Zito.

SENATOR ZITO:

Well, I don't have any hard numbers but it's my understanding that it would cost us statewide approximately eleven million dollars in the first year. Now that figure comes from DCCA and it's only an opinion. I'm not so sure how that breaks down city by city across this state, but it will be impact, and if you can understand rather than talk in terms of millions, it's pennies we're talking about of a savings to the...to the taxpayer. But my problem, Senator, I know it's going to cost money and I have said this repeatedly that I would be more than happy to sponsor legislation to increase the municipal tax limit of five percent, maybe make it six percent, I just have a constantly difficult time to explain to my constituents that come into my office in light of everything that's going on with utility bills that we are charging a tax on a tax, it is unexplainable; and I would rather see us in this Chamber raise that revenue and give the local some support by supporting a measure that would increase its cap of five percent rather than go back to constituency and say we're taxing you on a tax.

PRESIDING OFFICER: (SENATOR SAVICKAS)

...Senator Collins.

SENATOR COLLINS:

I agree with what you're trying to do and I...I support the basic concept, but at a time when money is scarce and we don't know what's going to happen down here in...terms of giving some support to the...to the cities, the local units of government who are in dire need of some additional funds because of the dry up of money at the...not only here but at the Federal level, seven million dollars can cut pretty deep into...you know, certain programs, and...and I just want to know how we're going to make up for the lost revenue. And if we...if we pass a lot of bills out of here, this is early...this is only seventy-six and you can imagine that by the time the Session is over we would have taken seven and

eight and ten million dollars to the point of fifty or sixty.
PRESIDING OFFICER: (SENATOR SAVICKAS)

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

SENATOR ZITO:

Well, just to answer a couple of the points of concern. It seems that we have a consensus of agreement that we should not be charging a tax on a tax whether it's Motor Fuel Tax monies, whether it's utility bills, it's just not a good precedent to continue. It is very difficult, as I have said earlier, to try to explain to a constituent, a senior citizen that's on a fixed income that we're charging additional pennies on an already inflated utility bill and the municipality is charging a couple more pennies on a tax, I can't explain it. That's why I've introduced this bill and I have said that if we're really interested and concerned about that loss of revenue, and I am, we should introduce legislation to raise that cap. Additionally, I'm not so sure the municipality receives that...those pennies anyway, because it's my understanding that that quarterly payment that's paid from the utility to that municipality keeps some money back for bookkeeping and clerical...funds and so we're not seeing that at a local level anyway. If we're serious about tax on tax and we're serious about that elimination, this is the time to do that. If we're also serious about adding to our municipalities and giving them some extra revenue, let's have the courage on this Floor to introduce a bill to raise that cap and not take it out on the people that can least afford to pay. A tax on a tax is not a good idea and I would urge strong support for Senate Bill 76.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall Senate Bill 76 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish?

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Take the record. On that question, the Ayes are 43, the Nays are 8, 7 voting Present. Senate Bill 76 having received the constitutional majority is declared passed. (Machine cut-off)...Bill 77, Senator Jacobs. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 77.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President, members of the Senate. This bill permits the corporate authorities of a municipality to authorize a law enforcement...agency to remove after seven days from issuance of a notice to dispose inoperable motor vehicles declared a nuisance. This bill was amended to include counties and townships, and it has the support I know of my district as well as the Municipal League and a county organization. And I urge for its favorable consideration. And I'll be more than willing to...answer any questions.

PRESIDENT:

Discussion? Senator Marovitz.

SENATOR MAROVITZ:

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

PRESIDENT:

Sponsor indicates he will yield, Senator Marovitz.

SENATOR MAROVITZ:

...Senator, according to your bill, it says seven days, this legislation will allow removal after seven days?

PRESIDENT:

Senator Jacobs.

SENATOR JACOBS:

That is correct.

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

What is the current time period for removal?

PRESIDENT:

Senator Jacobs.

SENATOR JACOBS:

The current time is seven days, the only difference is at that particular time all you can do is...is fine. You can arrest and fine.

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

And currently nobody can remove the car from where it's parked?

PRESIDENT:

Senator Jacobs.

SENATOR JACOBS:

Without a court order, no.

SENATOR MAROVITZ:

Well...

SENATOR JACOBS:

On...on...

PRESIDENT:

Senator Marovitz...

SENATOR JACOBS:

...this is strictly on private property.

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

Well...tell me what the procedure is for getting the...getting the court order and are we going to be clogging up the courts trying to get rid of these cars...they could be

handled...

PRESIDENT:

Senator Jacobs.

SENATOR MAROVITZ:

...just as easily now.

PRESIDENT:

Senator Jacobs.

SENATOR JACOBS:

Thank you, Senator, for the question because that's exactly the reason for the bill, it removes it from the backlog of the court. It makes it permissive and it makes it to where a municipality or a county can remove.

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

Maybe I misunderstand this, you told me that with...with this bill you're going to have to go to court to get a court order, is that right?

PRESIDENT:

Senator Jacobs.

SENATOR JACOBS:

That is not correct, Senator. Under the current law that is the situation.

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

So, ...where's the...where's the safeguards with this bill? If...if we're removing the courts, where's the safeguard in making sure that somebody's car is lawfully removed? I mean, I'd hate to come and find that my car has been removed, I don't know where it's at and the court hasn't been involved, where's the safeguard involved with this bill?

PRESIDENT:

Senator Jacobs.

SENATOR JACOBS:

Just to reiterate it; number one, this is permissive action; number two, as far as directly answering your question, the court...or, excuse me, the municipality goes through a...a procedure which includes tagging, which includes the notification by registered mail, and if there is a car that is erroneously...removed, that is still subject to civil action.

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

Well, I'll tell you, I'm not sure why we need this bill. It seems like we're...we're adding a lot of work for municipalities and we're taking away the safeguards involving the...the courts. And a lot of people are going to come and find their cars have been erroneously removed and the courts haven't been the safeguard. I don't know why we need this bill, and I...I personally am not going to support it.

PRESIDENT:

Further discussion? Senator Fawell.

SENATRO FAWELL:

Thank you, very much. Senator, I realize that...that this is your first bill but, you know, in our...in our committee we had several questions. We're not real sure on this side if this is a good bill. You know, we were questioning some of the things that Senator Marovitz brought up. And I would like to ask you a couple of questions if you would be so inclined.

PRESIDENT:

Sponsor indicates he'll yield, Senator Fawell.

SENATOR FAWELL:

Thank you, very much. Would you please tell me, for instance, you've got in here that...that if a bill is an antique auto it cannot be removed. What about somebody that

comes along and says, well, this is a 1967 Oldsmobile and it doesn't work but it's still an antique to me, does that...do...can that be removed?

PRESIDENT:

Senator Jacobs.

SENATOR JACOBS:

Under the law, yes, it can, Senator, but it must be operable.

PRESIDENT:

Senator Fawell.

SENATOR FAWELL:

Well, what happens now if I have a...an antique car that it's up on blocks and...and it may be operable but it doesn't have any tires on it, can it be removed?

PRESIDENT:

Senator Jacobs.

SENATOR JACOBS:

Yes, it could, Senator.

PRESIDENT:

Senator Fawell.

SENATOR FAWELL:

...I also notice that you've got...that after seven days...that we are not...that...that...that the bill can...the car can be removed. Is that enough time? I mean, shouldn't we make it maybe seventeen days or seventy days?

PRESIDENT:

Senator Jacobs.

SENATOR JACOBS:

Seven days is the current language. We feel the current language is adequate, it provides the protection under the law and it gives the municipality and the...the person who is being...whose vehicle is being towed, it gives them that...that adequate time notice in order to remove it. And in answer to Senator Marovitz's question earlier, the cost to

our city is ten to twenty thousand dollars and we just had a front page newspaper article on this in our paper showing the problems with it, and the estimated cost in the Quad-City area for removal of vehicles under the present system is about a hundred thousand dollars.

PRESIDENT:

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, Mr. President, Ladies and Gentlemen of the Senate. I must admit that both Senator Jacobs and I may have a possible conflict of interest since we're both mayors; however, we are interested in keeping our cities clean. I might say that in opposition to some of my colleagues here, I think this is a very good bill because it will save a lot of court time, because if you're going to have some of these junk cars stick around and they're there for seven days, they can be notified...the owners can be notified, if they don't move them, then...then I think the police should have it right to move them. And I...I think it's time that we try and keep our state beautiful and one of the ways to do is get rid of all these nuisances. I heartily support the bill, and I think you've suffered enough, Senator Jacobs.

PRESIDENT:

Further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Well, thank you, Mr. President. I...I am reluctant to rise in opposition to this bill, it looks to me like this is a bill that will allow a major to steal your car. Now I don't know why Senator Jacobs put this bill in, he didn't speak to me about it, and I...I don't know whether he spoke to you about it. But I think that...that with the number of mayors that we have in this Chamber, we ought to be a little careful about passing bills like this. It probably should be done a little later at night.

PRESIDENT:

Further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

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

PRESIDENT:

Sponsor indicates he will yield, Senator DeAngelis.

SENATOR DeANGELIS:

Senator Dunn and I have received several phone calls from the Will County chop shop operators, and we would like to know if you would put an amendment on giving them a...duplicate copy of this notice so we could save you guys the towing fee...our people could save you the towing fee. Would you accept that kind of an amendment in the House?

PRESIDENT:

Senator Jacobs.

SENATOR JACOBS:

No, Senator, I would not, but I would let it include AIDS testing.

PRESIDENT:

Further discussion? Senator Holmberg.

SENATOR HOLMBERG:

Question of the sponsor.

PRESIDENT:

Indicates he will yield, Senator Holmberg.

SENATOR HOLMBERG:

Senator Jacobs, one thing that really bothered me as I sat and listened to this bill in committee was, you know, I remember that President Rock had the wheels taken off of his car not too long ago and I'm wondering if that would have meant that East Moline could have moved in and just really assumed ownership of that car?

PRESIDENT:

Senator Jacobs.

SENATOR JACOBS:

If Senator Rock would not have taken charge in that period of seven days, then yes.

PRESIDENT:

Further discussion? If not, the question is, shall Senate Bill 77 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. Senate Bill 77 having received the required constitutional majority is declared passed. Congratulations. 78, Senator D'Arco. On the Order of Senate Bills 3rd Reading is Senate Bill 78. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 78.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. Senate Bill 78 changed the legal definition of death in Illinois and adds a provision that says that when a person's heartbeat and respiration are...are maintained solely by artificial means and a determination has been made according to accepted medical standards that a person has suffered an irreversible cessation of all functions of the entire brain, then a person is considered legally dead. The reason for this definition, actually, is consistent with the Illinois law as defined in re Haymer, an...an Illinois Appellate Court case which is the current law on the subject. And in...in that case, the Illinois Appellate Court indicated that when a person's entire brain is dead and a person is maintained on an artificial breathing device, for all practical purposes the person is,

in fact, dead; and it is at that point that if the person does have vital organs...and under the Uniform Anatomical Act the definition that I just described to you is the current definition under the Uniform Anatomical Act. And doctors feel more at ease in removing organs according to medical procedures and transplanting those organs in human beings that are...are able to benefit from them. I think it's a good bill. I don't...I don't think there are any objections; if there are, I will answer any questions.

PRESIDENT:

Any discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Sponsor yield for a question?

PRESIDENT:

Sponsor indicates he will yield, Senator Geo-Karis.

SENATOR GEO-KARIS:

Senator D'Arco, who wants this bill?

PRESIDENT:

Senator D'Arco.

SENATOR D'ARCO:

Well, I'm glad you asked that. In fact, I have a letter from the...I have a letter from the Illinois Transplant Society in Illinois and in this letter...Dr. Olga Jonasson writes that as an organ transplant surgeon, I urge that this bill be passed in order to provide a firm basis in law for those physicians who aid families in the organ transplant programs and organ procurement efforts. So, I...I...I think it's going to ease the doctor's conscience and it's consistent with good medical procedure and it is...it's going to make it easier to transplant organs into...into situations where people need them in our...in our present society.

PRESIDENT:

Senator Geo-Karis.

SENATOR GEO-KARIS:

Are you saying then, that...that...let me ask you something. You are aware of the fact that cases where have been maintained solely by artificial means...have survived, there are some, have they not...have there not been?

PRESIDENT:

Senator D'Arco.

SENATOR D'ARCO:

Let me read from you...in the opinion of In re Haymer, the court...and I...I'm glad you asked that question because people talk about the Karen Quinlan case and...and cases like that, those people are comatose. Now there's a difference between being comatose and having no brain...no brain activity in your brain at all and the difference is this; total brain death is distinguishable from irreversible coma. Irreversible coma is not recognized...is not recognized by the medical community as synonymous with death because the brain is still functioning. I am only describing situations where the brain is totally and completely not functioning. So that situation you described would not apply.

PRESIDENT:

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President, Ladies and Gentlemen of the Senate, I...I am very fond of the sponsor of this bill, but I don't think we should be playing God. I can think of the example of little Jimmy Tenalow, the little fellow about four or five years of age who fell into Lake Michigan and was under for about a half an hour. Now if we applied this bill, to him then he would have been dead. I feel that it's too soon to ease doctors' consciences, I'd rather ease my conscience than the conscience of the people I represent and, therefore, I feel that I don't want to play God and I speak against the bill.

PRESIDENT:

Any further discussion? Senator Hudson.

SENATOR HUDSON:

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

PRESIDENT:

Sponsor indicates he will yield, Senator Hudson.

SENATOR HUDSON:

Senator D'Arco, I think my question and perhaps my reservation about your bill is well-intended as it is, and with all due respect to you, sir, is that we seem to have here a...two definitions of death. We have death described in one case as one thing and in another situation as another. I know that some of the opponents of...or some of those that would have a...different definition of death seem to feel that when we're dealing with this subject that all systems in the body should be...should be, in effect, dead; that is to say, the respiratory, the circulatory and the brain all at the same time to...to assure that a person genuinely and for sure is dead. I think one of the concerns that some of us have is that we may...as...as...as important as the transplant program is, we don't want to find ourselves in a situation where perhaps we are declaring people to be dead who are not. Question is, do you see a danger in the double definition...of...of...of death here, John? One and two seem to be two different things and you can be declared dead either under one category or the other.

PRESIDENT:

Senator D'Arco.

SENATOR D'ARCO:

Hello...let...let me explain to you what we're talking about here. What you said is that there is no heartbeat, there is no circulation, there...there is no...there is nothing going on in the brain, and your definition is all those things should happen before a person is dead, and I agree

with you. In fact, all those things do happen. What really occurs then is that the patient is put on an artificial breathing device in order to keep the circulation and the heartbeat going, artificially. If the...if the device is removed, the person would be dead anyway. The brain is dead, every other function, the...the heart has stopped, his circulation has stopped, his breathing has stopped, everything has stopped already. What happens though and why this is important is that where brain death...has occurred and the subject is maintained on an artificial breathing and circulatory apparatus, tissue deterioration and destabilization occur, so the person begins to deteriorate and the organs become useless and they can't transplant those organs anymore. In reality, in point of fact, the doctors handle the situation very well. What they want is a legal definition of death that is consistent with their medical procedure in handling patients in hospitals today...that's, you know, with what they actually do today. All this is doing is saying this is consistent with what's going on now. It's the law of Illinois now; In re Haymer is the...is the legal case on the subject for Illinois and it is the law. All we're doing is saying, let's make the Statute consistent with the law.

PRESIDING OFFICER: (SENATOR DEHUZIO)

Further discussion? Senator...Senator Topinka.

SENATOR TOPINKA:

Yes, Mr. President and Ladies and Gentlemen of the Senate, this is obviously a difficult topic and I think most people are uncomfortable with it. Let me suggest, first of all, in...in response to Senator Hudson's comments, that if we are going to make sure that all systems are down in..in the human body, the only way you're going to ascertain that basically is by autopsy and that was, indeed, brought forth in our health committee, and, obviously, I think at that

point there is no question about the definition of death because we've dutifully cut the person open. This...this bill or versions of it which are very, very similar are modeled on the AMA model bill, it is in...in place in fourteen other states where it has worked very, very well and there have not been any kind of abuses that sometimes are alluded to by opponents to this bill. Furthermore, I think, you know, in terms of organ transplants, in which Senator Jones and I and others have been very much involved here, this, indeed, would not have that much of an effect for the simple reason that a definition of death does already exist in the Anatomical Gift Act Statute. It is the only place in all of Illinois law where it does exist and it works well; again, it works without abuse. This has been under study by the Illinois State Bar Association, by the Chicago Bar Association, by the Illinois State Medical Society. It is medically sound and it is needed. So, if we sometimes can rise to the occasion, this may be the time to do so.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, Senator D'Arco may...may close.

SENATOR D'ARCO:

Well,...to...to answer Senator Geo-Karis, that boy that...that was removed from the lake and...and was...subsequently revived and...he wouldn't fall under the definition of this law because his brain wasn't dead, you know. His circulatory system had stopped, his heart had stopped, and...and he was somewhat frozen, but his...there was activity going on in his brain. If he...if there wasn't activity going on in his brain, he'd be so retarded today you wouldn't be able to recognize him. In point of fact, he's a healthy, viable human being. So, you can shake your head, Senator, but the fact is that wouldn't apply in this situation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well...he's closing.

SENATOR D'ARCO:

And, Senator Topinka, there are now thirty-seven states in the United States that either...that either through Statute or court decision recognizes this definition of death. What...what we want to do is make it consistent with the Anatomical Gift Act so people don't have to feel guilty when they remove somebody's organ and give it to another human being so they can live and the medical community can feel at ease about organ transplant procedures. There's nothing hocus-pocus about this bill. Roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. The question is, shall Senate Bill 78 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Senator Luft. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 29, the Nays are 21, 5 voting Present. Senate Bill 78 having failed to receive the required constitutional majority is declared lost. 79, Senator Macdonald. On the Order of Senate Bills 3rd Reading is Senate Bill 79, Madam Secretary.
SECRETARY:

Senate Bill 79.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Macdonald.

SENATOR MACDONALD:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 79 addresses itself to four property owners in Cook County. In 1983, we passed a Forestry Management Plan for all of Illinois under the Two Thousand Plan and this whole situation was brought to my attention by a doctor

who lives in my district. In 1985, that assessment procedure was taken out of Cook County. In the meantime, there were four property owners who had purchased a total of a hundred and sixty-five acres. In the case of my constituent, his acreage is in Prospect Heights and is on a flood plain area which is a very good use for this particular property, and they lost five hundred trees in the flood that happened last fall. Now, there was some concern in the committee that the evaluation...and the one-sixth tax productivity of the Forest Management Plan could be abused in Cook County. We have put an amendment on the bill which seemed to satisfy the committee and the bill was explained on 2nd reading, the amendment was, and that provides that the eligible land must be maintained as a forest for ten years or until commercial harvest whichever occurs last. And if...there is a change in use, whether by the original owner or a subsequent owner, the timber grower shall forfeit all rights to future payments and must refund all payments received retrospectively. This is, I think, a very fair piece of legislation. It only involves a hundred and sixty-five acres and I would urge your support of this bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Lechowicz.

SENATOR LECHOWICZ:

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Lechowicz.

SENATOR LECHOWICZ:

In the bill, does it require...is there a specific location that's involved here? Because...according to this, it affects Cook County only. And my question then would be as far as...has the assessor's office or the president of the county board signed off on this legislation?

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Macdonald.

SENATOR MACDONALD:

Senator Lechowicz, I...I have not asked the president or the county board; this, as I say, involved only four...property owners in Cook County, it does not involve a great deal of land, and I felt that the issue was an issue of fairness for these four property owners and that's why I put the bill in. It only grandfathered these four in, it does not continue to extend in Cook County at all, it just takes these four people who before December 31st, 1985 were in the plan.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Lechowicz.

SENATOR LECHOWICZ:

Well, the only...my concern in this area is in reference to the area speculation, and, basically, a person could purchase property in Cook County, declare it as part of a forestry area for ten years, get a tremendous reduction in taxes and have this property strictly on a speculative basis for ten years. There is a lot of area that is not developed in southwest and...southwest Cook County, and my question to the sponsor is...is there a specific provision as far as these four parcels only or does it encompass other areas in the county as well?

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Macdonald.

SENATOR MACDONALD:

Only these four parcels of property.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

All right. Further discussion? If not, Senator Macdonald, you...you may wish to close. Do you wish to close? Senator Macdonald.

SENATOR MACDONALD:

I merely ask for support of this piece of legislation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall Senate Bill 79 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are 1, 2 voting Present. Senate Bill 79 having received the required constitutional majority is declared passed. Senate Bill 80. 81. 86. On...on the Order of Senate Bills 3rd Reading is Senate Bill 86. Madam Secretary, read the bill, please.

SECRETARY:

Senate Bill 86.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Fawell.

SENATOR FAWELL:

Thank you, very much, Mr. President. This bill is not exactly what...it is stated in the Senate Calendar. What we did a few years ago was we raised the amount of tax that a library could impose to .60 percent with a referendum. Unfortunately, at that same time we did not raise the floor which we normally do when we pass these bills. The floor has remained at .15 percent without a referendum. Basically what this bill would do would raise the latter to .18 percent. Does have the support of the...the Library Association. It is a small amount. Obviously, the libraries have got a great deal more expenses with the price of books and what have you. I will be more than happy to answer any questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Discussion? Senator Holmberg.

SENATOR HOLMBERG:

Yes...yes...one of the things that is of some concern is that this floor can be raised without referendum. The bill

basically permits local libraries as well as library districts to raise their corporate levy without referendum from .15 to .18 percent. And it also increases the tax levy cap from .40 percent to .60 percent that may be requested when the library district is first established.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Fawell.

SENATOR FAWELL:

I...I don't believe that's true. I think right now they can...it's...it's at .60 percent. We're not raising the top, we're just raising the bottom. The top was already raised a few years ago and...and usually when we do that, we raise the...we raise the floor also and we did not. It's...it's...it's by .03 percent is what we're raising. Without referendum, you're right.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator...Davidson.

SENATOR DAVIDSON:

Just...yes or no. Does this allow a referendum or does it not for the...before the tax is raised?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Fawell.

SENATOR FAWELL:

Part of it does and part of it doesn't. The...the...15 percent .18 percent is without referendum, that's the floor, the .40 to .60 is with referendum. Anything above .18 percent has to go to referendum.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

So in reality the library board...governing board can make a corporate tax levy or a real estate levy without a referendum. Is that correct?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Fawell.

SENATOR FAWELL:

By .03 percent, yes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Fawell, do you wish to close? Senator Fawell.

SENATOR FAWELL:

I would just ask your favorable vote. I think the libraries deserve this. I have gotten a number of...of letters from our librarians who claim that they just cannot meet the present expenses with the books...price of books and what have you going up. I would ask for your favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall Senate Bill 86 pass. Those in...favor will vote Aye. Those opposed vote...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? Senator Fawell,...I've given it all the time I can. Have all voted who wish? Take the record. On that question, the Ayes are 10, the Nays are 43...the Nays are 43, 1 voting Present. Senate Bill 86 having failed to receive the required constitutional majority is declared lost. 87, Senator Rigney. On the Order of Senate Bills 3rd Reading is Senate Bill 87, Madam Secretary.

SECRETARY:

Senate Bill 87.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rigney.

SENATOR RIGNEY:

Mr. President and members, you'll like this one a little better. This says that those third-party candidates that want to file nominating petitions, that they'll file at the

same time as all the rest of us. I think it's very straightforward and easy to understand. It's a level playing field for everyone. I would point out that it passed out of committee on the Agreed List.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Discussion? If not, the question is, shall Senate Bill 87 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the...I'm sorry, the Ayes are 57, the Nays are none, none voting Present. Senate Bill 87 having received the required constitutional majority is declared passed. Senate Bill 88, Senator Etheredge. Senator Etheredge? All right. On the Order of Senate Bills 3rd Reading is Senate Bill 88, Madam Secretary.
SECRETARY:

Senate Bill 88.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. The summary that appears on the Senate Calendar is exactly correct. What this bill does is to require the State Board of Education to approve election manuals that are sold to election authorities by election supply vendors. At the present time, the State Board of Election already is charged with the responsibility for approving manuals that are put together by election authorities. This simply plugs an additional...a gap that does exist at the present time. The bill has been worked out with the State Board of Elections. I am aware of no opposition. I'd be happy to respond to any questions.

PRESIDING OFFICER: (SENATOR DEBUZIO)

Discussion? If not, the question is, shall Senate Bill 88 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. Senate Bill 88 having received the required constitutional majority is declared passed. Senate Bill 91. On the Order of Senate Bills 3rd Reading is Senate Bill 91, Madam Secretary.

SECRETARY:

Senate Bill 91.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEBUZIO)

Senator Jones.

SENATOR JONES:

Thank you, Mr. President. Senate Bill 91 requires that the...the school administrators notify parents the availability of reimbursement for pupil transportation. The purpose of this bill is to allow parents who have children who qualify for the Act that we passed two years ago in the school reform to know that they can apply for reimbursement for pupil transportation. Currently, right now, many parents do not know it exists and this is the reason why this legislation is in so that they would know that they can apply and receive those funds. I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DEBUZIO)

Discussion? Senator Barkhausen.

SENATOR BARKHAUSEN:

Senator Jones, are the school authorities supposed to know which students or which parents qualify, is it up to them to determine who the qualifying families are?

PRESIDING OFFICER: (SENATOR DEBUZIO)

Senator Jones.

SENATOR JONES:

That's very simple for the school authorities to pick out, if you're a mile and a half away from the school. Any...any school clerk can look at their records and see who live, you know, the required distance away from school in order...in order for them to qualify.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Well, does the bill then require individual notice to the specific families that qualify or...or are they just supposed to send out a general notice that the program is available to all those who on their own determine that they might qualify?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

It require them to notify those students who do qualify and those...that is to notify the parent or legal guardian of those students who do qualify.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

...what form is the notice supposed to take?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

There is no...specific requirement as such, they can notify them by telephone, by...through a parent conference or however, but just so long as they receive notification of such.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Well,...Mr. President, just to the bill. This...this one is new to me since I wasn't on the committee, but I...I could see maybe some merit in...in informing families generally that they might potentially qualify...this program, but to put the burden on the schools of figuring out which families exactly do qualify, I think is one more unnecessary mandate that we're imposing on our schools and I think the bill should be opposed.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Schaffer.

SENATOR SCHAFFER:

I assume that we're talking about transportation to...for students in the nonpublic school system. Is that what we're talking about? No. What are we talking about?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

The...the legislation...it all depends on where your district is. The legislation did not specify nonpublic or public schools, the legislation specified that those students who are a mile and a half away from school would qualify as such. So it...the legislation didn't say nonpublic or public schools.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schaffer.

SENATOR SCHAFFER:

I guess my point is, if I am...if I am the parent of a couple of kids that are in a private school, how does the public school know that I...and I live a mile and a half away, how do they know I even have kids? I am unaware of any...requirement, and I suspect it would meet with some opposition that all private school kids have to register with the public schools.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

Well, it's very simple, the private schools will tell those students that are enrolled in their schools, the public school will tell those students are enrolled...who are enrolled in their schools, very simple.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schaffer.

SENATOR SCHAFFER:

Then this is a mandate not only on the public schools but also on the private schools? And what authority do we have to do that to the private schools?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

As I indicated, the legislation as it relate to parents reimbursing for pupil transportation did not specify public or private students. But...so if you...if you talk about what mandates...what requirements do we have as it relate to private schools, if you look at the law where we passed two years ago, it did not say a private school, it just said parent reimbursement for...for pupil transportation. So if they want to notify as such, they would be required to do so.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President. Maybe I missed something in the dialogue which just took place, but...my question, Senator...may I ask Senator Jones a question?

PRESIDING OFFICER: (SENATOR DEMUZIO)

He indicates he will yield. Senator Kustra.

SENATOR KUSTRA:

My...my question goes back to...to what Senator Barkhausen was raising. How...how do we know who's quali-

fied? Now, of course, it's easy for the chief administrative officer of a public school to identify the students who attend his schools; I'm not so sure it's so easy for that chief administrative officer of a public school to identify those private school students who are qualified. Will you explain how you are going to do that?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

Again, those students who are enrolled in the public schools who reside more than one and a half miles away from their school, and if they are enrolled, then the school administrator would notify the parents or legal guardian that...those students would qualify for a reimbursement for transportation costs. Now, if the student is enrolled in a private school and if private school students qualify under this Act, then the administrators of the private school would notify those students who are enrolled in the private sector.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. I...I'm not sure whether the questions are...because you haven't read the bill or not. The bill that we passed allows a reimbursement for expenses for public school students and nonpublic school students. Senator Jones' amendment says that the chief administrative officer of each school, whether it be public or private, must advise the children that are eligible for this reimbursement that they are eligible. That's all the bill does, either you like it or you don't, it's an informational bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, Senator Jones may close.

SENATOR JONES:

Yeah, thank you, Mr. President. In closing, let me say

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this. We pass many pieces of legislation around here, especially in the area of education, and one of the things that I discovered in my district is that parents who have students who had to...had to travel more than a mile and a half away to get to school didn't even know it even existed, didn't even know they...they could apply. And I talked to many school administrators, both public and private, and many of them didn't even know. So, if...if the school administrators don't know, how in the heck do we expect parents of students to even know that the funds are available? Hundreds of thousands of dollars are currently lying there in the treasury...treasury's...office for the State Board of Education awaiting these parents to apply for these funds. And all the bill does is said they must be notified. Very simple bill, I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DEHUZIO)

Question is, shall Senate Bill 91 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 49, the Nays are 7, 1 voting Present. Senate Bill 91 having received the required constitutional majority is declared passed. Senate Bill 95, Senator Maitland. On the Order of Senate Bills 3rd Reading is Senate Bill 95, Madam Secretary.

SECRETARY:

Senate Bill 95.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEHUZIO)

Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 95 is an attempt to modify

slightly the Energy Assistance Act that we passed in...in 1985. You may recall that Senate Bill 486, under the able sponsorship of Senator D'Arco, was an attempt to assure that every person in this state who was unable to pay their utility bill would have the assurance that they would have...that they would have energy at all times. There was another component of that bill, Section 7, that...dealt with the Weatherization Program, again, another very worthy program and one that...that should be supported. The problem we have with that is the way in which it is funded, and we are concerned that the door is wide open, that it would be funded on the backs of...of all ratepayers in this state and we don't think that's proper and correct. It should be paid for by funds that are available for that purpose and in an orderly fashion. It is without question a program to help this state's poor and it needs to be supported. We debated this issue a great deal on 2nd reading, as you may recall, and we were successful in...in keeping the...the bill intact. And I would be happy, Mr. President, to respond to any questions the Body might have.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Discussion? Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. I rise in strong opposition to Senate Bill 95. When this bill was on 2nd reading, I offered an amendment to this bill, and it was and...and still is the policy of the State of Illinois as defined in Section 7 that the utilities in the State of Illinois should contribute some money for weatherization for low-income families, that was a policy defined in the Energy Assistance Act. What this bill will do is say, that's no longer the policy of the State of Illinois; from now on, let the state fund weatherization programs for low-income people and it's no longer the utilities' responsibility. What this means is

that all those retrofitted furnaces that people would be able to get under Section 7 in order to weatherize their homes and save energy costs...by saving energy costs they lower their energy bills, and what that does is lower the bad debt that is incurred to the utilities when they're unable to pay their energy bills because of the lack of weatherization. This bill goes backwards, ladies and gentlemen. I ask every Democrat on this side of the aisle not to support this bill. There are negotiations going on at the present time with the Governor's Office. The Governor is vitally interested in weatherization. He's made it one of his priorities and I...I commend him for doing that. I...I think he's taken the lead in this area and I commend him for that. But this is a step backward, this is a step to say, we don't care about you people, or if we do care, it's the state's responsibility, not the utilities. And the amendment that was offered on 2nd reading was a pittance for these utilities to pay, a pittance. Commonwealth Edison was going to pay eleven million dollars over four years, the biggest utility in this country of ours. That meant nothing to them and they could have used it as an advertisement on one of their ads to show how they're concerned about poor people in Illinois. This is a terrible bill. And most of the downstate utilities were going to pay a very unsubstantial amount, two hundred and fifty thousand, four hundred thousand over four years, nothing compared to the rate of growth and their...and their earnings over 1986. Ladies and gentlemen, this is a step in the wrong direction, let's not take it, let's be a progressive state for all the other states in the country to follow and show people we care about them.

PRESIDING OFFICER: (SENATOR DEMUZIIO)

Further discussion? Senator Poshard.

SENATOR POSHARD:

Yes, thank you, Mr. President, Ladies and Gentlemen of

the Senate. Will the sponsor yield for questions?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Poshard.

SENATOR POSHARD:

Senator Maitland, at this point in time, other than just the projections of the utility companies is there any conclusive evidence that additional funds over and above what will be allocated to this weatherization program by the stripper well funds will absolutely be needed? Other than just projections, do we have one shred of evidence to say that will be a certainty?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland.

SENATOR MAITLAND:

Senator, it is my understanding...and we've...we've done quite a bit of research on this, it is my understanding that...that there will be in excess of sixty-two million dollars from the EXXON funds. There will be in the neighborhood of a hundred and twelve million dollars from Federal funds and approximately thirty million dollars, and that's the one you are already aware of, of stripper well funds that will be available between now and 1990.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Poshard.

SENATOR POSHARD:

Okay, I think those are the same figures that the utility companies have given me. They're utility company figures. Did those come from the Illinois Commerce Commission? Did they come from any of the consumer groups that oppose this bill?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland.

SENATOR MAITLAND:

I would remind you, Senator, that we...that we did

approve a series of appropriations last year based on...on a multiyear spending program and...and this General Assembly already endorsed that, and so we are assuming that those funds are going to be in place regardless of...of where the information comes from.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Poshard.

SENATOR POSHARD:

Well, Senator Maitland, I realize that but the fact is...the fact is is that everything is conjecture at this point in terms of the cost of the weatherization program as well as...the fact that whether or not we're going to actually have enough monies from the stripper well monies to pay for the entire cost of the program. No one knows at this point in time what the actual cost of the program will be or the eventual amount of money coming from the stripper well funds. Just to refurbish the...this Body's memory about where this began, sometime ago we started collecting money in the state and eventually this will perhaps run into hundreds of millions of dollars in overcharge funds from stripper wells. We had hearings all over the state to determine what the best use of these monies could be, and the eventual decision that was made was that we should use these monies, at least in part, to fund the weatherization portion of the affordable Energy Act which Senator D'Arco so ably carried through this Senate. Why do we want to do that? Because it was determined that this weatherization program would benefit those people who could least afford to weatherize their homes in this state and in the process would further benefit the utility companies, the energy providers in this state. Utility companies pay a lot of dollars for gas and electricity that they don't get paid for sometimes. A sound weatherization program can help people reduce their bills to a manageable level, thus, reducing the possibility that these

people will not be able to pay for their bills, saving the utility companies a great deal of money in uncollectible bills. That's why the decision was made in hearings all over this state that this would be the best expenditure of the stripper well funds. This increases the profitability of the utility company so that both the company and the customer gain. But the utility companies who have been treated most generously in this state by the Illinois Commerce Commission over the years, the utility companies say, we have no responsibility for this program. We stand to benefit but we certainly don't want any of those costs to come out of our profits. An enterprise which possesses no real conclusive evidence that one cent will ever be needed for this weatherization program over and above what we anticipate receiving from the stripper well funds, a monopoly enterprise which has enough profit, which has enough profit, that in other legislation in other parts of this Assembly are pushing for a holding company so that they may diversify and increase those profits, a monopoly enterprise which says, as good as you have treated us over the years, it's not enough, give us some more, we assume no responsibility ourselves. In my judgment, that's wrong. This program is a good program not just for the customers but for the utility companies. And I would hope that we could defeat this bill in this Assembly.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Fawell.

SENATOR FAWELL:

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Fawell.

SENATOR FAWELL:

Thank you...on the...in the bill itself, I noticed that on line 26 on page 1, it says, and this is new language, "In

no case shall such conservation and weatherization programs include the purchase of household appliance." Is...can you tell me, Senator, is that what's going on right now, are people buying refrigerators and furnances and...stoves and the like with this money instead of weatherizing such as we know it, with storm windows and caulking and this type of thing?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR MAITLAND:

Senator, we were concerned that the wide-open nature might allow for that to happen. It could be construed that...that refrigerators and the like might be purchased because, in fact, they...they would...new...new...new refrigerators might save energy. But it would be a miniscule amount and we felt that that was not in the...in the purview of the legislation and should not be...should not be in place. We do in most cases refer to the Federal guidelines here which specifically identify some of the...the points that you...that you make with respect to...to siding and...storm windows and storm doors and those kinds of things.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Fawell.

SENATOR FAWELL:

Thank you, very much. Well, to the bill. Actually, I have received some complaints by some of the consumers in my district who indeed have gone out and...and have seen where people have purchased appliances such as this. Whether that is against the rules...or not, I...I don't know but I do know that I have had people that have told me that...that they know of cases that this has happened. If, indeed, this is what this is happening I think this is a very poor use of the bill and...and I think we should pass this bill if for no

other reason than that's...that's in the new bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hall.

SENATOR HALL:

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

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will.

SENATOR HALL:

Senator, did we not just pass this legislation two years ago?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR MAITLAND:

Yes, sir.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hall.

SENATOR HALL:

What's the hurry now, it's going to sunset in '89, isn't it? Why...why are you rushing ahead to do this right now?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR MAITLAND:

I'm glad you asked that, Senator Hall. We did pass it two years and we are not...we are not moving yet. We want to get this thing off the ground and...and attempt to serve those households in this state that need to have their homes weatherized. We...we're going to move on it and we're going to move on it now and that's why we're doing it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hall.

SENATOR HALL:

...who are the "we" you're talking about?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR MAITLAND:

This General Assembly initially.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hall.

SENATOR HALL:

Well, I could not say any better than Senators Poshard and Senator D'Arco have stated. I think we're making a serious mistake if we do this at this time, so I'd advocate that we defeat this bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator O'Daniel.

SENATOR O'DANIEL:

Mr. President, members of the Senate, I rise in support of Senate Bill 95. I'm of the opinion that if we believe a utility company is going to pick up part of the shortfall, we're not living in...in the real world. And also I...I believe that without this legislation there will be near poverty level people that will then qualify as a result of higher utility costs. And for that reason, I'm...I'm supporting this legislation.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

Just a quick question. Senator, who...who was to administer the fund under the original...the original Act? I see now that you're transferring it to the Department of Commerce and Community Affairs.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR MAITLAND:

Senator, the Illinois Commerce Commission.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

Who administers the regular weatherization program and how does it filter down to the...the communities?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR MAITLAND:

If...if I understand your...your question correctly, we are putting this with DCCA who...who already operate the other programs.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

So actually what you're doing...they already administers the existing weatherization program. It is my understanding that this program provides for some services that is not allowable under the Federal rules and regs...under the other...the monies that comes from the Federal Government.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR MAITLAND:

That is correct.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

Are...even though they're...you're transferring these funds now to DCCA, will...will it still be operated as two separate programs so that the people qualifying under this program or...or the additional kinds of services under this program will not be jeopardized by the Federal rules? Will it stay separate?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR MAITLAND:

That is correct.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President, Ladies and Gentlemen of the Assembly. I, too, rise in support of Senate Bill 95. As we discussed previously when the amendment was coming down, I'm one of those who is fortunate, I guess, there appears to be some problems in some areas but our utility just lowered their rates by thirteen million seven hundred and fifty thousand dollars to the ratepayers. And as I indicated before, I would not want to go back and tell those ratepayers that I am going to increase their burden, that's number one. Number two, I feel that as far as...as...as the money is concerned and as far as the poor, and Senator Poshard and Senator D'Arco make a very persuasive argument that we...and they're trying to make us feel in my mind that we're really coming down on the poor. I don't feel that's the case. As Senator Maitland has indicated, we're going to get that money to them quicker. My second point is, I am concerned also with the middle-class of this society who is carrying the burden every time we turn around. I think a vote for this bill is a vote for the middle-class. Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Poshard, for the second time.

SENATOR POSHARD:

Thank you, Mr. President. Mr. President, I have not risen on previous occasions twice on...on the same bill so I hope you will forgive me for this, but I...I felt the necessity because of Senator Fawell's comments. I have to speak to that because that disturbs me very greatly. The utility companies sent out a great deal of literature in southern Illinois with the statement in that literature that this program was going to be paying for, "refrigerators for slum

landlords." The actual intent of that was to drive a wedge between good, hard working people who believed that we were supporting a program for someone who is trying to rip off the system. That's a shameful act, because when you flag something like refrigerators in a list of forty-five other possible ways to save on conservation and energy management, when you flag that and send that out to people...thousands of people all over this state, you incite things, you send up a red flag, you cause just the wrong perception that should be given. I called the Illinois Commerce Commission, I talked to Mr. Teclaw at the very moment I saw that letter, and I said, if this program is approved, if it goes through, are we actually going to be buying refrigerators for slum landlords? He said, under no circumstance...under no circumstance. I understand the letter of the law and I understand when an agency generates forty-five possible ways to save energy for Department of Commerce and Community Affairs or Department of Energy and Natural Resources or whomever requests that list, but I do not understand when people purposely try to divide us as citizens of this state into thinking that we support rip-offs in this General Assembly. We don't do that, that's the wrong perception to give our people. This is a good program not just for poor people but for regular paying customers who pay that bill every month, and it's good for the utility companies.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Fawell, for the second time.

SENATOR FAWELL:

Thank you, very much. I am sorry but I feel I must respond. I'm sorry, Senator, but I have never even seen the letter you're speaking of. I don't know what...what letter you're talking about. What I am talking about are phone calls that I have received from constituents of mine who know of cases where refrigerators were bought. Now, as I said,

you know, we have a program administered out of Geneva and I have been trying to find out if, indeed this is a legal use of this...this monies. What I am saying is this bill makes it very clear that this is not a legal use of this money. You know, I apologize if you...if you...for any utility company who would send such a letter out, but they sure as heck didn't send it to me 'cause I never saw it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Karpziel.

SENATOR KARPIEL:

Thank you, Mr. President. On the matter of buying refrigerators and freezers, I requested JCAR, of which I am a member, to investigate that; our staff did. There were proposed rules by the ICC while they were still promulgating or...or having their testimony and having hearings on the rules for this program and they were, in fact, at that time discussing the possibility and were planning on having refrigerators and freezers be able to be purchased. I mean, you can shake your head, Senator, but at the time...yes, it's on the list and it was a possibility. I'm not saying they were going to adopt those rules and regs., I'm just saying that that's where a lot of this came from. On the subject of the bill, there are some people I think who would like to portray this as a bill between...as a vote between those people who want to vote to support utility companies and those people who want to vote to support the poor people. I don't think that that's the issue of this bill at all. I think there are...the...the basic issue is...is that the State Legislature is going to be passing legislation to give...to have services or programs for poor people or any other kind of people, that the State Legislature should be willing then to pay for them and not to be passing the cost on to utilities or any other private...private businesses in the state. If we pass this bill and if it's a good bill, we

should be willing to pay for it. We all know that the utilities are not going to pay for this, it's going to get passed on. And while we are all very concerned about the poor people in this state, I think we should all also be very concerned about our other constituents who pay the taxes. I'm not talking about wealthy ones or even corporate ones, I'm talking about those...the working poor and the people who are really struggling to make their mortgage payments and their utility payments and everything who are not going to benefit for these programs and, in fact, don't benefit for almost any program that the state provides and they are paying for them all. So if we're going to be passing bills to help the poor people of this state, let's not put it on the backs of the working poor and the working middle-class who are struggling, let's pay for it ourselves. If we think it's a great bill, then we ought to pay for it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Further discussion? If not, Senator Haitland may close.

END OF REEL

REEL 05

SENATOR MAITLAND:

Thank you, very much, Mr. President and Ladies and Gentlemen of the Senate. The program is a good program, none of us are suggesting any change in the program at all. We passed the bill two years ago and haven't spent one dime, haven't done anything, absolutely nothing. We should have been weatherizing homes already. The fact of the matter is, we have not. We're going to put the program in place, accommodate the needs of those who are less fortunate than we are, save utility bills, save the utilities money, help them on their bad debts and lower utility rates, that's what the program is all about. Thank you for the debate and I urge an Aye vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall Senate Bill 95 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 39, the Nays are 15, none voting Present. Senate Bill 95 having received the constitutional majority is declared passed. Senate Bill 108, Senator Netsch. Senate Bill 111, Senator DeAngelis. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 111.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. This bill does exactly what it

said. It amends the Hospital Licensing Act to clarify that clinical training colleges...clinical training program students may be enrollees of approved osteopathy colleges. What has happened and there's some discussion regarding it, is that there have been some offshore companies...offshore schools of osteopathy who have enrolled some of their students in hospitals by paying the hospital ten thousand dollars per student, and because there isn't clarity in the Act, they have been able to do this. This would not happen with a regular licensed doctor. So all this bill does is it includes the osteopathic people in the same bill that the other medical professionals are included in. Happy to answer any questions.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If...if not, the question is, shall Senate Bill 111 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. Senate Bill 111 having received the constitutional majority is declared passed. Senate Bill 114, Senator Hawkinson. Read the bill, Madam Chairman...Madam Secretary.

SECRETARY:

Senate Bill 114.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 114 provides that whenever a court determines that it is necessary to appoint counsel in civil indirect contempt proceeding and the court finds that the defendant is financially unable to employ counsel, the court

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may appoint the public defender to represent him. This bill arises because we've had several Federal court cases which have held that there's a constitutional right to appointed counsel when someone is sentenced to incarceration for indirect civil contempt. The Federal courts in Illinois have not so ruled at this point and neither has the Supreme Court of the United States, but should the Federal courts here make this ruling or should the United States Supreme Court make this ruling, Illinois would find that its child support collections under public aid would come to a standstill until this General Assembly could pass legislation authorizing the appointment of a public defender. It does not give the right to a public...defender in someone in this position, but simply says that if the courts require the appointment of counsel that then they may go ahead and appoint the public defender. I'd be happy to answer any questions.

PRESIDENT:

Any discussion? Is there any discussion? If not, the question is, shall Senate Bill 114 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 51 Ayes, 3 Nays, none voting Present. Senate Bill 114 having received the required constitutional majority is declared passed. Congratulations. 115, Senator Hawkinson. On the Order of Senate Bills 3rd Reading is Senate Bill 115, Madam Secretary, the bill please.

SECRETARY:

Senate Bill 115.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate Bill 115 attempts to clear up some confusion in the theft Statutes including the retail theft Statutes that currently exists. Right now, if you are charged with a second misdemeanor theft, you may be convicted and sentenced as a Class Four Felon. We don't change any penalties with this law, but what we do is we indicate that the defendant should be advised in the charge that he is to be treated as a felon, and that then that will be appropriate at the sentencing time rather than having that element introduced before the jury. What happens is, if you've got a misdemeanor theft and you introduce evidence of the prior theft, it can unduly prejudice the jury against the defendant when, in fact, all we're using that for is to increase the penalty to a felony upon conviction. So I think this is a fair bill. Another aspect of the bill determines that value is not an element of the crime or is an element of the crime. Right now, there's been a court decision that says that it...it's only used for sentencing and this too has created some confusion. I want to make clear because in committee the...the retail merchants had some concern that we've straightened out that this will in no way affect the presumption that exists, that the presumption of the sale price of a retail item is sufficient to establish the value. I...again, I'd be happy to answer questions.

PRESIDENT:

Any discussion? Is there any discussion? If not, the question is, shall Senate Bill 115 pass. Those in favor will vote Aye. 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 54 Ayes, no Nays, none voting Present. House Bill...Senate Bill 115 having received the required constitutional majority is declared passed. 116. On the Order of Senate Bills 3rd

Reading, middle of page 29, is Senate Bill 116. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 116.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This bill allows the court to tax as court costs upon a convicted defendant those costs incurred by a sheriff in serving an arrest warrant on the defendant or in picking the defendant up in another county or outside of Illinois. It has the support of the sheriffs in the counties and would simply only apply to taxes cost those defendants who are convicted, and I would ask for your favorable support.

PRESIDENT:

Any discussion? Is there any discussion? If not, the question is, shall Senate Bill 116 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. Senate Bill 116 having received the required constitutional majority is declared passed. 120, Senator Netsch. 1-2-0, Senator Netsch. On the Order of Senate Bills 3rd Reading, Senate Bill 120. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 120.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. The bill is a simple one but not a merely bill. What it provides for is the joint nomination of Governor and Lieutenant Governor in the primary. It has a particular reason, I suppose, at the moment; the Democratic Party had a rather strange thing happen to it in its primary recently and that, I suppose, could have happened to anyone. I think that is perhaps one good reason for the bill, but I think there really is a reason that goes beyond that. The Office of Lieutenant Governor is most useful when the person who becomes Lieutenant Governor is a real helpmate to the Governor. And I think that was really what was contemplated when the Constitution was...or was rewritten in 1970. As you know, we require in the General Election that the Governor and Lieutenant Governor run as a team, and the Constitution then provided that the General Assembly could provide for the same set of conditions in the primary but it did not mandate the General Assembly to do so. I think it is an appropriate time for us to take that step and it seems to me that it is in the long range interests of both parties and of the electorate as a whole. I would point out that the bill, obviously, is not a partisan one because it had a unanimous vote in the Elections Committee. I would be happy to answer any questions; if not, I would solicit your support.

PRESIDENT:

Any discussion? Senator Dudycz.

SENATOR DUDYCZ:

Thank you, Mr. President. I just stand in support of this legislation as minority spokesman on Elections. Senator Netsch said it quite eloquently and I can't follow up on that.

PRESIDENT:

Any further discussion? If not, the question is, shall Senate Bill 120 pass. Those in favor will vote Aye. Opposed

vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 52 Ayes, 4 Nays, 2 voting Present. Senate Bill 120 having received the required constitutional majority is declared passed. 123, Senator Hawkinson. On the Order of Senate Bills 3rd Reading is Senate Bill 123. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 123.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate Bill 123 was brought to me by a judge in Champaign County who hears a...a great number of cases involving child witnesses, and it was his opinion that he as an experienced judge has no more ability or common sense or dealing with children to be able to determine the credibility of a child witness than the average juror would have. He further finds that by interposing the barrier of a judge having to first decide whether the child should testify or not, that some cases are not able to go on or to court where, in fact, the child is found not able. And he believes,...as do I, that the jury is fully able to judge the credibility under cross-examination of...of a child witness and this bill would allow the jury to be the judges of whether a child is being truthful or not, and I would ask for your support.

PRESIDENT:

Any discussion? If not, the question is, shall Senate Bill 123 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record.

AB 124
3rd Reading

On that question, there are 58 Ayes, no Nays, none voting Present. Senate Bill 123 having received the required constitutional majority is declared passed. 124. On the Order of Senate Bills 3rd Reading is Senate Bill 124. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 124.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This bill does two things. The original bill that passed out of...of committee unanimously provided that...after an amendment suggested by Senator D*Arco that prior records of criminal offenses for which an accused received the disposition of supervision wherein there was a plea of guilty or a finding of guilty could be available to a judge in a sentencing procedure for a subsequent offense. We tightened that up to make sure that there would have to either an admission of guilt or a finding of guilt before that could happen. The second thing that this bill does by a Floor amendment that was added this week is to put on the provisions of Senate Bill 136, which was suggested by the Sheriff of Peoria County, which would provide that a first appearance of a criminal defendant at which time bail is set and the defendant is advised of his or her right to counsel could be done if the Supreme Court by rule provides by two-way closed circuit television, and I would be happy to answer any questions.

PRESIDENT:

Any discussion? Is there any discussion? If not, the question is, shall Senate Bill 124 pass. Those in favor will

vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. Senate Bill 124 having received the required constitutional majority is declared passed. 126. On the Order of Senate Bills 3rd Reading is Senate Bill 126. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 126.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Mr. President. This is my last bill of the day...this bill corrects a provision that right now in...in criminal law if someone is on probation and they commit a subsequent criminal offense and the probation is revoked, they automatically receive time for that credit served on probation if the judge forgets to mention that they not receive credit for probation, and so you can get the anomalous situation of someone being sentenced to two years of incarceration for an offense and finding out that he has served two years on probation and, therefore, doesn't serve a day. What this bill does is reverse that, the court may still give credit for time served on probation, but now...if this bill passes, there will be no automatic credit for time served on probation unless the court expressly orders it, and I would ask for your favorable support.

PRESIDENT:

Any discussion? If not, the question is, shall Senate Bill 126 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record.

On that question, there are 58 Ayes, no Nays, none voting Present. Senate Bill 126 having received the required constitutional majority is declared passed. On the Order of Senate Bills 3rd Reading, Senate Bill 129. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 129.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. This legislation does exactly what it says in the Calendar. It provides for an income tax checkoff permitting taxpayers to give all or a portion of their tax refund to the U.S. Olympic Committee Fund of Illinois. As you know, the U.S. Olympics are privately funded and we have many athletes here from Illinois who participate in the Olympics. This would give our citizens an opportunity to help and participate and I would appreciate a favorable vote.

PRESIDENT:

Any discussion? If not, the question is, shall Senate Bill 129 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 53 Ayes, 2 Nays, 1...none voting Present. Senate Bill 129 having received the required constitutional majority is declared passed. Senator Welch on 130. Senator Mahar, 132. Well, rather than turn the page and start another page, this might be a good place to do some other work and we'll start with 137 tomorrow. There are two bills that members have made requests on to accommodate and facilitate an agreement reached, I'm told, with the Illinois

SB 219
Recalled

State Medical Society among others. Senate Bills 219 and 243, which are found on pages 32 and 33 of your Calendar will incorporate the gist of that agreement in an attempt to deal with the malpractice issue. And with leave of the Body, we'll move to page 32 on the Calendar. On the Order of Senate Bills 3rd Reading is Senate Bill 219. Senator Marovitz seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading, Madam Secretary, is Senate Bill 219.

SECRETARY:

Senate Bill 219 was...read a second time. I'm sorry, Amendment No...Amendment No. 1 offered by Senator Marovitz.

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and Ladies and Gentlemen of the Senate. Amendment No. 2, I guess...is it No. 2 or No. 1, Madam...Madam Secretary, Amendment No. 1...to Senate Bill 219 deletes everything after the enacting clause. It embodies the agreement on the Statute of Limitations involving the...Medical Society and those of...and the...the lawyers and those of us on both sides of the aisle. And I rise to support the proposed amendment to the Statute of Limitations on minors in medical malpractice cases. The current Statute results in the potentiality of cases being filed as many as twenty-two years after the incident was allegedly malpractice. This delay is a significant problem both because it creates an extended period of potential liability and because it makes it difficult to get appropriate evidence. The passage of time often results in records being lost, witnesses having died or being impossible to locate and other serious problems. The proposal before us today embodied in Amendment No. 1 would create an eight-year

Statute of Limitations. The American Bar Association formed a special commission to investigate problems in medical negligent litigation and one of the recommendations of that commission was that an eight-year Statute of Limitations such as this be adopted. My understanding is that over ninety percent of the cases involving medical malpractice and minors are filed within seven years. Accordingly, the added certainty will aid both in determining insurance rates and in the length of time for which a potential defendant is exposed while based on past practice not unreasonably limiting a plaintiff's ability to bring a lawsuit. The proposal also deals with the important issue of determining when the law becomes effective and the cases to which it applies. Since Statute of Limitations are generally procedural, they apply to cases filed after the effective date of the Statute, but this could mean that an individual whose cause of action accrued as a result of alleged negligence occurring before the effective of the legislation could have the time period within which they can bring a case unfairly limited. Absent specific consideration, it's possible that someone might lose the chance to bring a case. All the parties involved in this issue agree that that's not the intent of this amendment, this legislation or this agreement. Accordingly, we have specifically provided that no one will have less than three years after the effective date of this Act in which to bring these cases. This will give the practicing bar an opportunity to make certain that no one with a valid case has lost their opportunity to seek redress in the courts, and I think that a three-year period for this...for this gap...this gap...grace period is a reasonable one. By giving individuals three years from the effective date of this Act, we have struck an important balance. This three-year period, however, does not mean that individuals who, for example, are minors and had a cause of action accrue within the last year

will only have three-years. They will have the full eight-year period provided for in the Statute embodied in this amendment. It does mean that we'll be in a position to make certain that no one will have less than three years. That's an important consideration as we wish to provide a reasonable period of time for anyone who believes negligence has occurred to bring their lawsuit. I'll be happy to answer any questions and I...solicit your support for Amendment No. 1 to Senate Bill 219.

PRESIDENT:

All right. Senator Marovitz has moved the adoption of Amendment No. 1 to Senate Bill 219. Discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Will the sponsor yield for a question?

PRESIDENT:

He indicates he will yield, Senator Geo-Karis.

SENATOR GEO-KARIS:

Senator Marovitz, are you saying that the eight years takes place...starts tolling from the time that the...we say the injury is discovered?

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

No, the eight years begins to run from the time of the occurrence, not at the time of discovery.

PRESIDENT:

Senator Geo-Karis.

SENATOR GEO-KARIS:

In other words, you're saying eight years begins when...if the child is injured eight years after that injury, is that correct?

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

That's right. The Statute would toll eight years after the actual injury.

PRESIDENT:

Senator Geo-Karis.

SENATOR GEO-KARIS:

You mentioned a three-year period, I don't think I quite understood that. Would you just explain that again, please?

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

...that's a transitional grace period so that no one who...may have a cause of action would be unfairly limited and find the effective date...and be...and be cut off. Even if the eight years were running, they would have at least three years regardless of when the injury occurred and regardless of their age at this time.

PRESIDENT:

Senator Geo-Karis.

SENATOR GEO-KARIS:

The example I can give you and...please answer. Supposing the child is injured five years right before the effective date of this Statute, would you tell me then, does a child have just three years after the effective date or does it still have eight years?

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

Eight years.

PRESIDENT:

Senator Geo-Karis.

SENATOR GEO-KARIS:

In other words, the child then...if it happens prior to the effective date of the Statute, your three years will be

added on to eight years, is that it?

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

No, that's incorrect.

PRESIDENT:

Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, then I'm still confused, because I just thought you said that it would be...would you repeat it again. Five years before the effective date of the Statute the accident occurs...the injury occurs.

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

Let me give you an example and maybe I can explain it. If...if the child was injured at three years of age and today is twelve years old, they would be barred ordinarily because we're passing an eight-year Statute of Limitation, injured at three, twelve today. What we're saying is by the passage of this legislation, we're giving that twelve-year-old child an additional three years with which to file.

PRESIDENT:

Senator Geo-Karis.

SENATOR GEO-KARIS:

All right, I understand it now. Incidentally, this bill provided...the original bill provided a cause of action against the beneficiary of a land trust is not...barred by Statute of Limitation or other time limited if certain conditions are met. Is that still in the bill?

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

That is no longer in the bill. The amendment struck

everything after the enacting clause. The provisions that were originally in the bill are going to Senate Bill 1119.

PRESIDENT:

Further discussion? Senator Davidson.

SENATOR DAVIDSON:

Mr. President, under the rules, we're supposed to declare any possible conflict of interest. Since this would apply to me possibly, I'm going to declare my conflict, but I support this amendment and will be supporting it tomorrow on passage.

PRESIDENT:

Further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

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

PRESIDENT:

Indicates he will yield, Senator Schuneman.

SENATOR SCHUNEMAN:

Senator, it was my understanding that under current law the Statute of Limitations was set the way it was partly because the courts have always required that a minor...an injury to a minor be handled in such a way that the minor might upon attaining his majority have the opportunity to go in and have that...that award reconsidered. Am I correct in...in that understanding?

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

Well, you're correct that that one was one of the theories for the length of the Statute of Limitations.

PRESIDENT:

Senator Schuneman.

SENATOR SCHUNEMAN:

Okay. So...so is...do we have a written Statute now or is it a matter of court record, and the thing...what prompts my question, frankly, is some concern over whether we're

really doing anything here or if...if what we are doing is going to be immediately thrown out by the court, and if you could simply address that concern.

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

I don't think it'll be thrown out by the court. First of all, other jurisdictions have passed similar Statutes of limitations. Second of all, the statutory language right now is two years after reaching majority and...and I...I think that changing this statutorily would...is clearly constitutional and I think that...will not be subject to a court challenge.

PRESIDENT:

Any further discussion? All right. Senator Marovitz has moved the adoption of Amendment No. 1 to Senate Bill 219. All in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. Similarly on page 33 on the Calendar, on the Order of Senate Bills 3rd Reading is Senate Bill 243. Senator Jones seeks leave of the Body to call that bill back to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading is Senate Bill 243, Madam Secretary.

SECRETARY:

Amendment No. 3 offered by Senator Watson.

PRESIDENT:

Senator Watson. I beg your pardon. Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. This is an agreed amendment

*B2 H3
Recalled*

that simply says that the language in the...on the...the...the label that's on a manufactured bottle will comply with the...this particular language of the legislation. I move for its adoption.

PRESIDENT:

All right. Senator Watson has moved the adoption of Amendment No. 3 to Senate Bill 243. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

Amendment No. 4 offered by Senator Jones.

PRESIDENT:

Senator Jones on Amendment No. 4.

SENATOR JONES:

Yeah, thank you, Mr. President. Amendment No. 4 increases the fee for nonresidential physicians from one hundred to two hundred dollars and I move its adoption.

PRESIDENT:

Senator Jones has moved the adoption of Amendment No. 4 to Senate Bill 243. Is there any discussion? If not...Senator Alexander, do you seek recognition? All right. Senator Jones has moved the adoption of Amendment No. 4 to Senate Bill 243. Any further discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. Does any other member have a...an amendment on recall as long as we're there...the Secretary has indicated there's ten or eleven of them up there. Now, we can...I'll stay as late as you want, but if any other member wants to get their recall. Senator Lechowicz, you had one. With leave of the Body, we'll move to page 30 on the Calen-

dar. On the Order of Senate Bills 3rd Reading is Senate Bill 159. Senator Lechowicz indicates he has a noncontroversial amendment. Seeks leave of the Body...on the Order of Senate Bills 3rd Reading, Senate Bill 159. Senator Lechowicz seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading, Senate Bill 159. Madam Secretary.

SECRETARY:

Senator Lechowicz offers Amendment No. 1.

PRESIDENT:

Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. You are absolutely correct that this is an agreed amendment with the Department of Central Management Services. It's their amendment prepared by Mr. John Headrick and supported by Mr. Tristano, so they would more easily comply with the contents of Senate Bill 159. I move for its adoption.

PRESIDENT:

All right. Senator Lechowicz has moved the adoption of Amendment No. 1 to Senate Bill 159. If there's no further discussion, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. Senator Carroll has also requested leave to go to the Order of House Bills 2nd for an appropriation bill...supplemental appropriation, I might add. With leave of the Body, we'll move to page 67 on the Calendar. Madam Secretary, on the Order of House Bills 2nd Reading would be House Bill 307. All right. On the Order of House Bills 2nd

Reading is House Bill 307. Madam Secretary, read the bill, please.

SECRETARY:

House Bill 307.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Appropriations I offers five committee amendments.

PRESIDENT:

Senator Carroll on Committee Amendment No. 1.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. What I will do, with leave, Mr. President, is after I handle the five committee amendments, there are four then Floor amendments that are similar in nature, with leave, I would handle on behalf of the members in order to expedite. Each of these...and I will explain them separately, but each of these are technical clean-up amendments to the supplemental appropriation for the Build Illinois bill. What had happened was the Governor's Office had suggested various name, fund or identification changes so that each of these amendments would then deal with such a specified project to make a name change or the like to make it a correct appropriation. Committee Amendment No. 1, Mr. President and members of the Senate, changes a road street site from north to west in order to make it the appropriate street and I would move its adoption.

PRESIDENT:

All right. Senator Carroll has moved the adoption of Committee Amendment No. 1 to House Bill 307. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

Committee Amendment No. 2.

PRESIDENT:

Senator Carroll, Committee Amendment No. 2.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. As...as had been suggested to us, instead of the word "water retention," we say in this project that it is for flood control and drainage improvements, and I would move its adoption.

PRESIDENT:

Senator Carroll has moved the adoption of Committee Amendment No. 2 to...to House Bill 307. All in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

Committee Amendment No. 3.

PRESIDENT:

Senator Carroll on Committee Amendment No. 3.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This would change the appropriation from Department of Commerce Community Affairs to the Department of Conservation, the appropriate place to do this pedestrian overpass. I would move its adoption.

PRESIDENT:

Senator Carroll has moved the adoption of Committee Amendment No. 3 to House Bill 307. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

Committee Amendment No. 4.

PRESIDENT:

Senator Carroll on Committee Amendment No. 4.

SENATOR CARROLL:

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

Senate. This is an exact same explanation as Amendment No. 3 from DCCA to Conservation. I would move its adoption.

PRESIDENT:

Senator Carroll moves the adoption of Amendment No. 4...Committee Amendment No. 4 to House Bill 307. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

Committee Amendment No. 5.

PRESIDENT:

Senator Carroll on Committee Amendment No. 5.

SENATOR CARROLL:

I feel the same way, Mr. President, thank you. This is to change it from EPA to DOT and I would move its adoption.

PRESIDENT:

Senator Carroll has moved the adoption of Committee Amendment No. 5 to House Bill 307. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

No, there's four of them.

SECRETARY:

Senators Welch and Carroll offer Amendment No. 6.

PRESIDENT:

Amendment No. 6, Senator Carroll.

SENATOR CARROLL:

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

Senate. This is to change the source of funding from the Build Illinois Bond Fund to the Build Illinois Purposes Fund, and I would move its adoption.

PRESIDENT:

Senator Carroll has moved the adoption of Amendment No. 6 to House Bill 307. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

Senators Hall and Carroll offer Amendment No. 7.

PRESIDENT:

Senator Carroll on Amendment No. 7.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This would change the description so that it was not only for acquisition but for planning utilities and improvements as well as the construction. I would move its adoption.

PRESIDENT:

Senator Carroll has moved the adoption of Amendment No. 7 to House Bill 307. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

Senator...Senators Poshard and Carroll offer Amendment No. 8.

PRESIDENT:

Senator Carroll on Amendment No. 8.

SENATOR CARROLL:

...thank you, Mr. President, Ladies and Gentlemen of the Senate. This adds to the language the ability to demolish as well as to renovate and I would move its adoption.

PRESIDENT:

Senator Carroll has moved the adoption of Amendment No. 8

to House Bill 307. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

Senator Rock offers Amendment No. 9.

PRESIDENT:

Senator Carroll on Senator Rock's behalf, if you please.

SENATOR CARROLL:

Thank you, Mr. President, on your behalf and Ladies and Gentlemen of the Senate. This is the only one that would add any dollars to the bill itself. This is for the...to the Secretary of State for renovations to the Capitol complex. It is for necessary renovations to the Senate and House for two hundred and twenty-five thousand dollars. I would move its adoption.

PRESIDENT:

All right. Senator Carroll has moved the adoption of Amendment No. 9 to House Bill 307. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. In an attempt, as I indicated, to get out of here at six o'clock, if we start recalls there's twenty of them. I mean, we're...we're looking at an hour and a half. Under the...I understand. Under the original schedule, we said we were going to do recalls on Tuesday and Tuesday it is. Everybody will get a whack at it, but if we start tonight, there's no way to shut it down. We will certainly get there. I have been asked by the...our friends in the Press Corps. to announce that tickets are now available for the Gridiron and it's...the Gridiron is Wednesday, June the 3rd, and any member of the press...will have them available

but they are now available, and Senator Philip and I are going to rush right out and get a bunch. Senator Berman, for what purpose do you arise?

SENATOR BERMAN:

Thank you, Mr. President. If we move along tomorrow morning, there's a good chance that we'll get to Senate Bill 187. It's the School Aid Formula bill. I and majority staff and minority staff all have printouts available. So if anybody wants to know what Senate Bill 187 is going to do for you or to you, I invite you to look at it overnight and so that we can discuss it on 3rd reading tomorrow. Thank you.

PRESIDENT:

Senator Topinka, for what purpose do you seek recognition?

SENATOR TOPINKA:

Yes, if I might, Mr. President, I would like to transfer sponsorship of Senate Bill 375 to Senator Kustra and I...

PRESIDENT:

...Senate Bill 375, the lady seeks leave of the body to show Senator Kustra as the chief sponsor of 3-7-5. Without objection, leave is granted. So ordered.

SENATOR TOPINKA:

And if I might add Senator Margaret Smith as a hyphenated joint sponsor to House Bill 2022.

PRESIDENT:

All right. The lady seeks leave to add Senator Smith as the hyphenated cosponsor on House Bill 2022. Without objection, leave is granted. Before you run away, nine o'clock tomorrow morning and I have promised Senator Philip we would be out of here by one o'clock so that your function can be accommodated. So we'll start at nine. I'd ask everybody to try to be prompt and I assure you we'll have you out of here by one. Senator Geo-Karis, for what purpose do you arise?

SENATOR GEO-KARIS:

But, Mr. President,...will Senator...Berman have those printouts available for us tomorrow morning here or...

PRESIDENT:

For you...he's got it right there on his desk right now, Ad, go get them. Resolutions, Madam Secretary. We'll finish up the paper work and then we've effectively concluded our business till nine o'clock tomorrow morning.

SECRETARY:

Senate Resolution 254 offered by Senators Rock, Philip, Jacobs, Thomas Dunn, Severns, Dudycz and Raica.

Senate Resolution 255 offered by Senator Berman.

Senate Resolution 256 offered by Senator Jacobs.

Senate Resolution 259 offered by Senator Hudson.

Senate Resolution 258 offered by Senators Mahar, Kelly and...DeAngelis.

Senate Resolution 259 offered by Senators Lechowicz and all members.

Senate Resolution 260 offered by Senator Kelly.

Senate Resolution 261 offered by Senator Geo-Karis.

They're all congratulatory.

PRESIDENT:

Consent Calendar, Madam Secretary.

SECRETARY:

Senate Resolution 262 offered by Senator Marovitz.

PRESIDENT:

Executive. Any further business to come before the Senate? Any announcements? Senator Berman.

SENATOR BERMAN:

On one of those resolution, I think it was 257, it's congratulatory, I would ask to waive the appropriate rules for immediate adoption. Is that the one, Madam Secretary?

PRESIDENT:

255, that's the one that has to be done immediately? Senator Berman seeks leave of the Body to suspend the rules

for the purpose of the immediate consideration and adoption of a congratulatory resolution, Senate Resolution 255. All in favor of the motion to suspend indicate by saying Aye. All opposed. The Ayes have it. The rules are suspended. Senator Berman now moves the adoption of Senate Resolution 255. All in favor indicate by saying Aye. All opposed. The Ayes have it. The resolution is adopted. Senator Smith, for what purpose do you arise?

SENATOR SMITH:

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

PRESIDENT:

State your point, ma'am.

SENATOR SMITH:

I think it would be a wonderful thing if we all stood and gave a large applause to our secretary and clerk, Miss Linda Hawker, today is her birthday.

PRESIDENT:

Happy Birthday, Madam Secretary. All right. Any further business? Further announcements? If not, Senator Hall moves that the Senate stand adjourned until Thursday, May 14th, tomorrow morning, at the hour of nine o'clock. Nine o'clock tomorrow morning, everybody, please.

12/22/87
15:42

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85TH GENERAL ASSEMBLY
SENATE
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