

85TH GENERAL ASSEMBLY

REGULAR SESSION

May 19, 1987

PRESIDING OFFICER: (SENATOR DEMUZIO)

The hour of ten o'clock having arrived, our Senate will come to order. The members will be at their desks. Our guests in the gallery will please rise. Prayer today will be by the Rabbi Steve Moch...Rabbi Steve Moch of the Temple B'rith Sholom, Springfield, Illinois. Reverend.

RABBI STEVE MOCH:

(Prayer given by Rabbi Moch)

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Reading of the Journal. Senator...Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. I move that reading and approval of the Journals of Tuesday, May 12th; Wednesday, May 13th and Thursday, May 14th and Monday, May 18th and...in the year 1987, be postponed pending arrival of the printed Journals.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. You've heard the motion as placed by Senator Vadalabene. All those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. The motion is adopted. So ordered. Message 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 with the following titles, in the passage of which I am instructed to ask the concurrence of the Senate, to-wit:

House Bills...2800, 1317, 1031, 1485, 1832, 1869, 1918, 1956, 2027, 2151, 2470, 2670, 2256, 72, 142, 155, 164, 232, 245, 249, 262, 266, 269, 272, 310, 328, 394, 410, 425, 454, 457, 464, 472, 474, 523, 542, 560, 593, 613, 644, 645, 672, 688, 694, 730, 744, 755, 787, 801, 813, 823, 824, 840, 863, 930, 948, 976, 980, 1018, 1032,...1116, 1118, 1120,

1123, 1133, 1185, 1188, 1216, 1237, 1238, 1244, 1256, 1259,  
1265, 1274, 1288, 1319, 1342, 1344, 1349, 1351,...1373, 1376,  
1419, 1438, 1462, 1494, 1497, 1500, 1504, 1509, 1540, 1548,  
1560, 1563, 1578, 1581, 1584, 1602, 1603, 1605, 1616, 1628,  
1645, 1666,...pardon me,...1667, 1680, 1681, 1693, 1701,  
1727, 1736, 1742, 1753, 1758, 1760, 1767, 1771, 1798, 1836,  
1866, 1901, 1909, 1922, 1924, 1940, 1953, 1959, 2011, 2032,  
2033, 2046, 2052, 2060, 2062, 2100, 2123, 2146, 2166, 2180,  
2201, 2202, 2208, 2209, 2211, 2218, 2226, 2230, 2236, 2243,  
2248, 2249, 2304, 2319, 2323, 2326, 2330, 2332, 2340, 2341,  
2342, 2353, 2354, 2379, 2380, 2414, 2428, 2446, 2454, 2476,  
2477, 2530, 2533, 2537, 2574, 2576, 2577, 2590, 2619, 2625,  
2643, 2680, 2699, 2717, 2718, 2727,...2729, 2749, 2758, 2766,  
2785, 2788, 2789, 2793, 2795, 2806, 2807, 2823, 2849, 2852,  
2865, 2867, 2868 and 2871. Passed the House May 15th, 1987.

PRESIDING OFFICER: (SENATOR DEMUZIO)

With leave of the Body, we will go to House bills 1st reading. If any member wishes to pick up a House bill, now is the time. We will move to the Order of House Bills 1st Reading, page 55, Madam Secretary.

SECRETARY:

House Bill 117 offered by Senators Alexander and Smith.

(Secretary reads title of bill)

House Bill 261 offered by Senators Watson and Ralph Dunn.

(Secretary reads title of bill)

House Bill 351 offered by Senator Collins.

(Secretary reads title of bill)

House Bill 375 offered by Senator Karpel.

(Secretary reads title of bill)

House Bill 401 offered by Senator Netsch.

(Secretary reads title of bill)

House Bill 845 offered by Senator Collins.

(Secretary reads title of bill)

House Bill 881 offered by Senator...Senators Alexander

and Smith.

(Secretary reads title of bill)

House Bill...House Bill 1087 offered by Senator  
Macdonald.

(Secretary reads title of bill)

House Bill 1146 offered by Senators Alexander and Smith.

(Secretary reads title of bill)

House Bill 1173 offered by Senators Luft and Davidson.

(Secretary reads title of bill)

House Bill 1223 offered by Senator Lechowicz.

(Secretary reads title of bill)

House Bill 1284 offered by Senator Vadalabene.

(Secretary reads title of bill)

House Bill 1307 offered by Senator Kelly.

(Secretary reads title of bill)

House Bill 1336 offered by Senator Donahue.

(Secretary reads title of bill)

House Bill 1411 offered by Senator Netsch.

(Secretary reads title of bill)

House Bill 1412 offered by Senator Netsch.

(Secretary reads title of bill)

House Bill 1465 offered by Senator DeAngelis.

(Secretary reads title of bill)

House Bill 1473 offered by Senator Zito.

(Secretary reads title of bill)

House Bill 1629 offered by Senator Vadalabene.

(Secretary reads title of bill)

House Bill 1730 offered by Senators Ralph Dunn and  
Poshard.

(Secretary reads title of bill)

House Bill 1841 offered by Senator Collins.

(Secretary reads title of bill)

House Bill 1854 offered by Senator Lechowicz.

(Secretary reads title of bill)

House Bill 1856 offered by Senator Lechowicz.

(Secretary reads title of bill)

House Bill 1888 offered by Senator Netsch.

(Secretary reads title of bill)

House Bill 1933 offered by Senator Zito.

(Secretary reads title of bill)

House Bill 1966 offered by Senator Hawkinson.

(Secretary reads title of bill)

House Bill 1988 offered by Senator Collins.

(Secretary reads title of bill)

House Bill 2164 offered by Senator Marovitz.

(Secretary reads title of bill)

House Bill 2250 offered by Senator Vadalabene.

(Secretary reads title of bill)

House Bill 2372 offered by Senator Macdonald.

(Secretary reads title of bill)

House Bill 2802 offered by Senator Schaffer.

(Secretary reads title of bill)

House Bill 2812 offered by Senator Barkhausen.

(Secretary reads title of bill)

House Bill 2813 offered by Senator Schaffer.

(Secretary reads title of bill)

1st reading of the bills.

PRESIDING OFFICER: (SENATOR DEMUZIO)

While we're at a lull here,...once we...once we begin the next order of business, there's been a list of recalls that have been passed out...a recall list has been passed out and should be on your desk. We will only take those bills that are...that appear on this recall list. There will be another recall list either later on this afternoon or tomorrow, but we will only handle those bills this morning that are on the recall list that has been passed out and should be on your desk. House bills 1st reading.

SECRETARY:



House Bill 428 offered by Senator Poshard.

(Secretary reads title of bill)

House Bill 1370 offered by Senators Hall, Woodyard, Karpel and Jones.

(Secretary reads title of bill)

House Bill 978 offered by Senator Macdonald.

(Secretary reads title of bill)

1st reading of the bills.

Pardon me,...and House Bill 654 offered by Senator Poshard.

(Secretary reads title of bill)

1st reading of the bills.

PRESIDING OFFICER: (SENATOR DEMUZIO)

(Machine cutoff)...be going to...Senator Brookins, for what purpose do you arise? Senator Brookins.

SENATOR BROOKINS:

With leave of the House, I'd like permission to...Senate...House...to add as hyphenated cosponsors to Bill 566, Senator Weaver, Senator Alexander, Senator Smith and Senator Newhouse.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Brookins seeks leave of the Body to add Senators Weaver, Smith, Alexander and Newhouse as hyphenated cosponsors of Senate...Senate Bill 566. Is leave granted? Leave is granted. So ordered. Senator Geo-Karis, for what purpose do you arise?

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, I would like to be added on as a hyphenated cosponsor on Senate Bill 40 and I've...I've already discussed it with one of the cosponsor...one of the sponsors. Senate Bill 40, 4-0.

PRESIDING OFFICER: (SENATOR DEMUZIO)

4-0. All right, Senator Geo-Karis seeks leave of the Body to be added as a hyphenated cosponsor to Senate Bill 40.

Is leave granted? Leave is granted. So ordered. All right. We're...we're going to move to the Order of Recalls. All right, with leave of the Body, we will go to the Order of Senate Bills 3rd Reading for the purpose of taking up the recall list. On the Order of Senate Bills 3rd Reading, the first bill is Senator Schuneman. All right, Senator Schuneman seeks leave of the Body to return Senate Bill 12 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading is Senate Bill 12, Madam Secretary. Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. When this bill was on 2nd reading the last time, because of a little misunderstanding, we Tabled the wrong amendment and so I think what we need to do to get this bill in proper posture now is to...for me to move to reconsider the vote by which we Tabled Committee Amendment No. 1 and then move for the adoption of that committee amendment. Now, I want to make sure we don't make a mistake on the numbers again and I would ask the Secretary to check the bill and make sure that...that we're talking about Committee Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Well, Senator Schuneman, the Secretary no longer has Committee Amendment No. 1 down here.

SENATOR SCHUNEMAN:

Well,...

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Schuneman.

SENATOR SCHUNEMAN:

...well, I'm sure that that...that...that...in my own mind, Mr. President, that that is right and I...if we don't have the amendment to look at, I would move at this time that...to reconsider the motion by which Senate Amendment No.

l was Tabled.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schuneman, we'll have it physically in a minute here. All right. Senator Geo-Karis, for what purpose do you arise?

SENATOR GEO-KARIS:

Mr. President, Ladies and...Gentlemen of the Senate, I have obtained the permission of the sponsor of Senate Bill 495 to be added on as a hyphenated cosponsor to Senate Bill 4-9-5.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. You've heard the request of Senator Geo-Karis to be added as a hyphenated cosponsor to Senate Bill 495. Is leave granted? Leave is granted. So ordered. We are just currently waiting to physically have the Secretary have...the...the amendment that we are discussing with Senator Schuneman with reference to Senate Bill 12 and it will be with us momentarily and we will be able to proceed. All right. Senator Schuneman...all right. All right. Senator Schuneman, let's momentarily take this out of the record and come...and we'll leave to come back, okay? Senator Schuneman.

SENATOR SCHUNEMAN:

Well, Mr. President, I don't have any problem with that. The only thing I want to point out is that the error here was...was a difference in numbering between the amendment that I had and the amendment that the Secretary had, and all we really need to do is adopt whatever amendment was adopted in committee and...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, that's...the problem is we physically do not have that...before us this morning and...

SENATOR SCHUNEMAN:

Okay. Sure. All right, come back to it when we...that's

fine.

PRESIDING OFFICER: (SENATOR DEMUZIO)

We'll come right back. All right. Senate Bill 73, Senator Geo-Karis. On...Senator Geo-Karis. Senator Geo-Karis, we now physically have Senator Schuneman's amendment. So let's start at the top, get everything in order. With leave of the Body, we have...Senate Bill 12 was on the Order of 2nd Reading. Now, Senator Schuneman.

SENATOR SCHUNEMAN:

Are we ready?

PRESIDING OFFICER: (SENATOR DEMUZIO)

We're ready to proceed.

SENATOR SCHUNEMAN:

Okay and if I would...if I could ask of the...the Secretary, the amendment is Amendment No. 1.

SECRETARY:

Would you like to read the LRB Number...would you like me to read the LRB Number to...confirm?

SENATOR SCHUNEMAN:

Okay.

SECRETARY:

LRB8500055DJCHAM02.

SENATOR SCHUNEMAN:

Right. Well, thank you, Mr. President. Having voted on the prevailing side, I now move to reconsider the vote by which Amendment...Committee Amendment No. 1 was Tabled.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Schuneman having voted on the prevailing side moves to reconsider the vote by which Committee Amendment No. 1 to Senate Bill 12 was Tabled...those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. The vote is reconsidered...Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you and I...I move, Mr. President, to adopt Commit-

tee Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Schuneman has moved the adoption of Committee Amendment No. 1 to Senate Bill 12. 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:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. On the Order of...of Recalls is Senate Bill 73. Senator Geo-Karis seeks leave of the Body to return Senate Bill 73 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading, Senate Bill 73, Madam Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Geo-Karis.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President, Ladies and Gentlemen of the Senate, Amendment No. 2 is an amendment that was worked on by the Chicago Bar Association and the Illinois State Bar Association and I move for its...adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Geo-Karis has moved the adoption of Committee...I'm sorry...of Amendment No. 2 to Senate Bill 73. 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. Is there leave to come back to 117 momentarily? Leave is granted. 130, Senator Welch. Senator Welch seeks leave of the Body to return Senate Bill 130 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading, Senate Bill 130, Madam Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Welch.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. I've been working with several of the opponents to Senate Bill 130 and we've worked out an agreed amendment. What the amendment does is this, it changes the bill in that it no longer requires as extensive a report as earlier in the piece of legislation. In particular, the advertising expenditures for the year shall continue to be included in the annual report filed with the commission by the utility company; however, the charge directly or indirectly to consumers no longer has to be delineated. Secondly, the specific requirements that a disclaimer be included on each ad is eliminated, and I'd be glad to answer any questions about the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Welch has moved the adoption of Amendment No. 2 to Senate Bill 130. 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 DEMUZZIO)

3rd reading. Senate Bill 173. Senator Jerome Joyce seeks leave of the Body to return Senate Bill 1-7-3 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading is Senate Bill 130, Madam Secretary. I'm sorry, Senate Bill 1-7-3...1-7-3.

SECRETARY:

Amendment No. 1 offered by Senator Kustra. 173 offered by Senator J. J. Joyce.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Jerome Joyce.

SENATOR JEROME JOYCE

Yes, thank you, Mr. President. This is the Decommissioning Trust Fund. Currently public utilities charge ratepayers for projected expense to decommission nuclear power plants, but these funds are...are used in their everyday operation and not set aside. This...what the bill actually does is have them set aside these funds and this amendment makes it prospective. So they would have to start doing it now rather than use the hundred and seventy-eight million dollars that they've already collected from the ratepayers that were supposed to be...supposed to have been set aside. But this...but this amendment should make it somewhat more palatable for the...the utility companies and it just makes it more...just makes it prospective.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Joyce has moved the adoption of Amendment No. 1 to Senate Bill 173. 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. Senate Bill 185. Senator Kustra seeks leave of the Body to return Senate Bill 1-8-5 to the Order of Senate Bills 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading, Senate Bill 185, Madam Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Kustra.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President. Amendment No. 2 adds one word to the bill. It is a technical amendment and I move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kustra has moved the adoption of Amendment No. 1...I'm sorry, Amendment No. 2 to Senate Bill 185. Is there discussion on Amendment No. 2? 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. Senate Bill 203. Senator Netsch seeks leave of the Body to return Senate Bill 203 to the Order of Senate Bills 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. Senate bills 2nd reading, Senate Bill 203, Madam Secretary.

SECRETARY:

Amendment No. 1 to Senate Bill 203 offered by Senator Netsch.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:



Thank you, Mr. President. The amendment addresses a problem that has arisen with respect to the property tax exemption provision. The Department of Revenue has been suggesting that some traditionally tax exempt nonprofit groups might be partially taxable on part of their property and the one particularly in issue is the YMCA. The amendment would clarify that all property of not-for-profit organizations providing services or facilities related to the goals of educational, social and physical development are...will continue to be tax exempt. This is of particular importance, as I indicated, to some YMCAs and, as I understand, for example, the YMCA in Peoria would end up with most of its tax exemption removed if the department's fairly strict interpretation were otherwise followed. This will make it clear that they are all going to be...continue to be tax exempt if they're 501-C3s and the amendment is supported by not only the YMCAs but the Jewish Federation and United Way. I would move the adoption of Amendment No. 1 to Senate Bill 203.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Netsch has moved the adoption of Amendment No. 1. Is there discussion? Senator Rigney.

SENATOR RIGNEY:

Yeah, a question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rigney.

SENATOR RIGNEY:

Why are we making this amendatory Act apply all the way back to 1982?

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Can we have some order, please. Senator Netsch.

SENATOR NETSCH:

I would assume...I...I'm not sure I can give you a straight answer to that question, Senator Rigney. I believe

it is because the dispute began to arise with respect to assessments that go back that far. I would be perfectly happy to try to get a more precise answer but that is my understanding.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rigney.

SENATOR RIGNEY:

I wonder would there be any objection maybe to taking it out of the record and coming back to that once we get an answer to that?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

No, I certainly have no objection. Will I have an opportunity to get back to it on the recall list?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well,...well, it...it...it is our...our intention to go through this entire recall list. Now there have been a number of other amendments that have been filed to other bills and other recall lists are being...subsequently will be passed out. Now, whether we get back to those this afternoon or we take up those tomorrow morning, I just don't have a feel for that right now. If you can answer the question by the time we get finished with this recall list, Senator Netsch, then perhaps we could have leave to go back to it. If not, let's put it on the next recall list. Okay? All right. It's...it's agreeable to both? Okay. So let's...let's...let's...let us take Senate Bill 203 out of the record and, therefore, it remains on the Order of Senate Bills 3rd Reading. Okay. Senate Bill 213. Senator Zito seeks leave of the Body to return Senate Bill 213 to the Order of Senate Bills 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading is Senate Bill 213, Madam

Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Zito.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Zito.

SENATOR ZITO:

Thank you, Mr. President and members. Amendment No. 2 to Senate Bill 213 was originally part of the original concept of the bill, we took it out, but in light of the fact that Senate Bill 990 and House Bill 1000 which is interstate bank...

PRESIDING OFFICER: (SENATOR DEMUZIO)

...pardon me, Senator Zito. Ladies and gentlemen, this is going to go a lot faster if we have some order. Could we break up the caucuses? Senator Zito.

SENATOR ZITO:

Thank you, Mr. President. As I was saying earlier, this was an original part...this amendment was originally in the bill, we took it out; but in light of the fact that Senate Bill 990 has passed and House Bill 1000 has passed the House, this amendment then will include the provisions and it would permit savings and loan holding companies to make acquisitions of savings and loans on the same geographic basis as bank holding companies. I know of no opposition and would move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Zito has moved the...adoption of Amendment No. 2 to Senate Bill 213. 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)

Amendments from the...3rd reading. Senate Bill 216.

Senator Marovitz seeks leave of the Body to...return Senate Bill 216 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading, Senate Bill 216, Madam Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Marovitz.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. Amendment No. 1 to Senate Bill 216 is a nonsubstantive amendment. It merely deletes the legislative policy statement or the preamble lines, makes no substantive changes whatsoever. I ask for the adoption of Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz has moved to adopt Amendment No. 1 to Senate Bill 216. 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)

...I beg your pardon. Senator Schaffer.

SENATOR SCHAFFER:

We were just curious why we were striking the preamble on the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

I was informed that there was no necessity to have it in the legislation and, for that reason, it should be...stricken.

AB 220  
Recalled

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schaffer.

SENATOR SCHAFFER:

Does that include the enacting clause? Just checking.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Marovitz has moved the adoption of Amendment No. 1 to Senate Bill 216. 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. Senate Bill 220. Senator Marovitz seeks leave of the Body to return Senate Bill 220 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading, Senate Bill 220, Madam Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Fawell.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Fawell.

SENATOR FAWELL:

Thank you, very much. This amendment says that no mortgage on a marital residence shall be binding on that resident against the spouses unless the waiver of the homestead right is executed by both spouses. I'll answer any questions and would ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Discussion? Senator Marovitz.

SENATOR MAROVITZ:

For the record, this amendment was requested by the Judiciary Committee and the bill was on the Agreed Bill List. This amendment was to be added to the bill on the Agreed Bill List. I did not know that it was taken off the Agreed Bill

List and the amendment was not put on, it should have been put on. I agree with the amendment. I agree with the...with the legislation. I support it and I would urge all my colleagues to support this amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Fawell has moved the adoption of Amendment No. 1. Further discussion? Senator Hawkinson.

SENATOR HAWKINSON:

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Fawell indicates she will yield. Senator Hawkinson:

SENATOR HAWKINSON:

Senator, as I understood your explanation, this...this keeps mortgages from being enforceable unless they're signed both spouses when it's owned in joint tenancy. Is that correct?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Fawell.

SENATOR FAWELL:

No, it...it's...it...it says that no mortgage on a marital residence will be binding on that residence against the spouses unless the waiver of homestead right is duly executed by both spouses. This has been worked on with the Illinois State Bar Association.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, Senator Fawell has moved the adoption of Amendment No. 1 to Senate Bill 220. 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. On the Order of Senate Bills...all right. Senator Keats wishes to return Senate Bill 221 to the Order of...of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading, Senate Bill 221, Madam Secretary.

SECRETARY:

Amendment No. 1 to Senate Bill 221 offered by Senator Keats.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Keats.

SENATOR KEATS:

...very simple amendment. It simply changes the effective date from immediately upon becoming law to January 1st of 1989. That's the entire amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Keats has moved the adoption of Amendment No. 1 to Senate Bill 221. 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. 232, Senator Luft. 232?...233. On the Order of Senate Bills...Senator Luft seeks leave of the Body to return Senate Bill 233 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. Senate bills 2nd reading, Senate Bill 233, Madam Secretary.

SECRETARY:

Amendment No. 1 to Senate Bill...233 offered by Senator Luft.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. The amendment deals with nonsubstantive...technical changes dealing with written statements of fitness and notarization, and I'd move for the adoption of the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft has moved the adoption of Amendment No. 1 to Senate Bill 233. Is there discussion? Senator Rigney.

SENATOR RIGNEY:

Well, Mr. President, it's been called to my attention that one of the key provisions in this amendment says that the rules...for procedure for the caucus must be published in the newspaper of general circulation. Has anyone thought about the cost of this?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft.

SENATOR LUFT:

Are you certain you're talking about Senate Bill 233?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rigney. Senator Rigney.

SENATOR RIGNEY:

No, we're...we're done.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Luft...Senator Luft has moved the adoption of Amendment No. 1 to Senate Bill 233. Is there discussion? If not, those in favor 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. Senate Bill 234, Senator Luft. On the Order of Senate Bills 3rd Reading, Senator Luft seeks leave of the Body to return Senate Bill 234 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted?



SB 256 recalled

Leave is granted. Senate bills 2nd reading, Senate Bill 234, Madam Secretary.

SECRETARY:

Amendment No. 1 to Senate Bill 234 offered by Senator Luft.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. I'd like to point out that I'm going to ask for the adoption of the amendment and then ask for the bill to remain on 2nd reading, if that's possible, please. The amendment extends the student tutorial programs to include tutoring by retired teachers, student teachers and college students studying to become guidance counselors and encourages the Chicago Board of Education to employ a number of bilingual, bicultural school counselors, and it requires school boards to distribute to the parents of ninth graders and transfer students the description of high school graduation requirements and the minimum requirements. I would move for the adoption of the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft has moved the adoption of Amendment No. 1 to Senate Bill 234. 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)

All right. Senator Luft, do you wish to have Senate Bill 234 remain on the Order of 2nd Reading? All right. The amendment has been adopted and, in fact, will remain on the Order of Senate Bills 2nd Reading. All right. Senate Bill 256, Senator Smith. On the Order...Senator Smith seeks leave of the Body to return Senate Bill 256 to the Order of 2nd

SB 258  
Recalled

Reading for the purpose of an amendment. Is leave granted?  
Leave is granted. Senate bills 2nd reading, Senate Bill 256,  
Madam Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Smith.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Smith.

SENATOR SMITH:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This amendment brings the Illinois Human Rights Act into conformity with the Federal Age Discrimination and Employment Act. Currently, the Federal Act takes precedence over state law in those provisions which are most stringent than state law. This will eliminate confusion. However, to have state law conform in that age discrimination charge may be brought before the State Department of Human Rights or that the Federal Equal Employment Opportunity Commission. Both agencies may hear complaints solely regarding provisions in their respective Act. I ask for your adoption of this amendment.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Smith has moved adoption of Amendment No. 1. Is there discussion? If not, those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 to Senate Bill 256 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

3rd reading. 265, Senator Vadalabene. I beg your pardon, I skipped one, 258. On the Order...Senator Barkhausen seeks leave of the Body to return Senate Bill 258 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. Senate bills 2nd reading, Senate Bill 258, Madam Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Barkhausen.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, Amendment No. 1 to Senate Bill 258 is...is merely a technical amendment that changes some grammatical mistakes in the original draft of the bill, and I would ask for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Barkhausen has moved the adoption of Amendment No. 1 to Senate Bill 258. 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. Senate Bill 265. Senator Vadalabene seeks leave of the Body to return Senate Bill 265 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading is Senate Bill 265, Madam Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Vadalabene.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. Amendment to Senate Bill 265, this amendment imposes a ceiling on the amount of money paid by the race tracks to the breeders of the Illinois thoroughbred horses. As the bill was originally drafted, the breeders were entitled to a total sum equal to twelve and a half percent of the first prize

money without limitation. This amendment limits the amount to a sum equal to twelve and a half percent of the first prize money of the first twenty-five thousand of every purse. This amendment is in conformity with the recommendation of the Governor's task force and with Senate Bill 1580 which passed the Senate without opposition last year and I move for the adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene has moved the adoption of Amendment No. 1 to Senate Bill 265. 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. 294. Senator Davidson seeks leave of the Body to return Senate Bill 294 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading, Senate Bill 294, Madam Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Davidson.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

This is an amendment requested by the Department of Revenue to clarify the language in this bill so that this same definition which currently exists in other sections of Revenue Code would exist here. Move the adoption of Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson has moved the adoption of Amendment No. 1 to Senate Bill 294. 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. Senator Alexander on 299. Senator Alexander seeks leave of the Body to return Senate Bill 299 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. Senate bills 2nd reading, Senate Bill 299, Madam Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Alexander.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Alexander.

SENATOR ALEXANDER:

Thank you. Amendment No. 1 should be Tabled. It was a committee amendment. I move that the Amendment No. 1 be Tabled.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Alexander moves that Amendment No. 1 be Tabled. Is there discussion? If not, on that motion, those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is Tabled. Further amendments?

SECRETARY:

Amendment No. 2 offered by Senator Alexander.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Alexander.

SENATOR ALEXANDER:

Mr. President, Amendment No. 2 was recommended by Enrolling and Engrossment. Amendment No. 1 was technically incorrect and this is the corrected version, Amendment No. 2. I'd move for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

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

Amendment No. 2 be adopted. 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 Madigan, for what purpose do you arise?

SENATOR MADIGAN:

A point of personal privilege.

PRESIDING OFFICER: (SENATOR SAVICKAS)

State your point.

SENATOR MADIGAN:

Thank you, Mr. President. In the gallery we have a group from my district, Wapella Grade School and I'd like to introduce them to the Ladies and Gentlemen of the Senate.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Would they please rise and be recognized. On the Order of Recalls...on the Order of Recalls, Senate Bill 359, Senator Vadalabene. Read...read the bill, Madam Secretary.

SECRETARY:

Amendment No. 1 offered by Senators Vadalabene and Karpel.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. This amendment removes all tax increases without voter referendum. This amendment also includes various noncontroversial provisions of Senate Bill 495 and Senate Bill 1508, by Senator Kustra, that remained in Local Government Committee. And this now has the approval of the Illinois Taxpayers' Federation and I move for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, those in favor will vote Aye. Those opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 375, Senator Kustra. Read the bill, Madam Secretary.

SECRETARY:

Amendment No. 1 offered by Senators Kustra and Philip.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President and members of the Senate. This amendment creates the Regional Airport's Planning Authority. It provides for the establishment of a fifteen-member planning authority in Cook, DuPage, Kane, Lake, McHenry and Will Counties. It requires the authority to prepare and adopt a five-year plan for airports in the region and it requires that the authority review and approve any expansion plans for commercial airports in the region. The language in this bill is identical to the language in Senate Bill 275 which remained in the Senate Transportation Committee. The amendment also includes a provision which would prohibit Chicago from acquiring land through condemnation in another municipality without the approval of the affected municipality. I ask for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Collins. Can we have a little order here? This is an important amendment. Will we break up the conferences there?

SENATOR COLLINS:

Thank you. I rise in opposition to this amendment and I'd like to ask a...question...the germaneness of this amend-

ment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

While we're checking that out, Senator, Senator Demuzio, for what purpose do you arise? Senator Demuzio.

SENATOR DEMUZIO:

Well, I...I was just wondering, as an important as amendment as this is is whether or not, Senator Kustra, it has been distributed. It just seems to me that there's been a lot of questions over on this side of the aisle of those members that have not been privy to...all of the things that have transpired in committee. And I was wondering if perhaps if it hasn't been distributed, if...if we could get it...distributed and perhaps come back to it in a few minutes.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator, we'll take it out of the record till it's been distributed. Our next order, Senate Bill 388, Senator Dunn. Read the bill, Madam Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Thomas Dunn.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Dunn.

SENATOR TOM DUNN:

Thank you, Mr. President. This amendment is an agreement between the Illinois Federation of Teachers and the Illinois Association of School Boards. With this amendment, school boards will only be required to reimburse teachers for absent...absences at institute days for reasons of sick leave. All other types of leave are taken out with this amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, 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. Senate Bill 422, Madam Secretary. On the Order of Recall Sheet, we have Senate Bill 422. Senator Karpel seeks the return of Senate Bill 422 to the Order of 2nd Reading for purpose of amendment. Madam Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Etheredge.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. What this amendment does is to establish a program for protecting and preserving and...managing the ground water supplies of...of our state. I think we all know and understand that ground water is one of the most important resources that we have and it's important that we take steps to protect it. So, I would move for the adoption of this amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Welch.

SENATOR WELCH:

Mr. President, we were denied the opportunity to even get a copy of this just a few minutes ago and we'd like to see it if possible.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Etheredge.

SENATOR ETHEREDGE:

Senator, there are copies of this amendment...I thought they were already circulated. If you don't have one now, you will very quickly.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

Senator, I've got one and it's still warm. That's how recently I received it. Could we come back to this? We haven't even had a...this is a major bill that wasn't discussed in the committee; in fact, the bill had...I don't know if it's the same bill but one was Tabled, sponsored by this Senator and I think...we should have the opportunity to at least look at it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Etheredge.

SENATOR ETHEREDGE:

Can...I will be happy to postpone discussion of this if I have the assurance of the President that we will get back to it at the end of this recall list.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator, is that...our last bill on this sheet for recall is Senate Bill 1502. So immediately after 1502 we will add 422. Senator Schaffer, for what purpose do you arise?

SENATOR SCHAFFER:

Could we have a similar agreement on 375 which was just passed over for similar reasons?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Well,...doesn't seem to be unanimous approval for that. Obviously, we'll wait...we'll...we'll do each bill on their own. Senate Bill 523, Senator Marovitz. Madam Secretary, we have leave of the Body to recall Senate Bill 523 back to the Order of 2nd Reading for purpose of amendment. Is leave granted? Leave is granted. Madam Secretary.

SECRETARY:

Amendment...Amendment No. 1 offered by Senator Marovitz.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the

Senate. At the request of the Department of Public Aid, I'm changing the effective date on this bill from January 1, '88 to July 1, '88 at their request, no problems, no opposition, as I understand it. Just an effective date change.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Hall. If not, Senator Marovitz moves the adoption of Amendment No. 1 to Senate Bill...Senator Geo-Karis. Senator Marovitz moves the adoption of Amendment No. 1 to Senate Bill 523. 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...Senator Hall, for what purpose do you arise?

SENATOR HALL:

A point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR SAVICKAS)

State your point.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I would like to introduce to this august Body students from...junior high school of East St. Louis who is in my district. They're here in the gallery and they are accompanied by Mrs. Humphrey, Mrs. Owens and Mrs. Nealy. Will they please stand and be recognized by the Senate.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Would they please rise and be recognized. Senate Bill 539, Senator O'Daniel. Senator O'Daniel seeks leave of the Body to return Senate Bill 539 back to the Order of 2nd Reading for purpose of amendment. Hearing no objection, leave is granted. Madam Secretary.

SECRETARY:

Amendment No. 1 offered by Senator O'Daniel.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator O'Daniel.

SENATOR O'DANIEL:

Thank you, Mr. President and members of the Senate. Senate Bill 539 is a JCAR bill and..and this amendment is recommended by the Secretary of State, and it says if the application refers to a vehicle not manufactured in accordance with Federal safety and emission standards, the application must be accompanied by all documents required by Federal governmental agencies to meet their standards before a vehicle is allowed to be issued title or registration. There doesn't seem to be any opposition. I move for the adoption of this amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator O'Daniel moves the adoption of Amendment No. 1 to Senate Bill 539. 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. Senator DeAngelis, Senate Bill 702, seeks leave of the Body to return 702 back to the Order of 2nd Reading for purpose of amendment. Hearing no objection, leave is granted. Madam Secretary.

SECRETARY:

Amendment No. 2 offered by Senator DeAngelis.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. This bill is rather complicated. There was some concern by some legal bodies about the solvency of some of these groups that were being

*SB 749  
Recalled*

formed, and what this amendment basically does, it allows the director...authorizes the director of the Department of Insurance to conduct an examination of the financial condition of such a trust put together under this bill. The director has sixty days after the examination to approve the reorganization or disapprove it. I urge its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator DeAngelis moves the adoption of Amendment No. 2 to Senate Bill 702. 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. Senate Bill 749, Senator Zito seeks leave of the Body to return 749 back to the Order of 2nd Reading for purpose of...amendment. Hearing no objections, leave is granted. Madam Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Zito.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Zito.

SENATOR ZITO:

Thank you, Mr. President and members. Amendment No. 1 to Senate Bill 749 is an agreement with Senator Friedland, Senator Schaffer and I. Senator Friedland had Senate Bill 891 which...which we would like to incorporate in Senate Bill 749. The original bill had a similar provision with the prohibition for a two-year time period. This extends the prohibition to a five-year period. We thought it was a good idea and Senator Friedland was gracious enough to add this on to 749 and I would move for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Zito moves the

adoption of Amendment No. 1 to Senate Bill 749. 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 809. Senator Kustra seeks leave of the Body to return...no, he changed his mind. Take it out of the record. Senate Bill 903, Senator Friedland. Senator Friedland seeks leave of the Body to return Senate Bill 903 back to the Order of 2nd Reading for purpose of amendment. Hearing no objection, leave is granted. Madam Secretary.

SECRETARY:

Senator Weaver offers Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. Chairman. This amendment would allow for a midterm increase in salary for the Illinois State Labor Relations Board chairman. I'd move its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Demuzio.

SENATOR DEMUZIO:

Senator Weaver, in...in terms of your amendment, I don't understand the mechanics of...of how it works in order to benefit him...perhaps you could enlighten me.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Weaver.

SENATOR WEAVER:

If you read the amendment, Senator Demuzio, the office of chairman is abolished on the effective date of this amendatory Act and then there...be...continue to...assume the duties as chairman but be taking the chance of being reap-

AB 925  
Recalled

pointed in order to gain that financial advantage.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio. Further discussion? If not, Senator Weaver moves the adoption of Amendment No. 1 to Senate Bill 903. 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 925, Senator Keats seeks leave of the Body to return Senate Bill 925 back to the Order of 2nd Reading for purpose of amendment. Hearing no objection, leave is granted. Madam Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Carroll.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Keats.

SENATOR KEATS:

Senator Zito has the amendment. It's an agreed amendment though.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Zito.

SENATOR ZITO:

Mr. President, with leave of the Body, I'd like to handle this in Senator Carroll's absence. It's a committee amendment, I'm the chairman of that committee.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there objection? Hearing no objection, leave is granted.

SENATOR ZITO:

Yeah, the...thank you. Amendment No. 2 to Senate Bill 925 is an agreed amendment. Thank you. The amendment was requested by the committee. It removes provisions which

would have allowed the commissioner to fine persons not under his jurisdiction. We didn't think this was advantageous and so the committee offers it and I would move for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Zito moves the adoption of Amendment No. 2 to Senate Bill 925. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

Amendment No. 3 offered by Senator Keats.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Keats.

SENATOR KEATS:

Okay. This amendment is totally technical, it's from Enrolling and Engrossing. It corrects a couple of spelling errors and some words that were left out of sentences, totally grammatical, and I would move its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

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

SENATOR DEMUZIO:

Well, with...with all due respect to the sponsor of the amendment, your explanations of technical have been proven in the past to be somewhat suspect. We...we don't have a copy of this amendment, perhaps you might just run that explanation by us one more time.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Keats.

SENATOR KEATS:

As an example, this was not my amendment, it was given to me by Enrolling and Engrossing. Mike has got it there. There were words like commitment they had misspelled it, they had too few or too many t's; they had an as instead of and, things like that. It was given to us by Enrolling and Engrossing, and considering the previous technical amendment,



you just had us on the wrong bill, that was all.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Zito.

SENATOR ZITO:

Thank you, Mr. President. Senator Demuzio, I can understand your suspicion of Senator Keats; however, I can inform you that this is purely a technical amendment and we would ask for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Zito moves the adoption of Amendment No. 3 to Senate Bill 925. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 3 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. On...on the Order of Recall Sheet we have Senate Bill 947, Senator Alexander. She seeks leave of the Body to bring it back to the Order of 2nd Reading for purpose of amendment. Hearing no objection, leave is granted. Madam Secretary. Senator Alexander.

SENATOR ALEXANDER:

Thank you, Mr. President. House...Senate Bill 947 was erroneously placed on this recall list. The maker of the amendment, Senator Jones, will further take up this argument. The number is imposed incorrectly. Thank you. The bill should remain as is, 947 should.

PRESIDING OFFICER: (SENATOR SAVICKAS)

We do not have the amendment, Senator Jones. Senator Jones.

SENATOR JONES:

Yeah, thank you, Mr. President. The bill was placed on recall in error, so it should stay on 3rd reading.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Take it out of the record. Senate Bill 977, Senator Etheredge seeks leave of the Body to return 9-7-7 back to the Order of 2nd Reading for the purpose of amendment. Is leave granted? Hearing no objection, leave is granted. Madam Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Etheredge.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Etheredge.

SENATOR ETHEREDGE:

Mr. President, Ladies and Gentlemen of the Senate, what I would like to do is to move to Table Amendment No. 1 in order to place this second amendment on the bill. So if I...should I move to reconsider?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Etheredge has moved to reconsider the vote by which Amendment No. 1 to Senate Bill 977 was adopted. Is there discussion? If not, those in favor of reconsidering indicate by saying Aye. Those opposed. The Ayes have it. The motion to reconsider is carried. On Amendment No. 1 now, Senator. Senator Etheredge.

SENATOR ETHEREDGE:

Now, I would...I would move to Table Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Etheredge now moves to Table Amendment No. 1. Is there discussion? Senator Demuzio. Could we have your attention? We have a motion to Table a amendment and we have discussion on it.

SENATOR DEMUZIO:

Well, Senator Etheredge, we're...we're about to Table the committee amendment, perhaps you might enlighten us as to what it is. Some of us haven't had an opportunity to read it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Could we have a little order back there and hold off these conferences so the members can hear. Senator Etheredge.

SENATOR ETHEREDGE:

Senator, what Amendment No. 2 will do will be to establish a level for the ISSC grants both full and part-time which is consistent...all right.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Etheredge moves to Table Amendment No. 1. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is Tabled. Further amendments?

SECRETARY:

No further amendments...pardon me, yes, Amendment No. 2 offered by Senator Etheredge.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. What this bill does is to establish a grant level one...dollar higher for the ISSC grant recipients for next year. This is consistent with the actions that we've taken on the various appropriation bills. Obviously, we're going to see this back...at a later time after we know the funding level for this program.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Etheredge moves the adoption of Amendment No. 2 to Senate Bill 977. 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. Senate Bill 1003, Senator Jones. Senator

Jones seeks leave of the Body to return Senate Bill 1003 back to the Order of 2nd Reading for the purpose of amendment. Hearing no objection, leave is granted. Madam Secretary.

SECRETARY:

Amendment No...Amendment No. 1 offered by Senator Jones.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Jones.

SENATOR JONES:

Yeah, thank you, Mr. President and members of the Senate...Amendment No. 1 to Senate Bill 1003 is a cleanup amendment. It defines what a registered esthetician teacher is, it also defines the duties of...esthetician. Also it will add one member to the board who is a...either owner or major stockholder of any...any barbering school, and I move the adoption of Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not...Senator Schaffer.

SENATOR SCHAFFER:

Who are we licensing now for the first time ever, whom?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Jones.

SENATOR JONES:

We...we are licensing estheticians. These are persons who do work on your face and remove hair and et cetera, Senator Schaffer.

PRESIDING OFFICER: (SENATOR SAVICKAS)

I don't think Senator Schaffer has to worry too much about that. Senator Schaffer.

SENATOR SCHAFFER:

Frankly, I'm more interested in preserving hair, but...than removing it but that's sort of a personal point of view. I have for a number of years had some real hangups or reservations about all the licensure we do in this state. Most of the time, it appears to be a...a thinly veiled

attempt to drive down the supply and thereby drive up the cost. And I'm...maybe I lead a sheltered life, but nobody has ever told me one problem anywhere ever under the current system of nonlicensed hair removers and...you know, were we grandfathering in every crackpot in the state? What safeguards are there? Why do we need to do this? How much is the license fee? Do these people...all of them know what's going on? You know...when you get through answering those questions, I have about ten more.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Jones.

SENATOR JONES:

Yes, in response to the question. Currently, Senator Schaffer, you must be licensed under the Cosmetology Act to do this right now. All this does is...is define whether esthetician is and take them out of the Cosmetology Act as such and make them licensed to do it on their own. Right now, the licensure is already there.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schaffer.

SENATOR SCHAFFER:

Why? Do the cosmetologists want this? Do the...I mean, what public interest is served by this new set of people for irony to extract money from every year or two?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Jones.

SENATOR JONES:

So those persons who are specialized in this particular area will be licensed...and perform their duties as set forth by...the rules and regs. from the Department of R & E. The cosmetologists suggested this...that they be licensed as such and this is the reason why we have this bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schaffer.

SENATOR SCHAFFER:

Well, I'm not going to beat a dead horse and...I would hope that all the members of the Senate, regardless of party, will think back if there's any problem they've ever heard of from any cosmetologist or whatever this other group is called. I think we're trying to solve a problem that doesn't exist, create another level of licensure, regulation and bureaucracy. I don't know about you but my constituency says they don't like this idea and I urge a No vote and ask for a roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

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

SENATOR JONES:

Yes, thank you, Mr. President. I don't know why the...my good friend Senator Schaffer is in opposition unless it's a personal reason, but a esthetician is a person who removes hair from the face and other parts of the body, the head as well. It is a specialized area. The cosmetologists and the barbers recommended this piece of legislation. This...this amendment...this is not the bill itself, but this amendment is more or less to define exactly what an esthetician does and I ask for a favorable vote on Amendment No. 1 to Senate Bill 1003.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Now, could we have your attention. There's been a request for a roll call vote on the adoption of Amendment No. 1 to Senate Bill 1003. 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? Would you vote me Aye, Senator Demuzio. Have all voted who wish? Take the record. On that question, the Ayes are 30, the Nays are 20, none voting Present. Amendment No. 1 to Senate Bill 1003 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 1009 and 1033, we are waiting for their amendments to come up. Senate Bill 1047, Senator Davidson seeks leave of the Body to return Senate Bill 1047 back to the Order of 2nd Reading for purpose of amendment. Hearing no objection, leave is granted. Madam Secretary.

END OF REEL

REEL #2

SECRETARY:

Amendment No. 3 offered by Senator Davidson.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Davidson.

SENATOR DAVIDSON:

Mr. President and members of the Senate, this amendment corrects an error that was done in the writing of this amendment...the first amendment, it should have been the words "blind or visually handicapped" and the words "or visually handicapped" were left out when they retyped this bill. Move the adoption of the amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Davidson moves the adoption of Amendment No. 3 to Senate Bill 1047. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 3 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 1102, Senator del Valle seeks leave of the Body to return Senate Bill 1102 back to the Order of 2nd Reading for purpose of amendment. Hearing no objection, leave is granted. Madam Secretary.

SECRETARY:

Amendment No. 1 offered by Senator del Valle.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator del Valle.

SENATOR del VALLE:

The Amendment No. 1 specifies that an individual may become an employee of the state in an education related position as a condition for satisfying the grant. It also



changes the requirement that a baccalaureate degree from a state institution is needed to any education of diploma from an institution in the state as meeting the requirement. I move the adoption of Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator del Valle moves the adoption of Amendment No. 1 to Senate Bill 1102. 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 1103, Senator del Valle moves to return Senate Bill 1103 back to the Order of 2nd Reading for purpose of amendment. Hearing no objection, leave is granted. Madam Secretary.

SECRETARY:

Amendment No. 2 offered by Senator del Valle.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator del Valle.

SENATOR del VALLE:

This bill requires colleges and universities to explain in writing to unsuccessful applicants for admission, their high school principals and college admission counselors the reasons why their applications were denied. This amendment removes the Board of Higher Education from the authority implementing the policy and provides that each governing board of the various universities and colleges shall be required to provide...reasons why an individual was not admitted to a school. The manner and form of the information may be determined by the various boards thus eliminating concerns that the bill was too complicated. The Board of Higher Education recommended this amendment and will have no objections to the bill as amended. I move its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator del Valle moves the adoption of Amendment No. 2 to Senate Bill 1103. 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. Senate Bill 1125, Senator Karpiel seeks leave of the Body to return Senate Bill 1125 back to the Order of 2nd Reading for purpose of amendment. Hearing no objection, leave is granted. Madam Secretary.

SECRETARY:

Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Karpiel. Senator Mahar.

SENATOR MAHAR:

Thank you, Mr. President. I believe that's my amendment at the desk. The amendment becomes the bill. I have asked that the amendment be distributed to all members, I think it has at this point. The bill creates a monitoring mechanism for individuals who are employed in firms that deal with the generation, transportation and storage of low-level and high-level nuclear waste and would require a plan to monitor the potential use of selected drugs. It would be...a plan would have to be approved by the director of the Department of Alcohol and...and Substance Abuse. I would be happy...to answer any questions.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Mahar moves...Senator Demuzio.

SENATOR DEMUZIO:

Well, Senator Mahar, we haven't had an opportunity to look at this amendment. I...I'm not sure I disagree with it

but...can you indicate to us from whence this amendment came?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Mahar.

SENATOR MAHAR:

I...the originator of the amendment is myself, Senator Demuzio.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

Well, I don't want to belabor the...the time of the Senate here, but we have not really had an opportunity to read this. I guess between now and 3rd reading the members of the committee will have an opportunity to scrutinize it and perhaps we have something to say later, but...with that, I would simply withdraw my objections.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman.

SENATOR SCHUNEMAN:

Question of the sponsor, Mr. President.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR SCHUNEMAN:

As I understood your explanation, the amendment is now the bill or will become the bill. I have in my district a closed low-level radioactive waste dump site which is being watched over by a group of local employees. Do I understand this bill would require mandatory testing of such people?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Mahar.

SENATOR MAHAR:

Yes, I...based on your brief description, I would say yes.

PRESIDING OFFICER: (SENATOR SAVICKAS)

...Senator Schuneman.

SENATOR SCHUNEMAN:

Well, I...like the others, I have not seen the amendment, I will, and...look at it and...and be better prepared on 3rd reading. Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

If there is no further discussion, Senator Mahar moves the adoption of Amendment No. 1 to...Senate Bill 1125. 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 1179, Senator Schuneman seeks leave of the Body to return Senate Bill 1179 back to the Order of 2nd Reading for purpose of amendment. Hearing no objection, leave is granted. Madam Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Schuneman.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. This is the Floor amendment? Is this the Floor amendment, Madam Secretary?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Madam Secretary.

SECRETARY:

Yes, it is.

SENATOR SCHUNEMAN:

Okay. This is the bill that would require that university funds deposited in financial institutions which exceed the limits of the Federal Deposit Insurance Corporation that those funds be collateralized by the financial institutions. When the bill was in committee, the savings and loan groups requested some clarification of the language and Amendment

No. 1 simply provides that clarification. It adopts the same language as the state presently applies to funds held by the State Treasurer. So I would move adoption of the amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Schuneman moves the adoption of Amendment No. 1 to Senate Bill 1179. 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 1230, Senator Woodyard seeks leave of the Body to return Senate Bill....1230 back to the Order of 2nd Reading for purpose of amendments. Hearing no objection, leave is granted. Madam Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Woodyard.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Woodyard.

SENATOR WOODYARD:

Thank you, Mr. President and members of the Senate. Senate Amendment No. 1 would...is simply clarifying in nature to Senate Bill 1230 which is the omnibus Department of Revenue bill. It was suggested by JCAR, 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 1230. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

Amendment No. 2 offered by Senator Woodyard.

PRESIDING OFFICER: (SENATOR SAVICKAS)

AB 1271  
Recalled

Senator Woodyard.

SENATOR WOODYARD:

Withdraw No. 2.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Are there further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 1271, Senator Kustra seeks leave of the Body to return Senate Bill 1271 back to the Order of 2nd Reading for purpose of amendments. Hearing no objection, leave is granted. Madam Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Barkhausen.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members of the Senate, Amendment No. 1 to Senate Bill 1271 is an attempt to...to limit slightly the availability of the life safety levy under the School Code. I have had recently in...in my district two instances in which the...the life safety levy has been...has been used not for its original intended purpose of reconstructing school buildings for purposes of safety of school children or for energy conservation but rather to build entirely new facilities that greatly exceed in...in capacity and scope to say nothing of cost the original facilities. So, what I'm attempting to do here is to...is to circumscribe the language that was made available to a couple of school districts that were hard pressed that used the new language to...to build some facilities and to restore the life safety language to its original...original form so that the levy would...would be used as originally intended for reconstruction for purposes of safety and energy conservation.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Barkhausen moves the adoption of Amendment No. 1 to Senate Bill 1271. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

Amendment No. 2 offered by Senator Barkhausen.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, Amendment No. 2 amends Senate Bill 1271 as amended also dealing with the School Code. It was a bill that was...that was heard in the Senate Education Committee, and in spite of broad support, it...it lost by one vote with a number of members missing on that day. It is an...an attempt to provide just a slight amount of flexibility to our school districts in attempting to meet the school evaluation mandate of the Education Reform Act of two years ago. What it does is to authorize the state board, and I emphasize that it gives discretion to the state board to take advantage of this provision, to waive participation of districts in in-service training workshops for their personnel in administering the Teacher Evaluation Program of the Education Reform Act where the state board finds that those districts are already more than adequately providing the teacher evaluation that the Education Reform Act envisioned and intended. I emphasize that it is discretionary with the state board, so if the state board for some reason didn't want a district to take advantage of it or even didn't want to take advantage of this provision altogether to provide some flexibility to school districts, then they wouldn't have to do so. Be happy to answer any questions and would otherwise urge the adoption of the amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Barkhausen moves the adoption of Amendment No. 2 to Senate Bill 1271. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

Amendment No. 3 offered by Senator Schaffer.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schaffer.

SENATOR SCHAFFER:

In the Senate Education Committee I had a bill which would allow school districts to opt out, if you will, of the state mandated programs in light of our inability to fund them. In the committee the committee chairman and the members were most kind in instructing me as to some of the deficiencies of the bill, and this amendment attempts to address those deficiencies by not allowing a district to opt out of special education or the school lunch program. It is, I think, apparent to most of us here that chances are very real that we are not going to have the funds to fund education at the level we would like or even at the level we promised. Should that come to pass, I believe it is incumbent upon us to provide whatever flexibility we can to the school districts to manage in the face of our inability to keep our word. We did...try, if you will, to put a safety net under those programs that the committee members had concern on. I believe the amendment is a much improved version of that proposal. I defer to Senator Berman for further education on the subject.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. Thank you, Senator Schaffer. Ladies and gentlemen, I suggest that we take a careful look at this proposed amendment. What this amendment, in effect,



says is that the General Assembly or the State Board of Education requires that a program be carried out in our schools...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Could we have a little order in here. Let's cut down those conferences, Senator Keats.

SENATOR BERMAN:

...that if we don't pay a hundred percent of that cost, then the local school need not carry on that program. Now, if this was Washington, this amendment may make sense because they don't have to abide by a balanced budget, but this is not Washington this is Springfield and we operate our schools under a realistic approach that state funding is a part of the total funding of the school system, not a hundred percent funding of the school system but a part of it, and therefore we allow local school districts wide discretion through general state aid, which is money given to them with no strings attached, and the ability to levy local real estate taxes which gives them a fund of money again with no state strings attached. And when we pass programs and ask that they be taught in our schools, it's with the recognition that we will do our best in an honest attempt to fund those programs but that there are going to be times when we can't pay a hundred percent of that cost of those programs. Now we pointed this out with special education when the bill was presented in committee and Senator Schaffer has also added the question about the free lunch, free milk programs. But, ladies and gentlemen, there are other programs that are very important to the children of the State of Illinois, and with the total funding of local real estate taxes, general state aid and categorical money, those programs we have determined should be taught. This amendment would reverse that kind of approach. I suggest to you that it's the wrong approach. If this amendment were adopted, vocational education programs

would be dropped, adult education programs would be dropped, all of the reform programs that we passed two years ago could be dropped, and that, ladies and gentlemen, is not what we intended. We operate our schools on a partnership. There are funds that the schools can raise and receive that they must allocate to some of the programs that we have said must be taught. I urge a No vote on this very regressive, very backward approach to the partnership that we have traditionally enjoyed in the operation of the schools of the State of Illinois. I urge a No vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

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

SENATOR SCHAFFER:

I am sorry I didn't get the amendment to you sooner, Senator Berman, I'm sure you could have done a much better job if you'd had a little more time. As a result, you didn't have time to adequately do the job. Let me suggest to you, if there's anything regressive or unfair it's the fact that we are on the verge of not funding the things we promised. This amendment on this bill does not automatically do away with any of the things Senator Berman mentioned, it also doesn't automatically do away with Susan B. Anthony Day, Good Roads Day, Lief Erickson Day, Arbor Day and four other pages of things we've mandated and haven't paid for. What it simply says is, in the face of our not meeting our commitments to education, and I might add in the face of a formula bill that's moving through here that even with a hundred million new dollars leaves many of our school districts with less money than they have now, in the face of those great obstacles, school districts who will be between a rock and a hard place can review some of the mandates, not special education, not the free lunch program, but some of the mandates many of which are frivolous and say, no, keeping class size

below forty is more important than Arbor Day and Good Tree Day and all those other things. I think unless you see a half a billion dollars more in tax revenue than I see, I don't see how we can do anything in good conscience but give our school boards a little room to maneuver in the face of our inability to keep our word.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schaffer moves the adoption of Amendment No. 3 to Senate Bill 1271. Those in favor indicate by saying Aye. Those opposed. The Nays have it. Roll call has been requested. Will all the members please be in their seats. On the adoption of Amendment No. 3 to Senate Bill 1271, those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 29, the Nays are 27, none voting Present. Amendment No. 3 having received the majority vote is declared adopted. Senator Berman, for what purpose do you arise?

SENATOR BERMAN:

Verification, please.

PRESIDING OFFICER: (SENATOR SAVICKAS)

A verification of the roll call has been requested. Will all the members please be in their seats. Madam Secretary, will you call the affirmative roll.

SECRETARY:

Barkhausen, Davidson, DeAngelis, Donahue, Dudycz, Ralph Dunn, Etheredge, Fawell, Friedland, Geo-Karis, Hawkinson, Hudson, Jeremiah Joyce, Karpiel, Keats, Kustra, Macdonald, Madigan, Mahar, Maitland, Philip, Raica, Rigney, Schaffer, Schuneman, Topinka, Watson, Weaver and Woodyard.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman, do you question any of the affirmative vote?

SENATOR BERMAN:

Senator Karpel.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Karpel is in her seat.

SENATOR BERMAN:

Jeremiah Joyce.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Jeremiah Joyce. Is Senator Joyce in the Chamber?

Senator Joyce? Take him...strike him from the record.

SENATOR BERMAN:

Senator Keats.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Keats. Senator Keats just ran out from the tele-  
phones.

SENATOR BERMAN:

Senator Kustra.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Kustra is in his seat.

SENATOR BERMAN:

No other questions.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Madam Secretary. There are 28 Yeas, 27 Nays. Amendment  
No. 3 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 1291, Senator Demuzio seeks  
leave of the Body to return Senate Bill 1291 back to the  
Order of 2nd Reading for purpose of amendment. Is leave  
granted? Hearing no objection, leave is granted. Madam  
Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Demuzio.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

Yes, thank you, Mr. President. This...this bill deals with the...fire hydrants and there was an amendment that was suggested by the Fire Chief's Association with the full support of the Association of Fire Protection Districts that would add that a fire hydrant discharge shall not be more than twenty-six inches from the surface from which the hydrant protrudes and no object shall be constructed, maintained or installed within forty-eight inches of a fire hydrant. There have been some difficulty in firemen getting their hoses hooked up. I know of no opposition, would move adoption of Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Demuzio moves the adoption of Amendment No. 1 to Senate Bill 1291. 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 1326, Senator Zito seeks leave of the Body to return Senate Bill 1326 back to the Order of 2nd Reading for purpose of amendment. Hearing no objection, leave is granted. Madam Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Zito.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Zito.

SENATOR ZITO:

Yeah, thank you, Mr. President. This was an amendment that was agreed to in committee, it deals with the travel industry. I know that the amendment is agreed and I would move for its adoption.

*AB 1335  
Recalled*

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Zito moves the adoption of Amendment No. 1 to Senate Bill 1326. 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. On the Order of Senate Bills Recall we have Senate Bill 1335. Senator Berman seeks leave of the Body to return Senate Bill 1335 back to the Order of 2nd Reading for purpose of amendment. Hearing no objection, leave is granted. Madam Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Berman.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. Amendment No. 2 clarifies the role of the Attorney General in this Computer Crime Prevention Law and...designates on page 7 the proceeds to be paid in a proportion including the law enforcement...Law Enforcement Services Fund of the Illinois Department of State Police. I move the adoption of Amendment No. 2.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Berman moves the adoption of Amendment No. 2 to Senate Bill 1335. 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. Senate Bill 1369. Senator Degnan seeks leave of the Body to return Senate Bill 1369 back to the

Order of 2nd Reading for purpose of amendment. Hearing no objection, leave is granted. Madam Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Degnan.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Degnan.

SENATOR DEGNAN:

Thank you, Mr. President. Amendment No. 1 corrects a drafting error in the original bill and is technical in nature.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Degnan moves the adoption of Amendment No. 1 to Senate Bill 1369. 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 1377, Senator Marovitz seeks leave of the Body to return Senate Bill 1377 back to the Order of 2nd Reading for purpose of amendment. Hearing no objection, leave is granted. Madam Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Marovitz.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. Amendment No. 1 to...to Senate Bill 1377 is the issue which deals with the subpoenaing of an attorney via attorney-client relationship by a states's attorney. This is recommended by the Illinois State Bar Association and the American Bar Association and it is designed to maintain the theory that communication between a client and attorney

remain confidential. The judge would be the final determinant as to whether the subpoena should issue and the subpoena would issue unless the judge found that the information is not protected from the disclosure by the privilege, the evidence is relevant, the subpoena is not for the purpose of harassment and there's no other way to get it. Under that set of circumstances the judge would issue a subpoena for a grand jury to a...to an attorney. And I would ask for adoption of Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Keats.

SENATOR KEATS:

Thank you, Mr. President. I...I was just going to call the attention of the Body to the fact that this amendment was just defeated the other day when it was a bill itself and was put on postponed consideration. So I just want to alert the Chamber, number one, that we thought this was such a good idea the other day that we beat the bill. Let's take this philosophically back a step, what we are saying is one profession is singled out over all others in saying that they have a relationship totally different than any other profession. Now the logic against this bill the other day was just shortly, a matter of minutes, before that we had passed a bill that said if you're in a car accident...if you're in a car accident and your doctor is treating you, they can force that doctor to give your blood test to show whether you're drunk or whatever; even though it's your doctor and a life and death situation, they can force that doctor to give that information up. And yet an attorney who may be defending an organized crime suspect, may be defending a mass murderer, I mean, come on, this guy has a totally different requirement set upon him than those that would be set upon your own personal physician or any other advisors you might have who may not be an attorney. If you had a business advisor, they



don't have this protection. What we're really doing is saying with very minor exceptions that an attorney can never be called in front of a grand jury. Technically, they'll say that's not true; practically it is, technically it is not. But what we're saying is an attorney is not held responsible for his clients. Now any of you who have ever been...ever been aware of some of the major criminal prosecutions, we have had attorneys that even the prosecutors admit are saying things in court that are not true but they are defending their client. And they say it's okay because I'm defending my client. If you pass an amendment like this, you take away any opportunity you have to force that attorney to be honest in front of a grand jury. It is a protection offered to no other profession. It is a protection offered in no other circumstances, and it's a protection offered to someone who if he were telling the truth wouldn't need the protection. We defeated this bill the other day and I think it would be helpful if we could perhaps do that again. Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Mr. President, I rise in support of this amendment. With all due respect to my colleague, I don't believe that any of the arguments he raised are correct. Number one, the physician's privilege is still sacrosanct in Illinois despite the passage of Senate Bill 194. This bill offers nothing in...in way of expansion of the attorney-client privilege that doesn't exist for the physician privilege. What Senate Bill 194 did was involve the disclosure and admissibility of blood tests, something that has been recognized by the Supreme Court of the United States, it has nothing to do with the testimonial privilege about confidences that are given by a patient to a doctor; likewise, this bill has nothing to do with an attorney repre-

senting an unpopular client, something that I know can be controversial and I think the opponent is trying to interject inappropriately into this argument. All that this bill does is recognize the...the longstanding privilege by clients to attorneys, it protects clients not the attorneys. The previous speaker would have you believe that an attorney should be hauled in front of a grand jury and...and ordered to tell anything that a client has...has told his attorney, this is in...would be unconstitutional if that were the law, it is not the law. This bill does not expand the privilege in that sense, it is not an attorney protection bill, it protects the confidences and...and long recognized privilege that a client has to be able to speak to an attorney about a case in confidence without worrying that that attorney is going to be somehow forced to disclose it inappropriately, and I would urge your support for the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Dudycz.

SENATOR DUDYCZ:

Thank you, Mr. President. Has the amendment been distributed?

PRESIDING OFFICER: (SENATOR SAVICKAS)

I'm told, yes...Madam Secretary has told me that the amendment has been distributed.

SENATOR DUDYCZ:

Well, I haven't received it yet. I haven't received a copy, I was wondering...has it been, Madam Secretary?

SECRETARY:

I don't believe it has been to the general membership.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Dudycz.

SENATOR DUDYCZ:

Can we pull it out until the amendment has been distributed to all the members?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Request is in order. Senator, do you...Senator...being joined...do you have five Senators joining you in...let's take it out of the record. Senate Bill 1386, Senator Zito. Senate Bill 1407, Senator Zito seeks leave of the Body to return Senate Bill 1407 back to the Order of 2nd Reading for purpose of amendment. Hearing no objection, leave is granted. Madam Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Zito.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Zito.

SENATOR ZITO:

Thank you, Mr. President and members. Amendment No. 1 to Senate Bill 1407 was a suggestion by the Judiciary Committee. I believe Senator Hawkinson raised a point, I promised him on 2nd reading we would amend this, and so I would move for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Zito moves the adoption of Amendment No. 1 to Senate Bill 1407. 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 1416, Senator Luft seeks leave of the Body to return Senate Bill 1416 back to the Order of 2nd Reading for purpose of amendment. Hearing no objection, leave is granted. Madam Secretary. Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. If in...if, in fact, there is an amendment filed, I'd like to have it withdrawn at this point and the bill moved to 3rd.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator, we do not have the amendment here, we'll move it back to 3rd. It's on 3rd, we'll bring it back to 3rd. Senate Bill 1448, we're still waiting for the amendment. Senate Bill 1498, Senator Demuzio seeks leave of the Body to return Senate Bill 1498 back to the Order of 2nd Reading for purpose of amendment. Hearing no objection, leave is granted. Madam Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Demuzio.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

Yes, thank you, Mr. President, Ladies and Gentlemen of the Senate. Amendment No. 1 simply clarifies the responsibilities of the Illinois Environmental Protection Agency and, frankly, in the terms of the right to know it simply adds the wordage of the Federal Statute and...and provides for implementation and disclosure of similar information. I know of no opposition, simply a technical amendment and with what...respect to the information that they can divulge. I would move adoption of Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Demuzio moves the adoption of Amendment No. 1 to Senate Bill 1498. 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 1502, Senator Schaffer seeks leave of the Body to return Senate Bill 1502 back to the Order of 2nd Reading for purpose of amendment. Hearing no objection, leave is granted. Madam Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Schaffer.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schaffer.

SENATOR SCHAFFER:

Mr. President and members of the Senate, this is an administration bill which increases the fees paid by nuclear power plants. The Department of Nuclear Safety is the prime beneficiary of these funds but the Emergency Service Department, it's my understanding, also gets a portion of these. And simply what this does is raise their proportion, assuming the fee increase went through, from three hundred and fifty to five hundred thousand on a...on a total basis, not on a per plant...fee. It's my understanding this has been worked out by the administration between the two departments as a...a reasonable distribution of any additional revenues that might be generated by the enactment of this piece of legislation.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Fawell.

SENATOR FAWELL:

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

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will.

SENATOR FAWELL:

Is this the bill that the hospitals are writing about and saying that this fee is exorbitant as far as their X-ray departments are concerned?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schaffer.

SENATOR SCHAFFER:

No.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

Well, has this amendment been distributed to the entire membership?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schaffer.

SENATOR SCHAFFER:

No.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

Well, if we're going to play games, I would like this taken out of the record till the amendment is distributed generally to the membership.

PRESIDING OFFICER: (SENATOR SAVICKAS)

That's your privilege, Senator. Take it out of the record. Senator...on the Order of Recalls, we had agreed at this point to return to Senate Bill 422. Senator Karpel seeks leave of the Body to return Senate Bill 422 back to the Order of 2nd Reading for purpose of amendment. Hearing no objection, leave is granted. Madam Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Etheredge.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President and members. This amendment would delete everything after the title and insert a...a...words which would establish a program for protecting and preserving the ground water resources of the State of Illinois. I would be very happy to respond to any questions.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If...Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. I'd like to ask a few questions of the sponsor, if I might.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR WELCH:

Senator, we're somewhat confused, could you tell us who's supporting this...this amendment?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Etheredge.

SENATOR ETHEREDGE:

The amendment which you have in your hand is the result of...of many discussions, but it would...those discussions have included representatives of the CIC, the State Chamber, the IMA and...as well as others. I think we've tried to develop a program which can be supported by a broad...spectrum of people and one which would achieve the twin goals, protecting our ground water supplies and at the same time make it possible for us to develop and use our ground water resources not only for drinking purposes but also for economic development.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

Senator Etheredge, the Governor is in opposition to this amendment, isn't he?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Etheredge.

SENATOR ETHEREDGE:

I would...I...I have been told that there are portions of this amendment that may be...may represent some difficulty for the Governor's staff, but I would hope...that as we move along and have the opportunity to continue our discussions on this important subject that we would end up with the Governor's support.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

Well, Senator Etheredge, earlier in the year you had a bill, Senate Bill 1307, and the Governor's Office issued a briefing paper regarding the need for ground water protection legislation, and everybody in here received a copy of this. And what it says on page 11 is that Senate Bill 1307, which you left in committee, is designed to foster the prevention of...adverse ground water contamination with respect to community water supplies. Special attention is given to existing ground water withdrawal facility, wellheads and to related ground water storage and recharge areas. Senator, does your amendment have anything to do with recharge areas at all?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Etheredge.

SENATOR ETHEREDGE:

No, not directly, it does not, Senator.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

In going through your bill...your amendment, Senator, the...the purpose of the bill is to prohibit unreasonable waste and degradation of the resources known as ground water. Proceeding on, it sets standards, which standards are then left to be implemented at what appears to be the will of the local governments, in particular, turning to page 10 of your amendment, on line 2 it says, "The department may consider the...the imposition of set-back zones from potential sources based upon known scientific data and other information presented in the construction permit application." So what this does, basically then, is make this a...a permissive setting of zones to...not to contaminate ground water, isn't that



correct, Senator?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Etheredge.

SENATOR ETHEREDGE:

Senator, what the...this legislation would provide would be for the department to establish these set-back zones but would do so on a case-by-case basis. I think that that is a terribly important consideration because the geologic conditions vary from place to place and they...some of our aquifer are shallow, some of them are deep and those considerations are very important. And so that is the reason this particular legislation has been drafted in such a way that all of that scientific data can be taken into consideration when set-back zones are...are to be established.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

Well, Senator, what would be the cost of acquiring all the scientific data to determine how close or how far a set-back line should be from all of the aquifers in the State of Illinois? Wouldn't that, number one, be cost prohibitive and, number two, be a total burden on the State of Illinois such that the department would never consider the imposition of set-back zones mainly because they would never have the money to do so?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Etheredge.

SENATOR ETHEREDGE:

No, Senator, I...I really don't read this in this way at all. I think that one of the...one of the things that Illinois...one of the ways in which Illinois has been very wise is in its establishment and strong support over the years for both the Illinois Geological Survey and the Illinois Water Survey. The...the result...we've also required over the

years that the geologic information that is accumulated every time a well is drilled that that information be filed in the...in the records of these surveys. So there is a vast amount of data which is...which is available in regard to the subsurface geology, and I would suggest that because of the...the past wisdom in which we have handled this...this data that it will be possible for these kinds of decisions to...to be made much more readily than...than you suggest.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there ...Senator Welch.

SENATOR WELCH:

Senator, you're referring to wells that have been drilled as opposed to aquifers which have existed since time immemorial; but pursuing your...your bill's position in making this permissive, on page 12 as well, you have the agency, the EPA, may propose and the Pollution Control Board may promulgate rules for the establishment of set-back zones, once again on page 12. So, again, you are not providing for anything that is going to require action by the State of Illinois to clean up ground water. Now, as you know, on Senate Bill 1482, I have an amendment that I've worked with with the Governor's Office, the EPA, Energy and Natural Resources, Mines and Minerals and everyone else, and we've been working along towards a solution of this problem, not one imposed on us by the Manufacturer's Association, and I think that that process should be allowed to continue instead of throwing this in here. Now if...if I may continue, Senator, you said that the EPA should be able to have some latitude. In that particular amendment that I'm offering on 1482 they have that latitude; in fact, they suggested that portion of the amendment. So I think that your...your objections and your suggestions in this particular amendment are taken care of in 1482. Now proceeding further, I'd like to say that on page 10 of your bill...your amendment, it specifically refers

only to assuring clean water to the owner of a water supply well where the unfit use is due to the actions of the owner or operator of a potential source. Now, if the...only the owner and the operator of the source are liable, you are limiting who is going to be able to get clean water in the State of Illinois. And continuing further in that same paragraph, all of the costs of providing the alternative or treated water shall be borne by the responsible parties, if you can establish the responsible parties. Continuing further in line 28, the liability of the owner-operator of an individual source of contamination shall be in proportion to his degree of responsibility. What you're setting up here is numerous lawsuits so that if...if a company...a trucker tips over a truck on a road near a water supply, there's going to be a lawsuit to determine how negligent the truck driver was, how negligent the township was in keeping that road up, how negligent the company was in not training the driver. What you're creating is an unending source of litigation and confusion which is going to end up hurting the people of the State of Illinois while they're waiting to get clean water. When water goes bad, you need water immediately, you can't wait for a lawsuit to be determined. In addition, you're asking to wait until a preponderance of scientific evidence establishes liability. Senator, that may take years. What this bill is is basically an attempt to thwart ground water legislation this year. The proponents of this bill have not been in favor of ground water legislation but they know that the Governor has been supporting ground water legislation. This is an attempt to derail the Governor's influence and the influence of the Senate itself. Senator, I think that this amendment is not a good one and I think it should be defeated.

PRESIDENT:

All right. Further discussion on the adoption of Amend-

ment No. 2? Senator Fawell.

SENATOR FAWELL:

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

PRESIDENT:

Senator Etheredge indicates he'll yield, Senator Fawell.

SENATOR FAWELL:

Senator Etheredge, so that the Assembly here knows your...your background, could you give me your academic background?

PRESIDENT:

Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Senator. I will be very...I do have a background in geology, I do have a...Bachelors-Masters Degree in Geology, I have also what is sometimes referred to as an ABD, all but dissertation in geology as well.

PRESIDENT:

Senator Fawell.

SENATOR FAWELL:

Thank you, very much. It seems to me that...that the most knowledgeable person sitting in this room right now happens to be Dr. Etheredge and...and why in the world we are debating him is beyond me, and we ought to go with the amendment.

PRESIDENT:

Further discussion? Any further discussion? Senator Welch.

SENATOR WELCH:

Well, I would presume, Senator, that other Senators have opinions. If all it takes is a degree, I don't think we should have been debating Attorney Marovitz' piece of legislation just a little while ago. Since he's an attorney, we should listen to him in all matters affecting that, so I

think that that's kind of a specious argument. But I...I do have some...reverence for Dr. Etheredge over there, Senator.  
PRESIDENT:

The question is the adoption of Amendment No. 2. Any further discussion? Senator Etheredge, you wish to close?

SENATOR ETHEREDGE:

Thank you, very much, Mr. President. I think that the...the characterization of this...legislation as...as has been presented to us within the last few minutes is...is very unfair. I think that what we have before us in the form of this amendment is a very reasonable and responsible piece of legislation which will achieve the twin goals that I talked about before of providing adequate protection to our ground water supplies and at the same time making possible future economic development in the state. I, too, have some concerns about the...the amendment that has been proposed on 1482 which we will discuss at that time, because I think I can demonstrate that the enactment of those amendments would...would have very negative consequences. Right now, I would urge everyone to support this amendment to Senate Bill...422.

PRESIDENT:

All right. Question is the adoption of Amendment No. 2 to Senate Bill 422. 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? Have all voted who wish? Take the record. On that question, there are 34 Ayes, 24 Nays, 1 voting Present. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. If I can have your attention, we have some special guests that have been patiently waiting for a...a

break. The Chair will yield to Senator John Davidson.

SENATOR DAVIDSON:

Thank you, President Rock. It's my pleasure to present to the Illinois Senate the Land of Lincoln Community College Baseball Team. They're the Land of Lincoln Invitational champs, Sectional 1 champs, Region 24 champs, the State of Illinois Community College champs and second in the Great Lakes District which comprised of four states, Ohio, Michigan, Indiana, both north and southern Illinois. Unfortunately, we didn't do so good in Grand Rapids on Saturday or Sunday, they said it wasn't because the coach took them out to party too much but 'cause he didn't. It's my pleasure...I have a special guest here with me, Maureen Plattner, most of you know. She has a little special interest in this team, her son is a member of this team. I'd like to present to you the coach of the Lincoln Land Community College team, Claude Kracik.

COACH CLAUDE KRACIK:

(Remarks given by Coach Kracik)

SENATOR DAVIDSON:

And just so I don't get in trouble with proud mama, would...would the Plattner boy raise his hand. Now, they're all going to raise their hand, she's mothered them all. But congratulations and best wishes and we'll be looking forward for greater advancement in the future. Thank you.

PRESIDENT:

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

SENATOR MADIGAN:

Point of personal privilege, Mr. President.

PRESIDENT:

State your point.

SENATOR MADIGAN:

Thank you, Mr. President. Spending the week with me from Lincoln Community High School are Sandy Olson and Heidi

AB 1377  
Recalled

Wetzel. Sandy is the daughter of Representative Robert Olson. They're with me here on the Floor.

PRESIDENT:

Will our guests please stand and be recognized. Welcome. (Machine cutoff)...Marovitz, for what purpose do you arise?

SENATOR MAROVITZ:

Thank you, Mr. President. I wonder if we could get back to 1377 now, the amendment has been distributed to everybody. We were three-quarters of the way through the debate, and I wonder if we could get back to that order of business.

PRESIDENT:

All right. Senator has requested we get back to one that was taken out of the record now that amendments...copies have been distributed. We have a couple of others like that, I am told, we will also do those. And we will attempt to conclude the recall list, then we will move to the Order of Senate Bills 2nd Reading and just carry on right on through the Calendar and tomorrow we will have a...it appears, at least, another recall list. All right. On the Order of Senate Bills 3rd Reading, Senate Bill 1377. Senator Marovitz seeks leave of the Body to return...again 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 is Senate Bill 1377. Madam Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Marovitz.

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

Well, once again, I don't want to...I don't want to beat this thing, but the...the state's attorneys are for this; we went over this with the state's attorneys of Cook County and other state's attorneys, they support this legislation. The judge would have to find that the information sought isn't

protected from disclosure by the...by the privilege that the evident is very relevant, subpoena is not for the purpose of harrassment and there's no other way to get the information, and then the judge, in its wisdom, would issue the grand jury subpoena. It's very important to understand that the...that this privilege...this attorney-client privilege is really the client's privilege to give up. And we're not protecting any attorneys here, what we're protecting is the individual who goes to an attorney and in confidence tells the attorney some information, and if that information is relevant and then there's no other way to get it, the court can allow that attorney to be subpoenaed in before the grand jury to testify. I'd solicit your Aye vote.

PRESIDENT:

Discussion on Amendment No. 1? Senator Keats.

SENATOR KEATS:

Just a reminder, we've now discussed this bill this is the third time and I appreciate the Senator's persistence, no one could ever say he's not persistent. If you look at the printed amendment on 1377 right on the front page it says, "If an attorney is to be called in front of the grand jury prior judicial approval shall specifically be withheld unless they come up with these certain cases." Now, I'm just reminding you, no other profession can do this. I mean, just the other day we voted that doctors couldn't do this, no other profession is given this protection and I just don't think it's reasonable that we extend it to one when no other profession no matter how close your advisor, no...no matter how candid you are with this other advisor, they don't have these kind of protections. And I would just think that it is unreasonable for us to go this far for one specific group when we won't do it for any other group. And I would appreciate the continued No vote remembering that we have defeated this before.



PRESIDENT:

Further discussion? Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. We ought to just play the tapes back. I want to correct the prior speaker. We have given this protection to other groups; in fact, we gave the...this protection to the press. And from a point of view of individual liberty...individual liberty, I would suggest to you that each of us has a very vital stake in the confidence factor that you want between you and your lawyer, and that's what we're talking about here, the confidence factor between you and your lawyer. Without this bill, if your lawyer happens to be the target, not you, but your lawyer happens to be the target of some malice between the state's attorney and him, you can wind up in the jackpot because of the subpoenaing of your lawyer by the state's attorney. And I would suggest to you that we have had through hundreds of years of common law three classical privileges, doctor and patient, clergyman and practitioner and attorney and client. State's attorneys have not utilized or harrassed or jeopardized the classic privileges as it relates to doctor and patient, nor clergyman and patient...and parishioner. But there has been some attempt by state's attorneys who don't want to do their homework, who don't want to go out and independently investigate the facts of an alleged crime by subpoenaing in the lawyer of a suspect. Ladies and gentlemen, the...the availability of a lawyer in whom you have confidence is one of the most important privileges that we in a free society enjoy. Maintain that privilege for yourself and your constituents, vote Aye on this amendment.

PRESIDENT:

Further discussion? All right. Senator Marovitz may close.

SENATOR MAROVITZ:

Well, I would just say that Senator Keats is dead wrong on everything he has said. This privilege is not the attorney's privilege, it's really the client's privilege, and if you read the front page of the amendment, we talk about compelling the attorney to provide evidence concerning a person who is represented by the attorney, not the attorney himself. If an attorney is a target of an investigation, there is no privilege, and then he's subpoenaed in and this doesn't even apply. So this doesn't protect the attorney, it protects an innocent client that comes in just as it protects a patient with a doctor and a...and a...an individual who goes to a pastor. This is a very important piece of legislation and I solicit your Aye vote.

PRESIDENT:

All right. Question is the adoption of Amendment No. 1 to Senate Bill 1377. 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 39 Ayes, 11 Nays, none voting Present. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. Senator Demuzio has requested that we go back to the Order of Senate Bills 3rd Reading to pick up Senate Bill 117. Middle of page 13. On the Order of Senate Bills 3rd Reading, Senate Bill 117. Senator Demuzio seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading, Senate Bill 117, Madam Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Demuzio.

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

Yes, I want to...to call Senator Etheredge's attention to Amendment No. 1. Amendment No. 1 is a combination of Senator Etheredge's legislation and...and the legislation that I introduced as a result of a study that the EPA conducted in reference to the establishment of the Water Pollution Control Revolving Fund Act to trigger the Federal loan money that Illinois is eligible for. We deleted everything after the enacting clause, as I indicated. I don't think there's any real substantive differences with the exception of the fact that in...in one version the...the bond program was through Build Illinois and the other version which is currently before us is the GO bonds. Now the House had some difficulty with that a couple of weeks ago, I suspect that before the Legislature finally adjourns on June 30th, there will be some changes with reference to this; but it seems to me to move the process along with respect to this bill, I would move the adoption of Amendment No. 1.

PRESIDENT:

Senator Demuzio has moved the adoption of Amendment No. 1 to Senate Bill 117. 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 Kustra, 375. Senator Philip indicated to me that you wish to get back to that one. We're on the middle of page 16. On the Order of Senate Bills 3rd Reading is Senate Bill 375. Senator Kustra seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading, Senate

Bill 375, Madam Secretary.

SECRETARY:

Amendment No. 1 offered by Senators Kustra and Philip.

PRESIDENT:

Senator Kustra, on Amendment No. 1.

SENATOR KUSTRA:

Thank you, Mr. President and members of the Senate. This is the amendment which I described to you a little bit earlier this morning. It is...it is the bill...it is basically the same bill that appeared before the Senate Transportation Committee, Senate Bill 275. Proponents and opponents of this bill were heard at that time...at that time I think it's also safe to assume that the votes were there to pass this bill out of that committee, but at the last minute I think the chairman momentarily lost control of the gavel and it banged down before we had a chance to get that vote, and so I would ask that this amendment be adopted at that time.

PRESIDENT:

All right. Senator Kustra has moved the adoption of Amendment No. 1 to Senate Bill 375. Discussion? Senator Collins.

SENATOR COLLINS:

...I had raised the question of germaneness before and I would like a ruling from the Chair at this time.

PRESIDENT:

The Chair...the Chair will be prepared to rule on the question of germaneness of Amendment No. 1 to Senate Bill 375 when the discussion has concluded. Any discussion on...on the Amendment No. 1? Senator Newhouse.

SENATOR NEWHOUSE:

Thank you, Mr. President. I wonder if the sponsor would yield to a question?

PRESIDENT:

Indicates he'll yield, Senator Newhouse.

SENATOR NEWHOUSE:

Senator, is this the bill that...that restructures O'Hare Field, the airports and so forth?

PRESIDENT:

Senator Kustra.

SENATOR KUSTRA:

No, Senator, it does not restructure O'Hare Field, it creates a Regional Airport Authority which is given certain powers and...and duties mostly in the area of planning. It does not give the authority any power over the day-to-day operations at O'Hare.

PRESIDENT:

Senator Newhouse.

SENATOR NEWHOUSE:

Senator, would you tell us what's the genesis of that bill?

PRESIDENT:

(Machine cutoff)...Kustra.

SENATOR KUSTRA:

Well, the...the reasons for this bill are many and varied. I can only begin by saying that the noise problems at O'Hare over the years initially brought this bill to the attention of a number of us in the area. Lately the safety factors that enter into too many planes trying to impact on an area like O'Hare and also the impact that some of the new flights into Midway have had have called attention to the problem on a regionwide basis. Ten of the twenty largest airports in the country, Senator Newhouse, have airport authorities governing their airports, and so this bill is suggested as a way of dealing with the long-term planning of airports. To be even more specific, two years ago when the Senate Executive Committee heard testimony on this bill, we also called for a study of a third airport, and as a matter of fact, the President of the Senate suggested that

we...should authorize such a study. Peat, Martwick and Mitchell is about to submit its final papers on that study but I think it's safe to say that that study would be a part of the duties of this particular airport authority as we look down to the road to see what airport transportation is going to look like in the year 2000.

PRESIDENT:

Senator Newhouse.

SENATOR NEWHOUSE:

Yes. Senator, has there been input from the City of Chicago and the present administration on this amendment? Do they agree to it?

PRESIDENT:

Senator Kustra.

SENATOR KUSTRA:

Yes, there has been input. No, they do not agree to it.

PRESIDENT:

Further...I'm sorry, Senator Newhouse.

SENATOR NEWHOUSE:

Thank you, Mr. President. Mr. President, in that...in that case, I would stand in stong opposition to this amendment.

PRESIDENT:

Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. Chairman...I mean, Mr. President. Senator Kustra said that it...it doesn't affect the day-to-day operations of O'Hare Field or any of the other airports and, in fact, that's what the bill says. The bill says that its purpose is not to affect the day-to-day operations. But the truth is that that's what this bill does, it does affect what O'Hare Airport can do. It does affect what O'Hare Airport can do if it decides to make a capital improvement. The capital improvement may have nothing to do with noise abate-

ment or noise levels that affect the surrounding areas, but the law clearly states that the five-year program of the authority does affect capital improvements that exceed two hundred and fifty thousand dollars for any one of these airports. So to say that the airport can do whatever it wants concerning its operations is false and untrue. The fact is, if they do want to make an improvement at the airport, they have to get a permit from the authority under this bill; and the best part is, if they already started construction on some project at the airport, the authority can refuse by injunction in a court of law to allow them to continue that project after a lot of money has been spent to put that project into completion. That's in this bill now. And then the last page of this bill, the amendatory language of this bill affects O'Hare directly when it says that "Any real property located in another municipality cannot be affected by the airport unless the governing authority of that municipality approves it by ordinance." Ladies and gentlemen, this bill is directed against O'Hare Airport. No other airport in the region will be affected except O'Hare Airport. And that's not a bad idea, but to say that all the operations of O'Hare Airport are going to be affected, not just the planning for future projects that the airport may decide to initiate but all operations presently are going to be affected under this bill. This bill was rightly defeated in committee and it should be soundly defeated in an amendment form now.

PRESIDENT:

All right. Senator Collins has requested a ruling of the Chair, the Chair is prepared to rule. Senator Collins requested a ruling as to the...germaneness of Amendment No. 1 to Senate Bill 375. The Chair is prepared to rule that the amendment is not germane to the subject matter of Senate Bill 375 and therefore is out of order. In order to be germane it has to be germane to the subject matter. Senate Bill 375, I

would point out, amends the Vehicle Code specifying maximum fees that the Commerce Commission may impose for motor carriers of property. The proposed amendment does not amend the Vehicle Code at all but rather creates a completely new Act creating a Regional Airport Authority for northeastern Illinois, and for that reason, Senate amendment...for the reason that Senate Amendment No. 1 has nothing to do with the Vehicle Code, nothing to do with common carriers of property or nothing to do with a fee imposed by the Commerce Commission, the amendment is not germane to the subject matter of the bill and, therefore, Madam Secretary, the Chair rules Amendment No. 1 out of order. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. Senator Schaffer had 1502. On the Order of Senate Bills 3rd Reading is Senate Bill 1502, Senator....top of page 37. Senator Schaffer seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading, Senate Bill...1502. Madam Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Schaffer.

PRESIDENT:

Senator Schaffer on Amendment No. 1.

SENATOR SCHAFFER:

Mr. Chairman, I think the members will recall this was...I already have explained this and we have now distributed a copy of the amendment. I don't believe it's controversial, I don't think anybody has any problem with it, so I won't burden the Body with another explanation unless someone wants it. Appreciate a favorable vote.

PRESIDENT:



Senator Demuzio, on Amendment No. 1.

SENATOR DEMUZIO:

I just have one question. You indicated that there would be no increase in the fees but we're increasing the...the level from three hundred and fifty thousand to five hundred thousand, is that correct? And then someone told me that we...that we are...are not increasing the fees, is that correct, Jack?

PRESIDENT:

Senator Schaffer.

SENATOR SCHAFFER:

Well, quite frankly, the bill increases the fee charge per nuclear plant to four hundred thousand. All the amendment does is provide with that increase in additional revenue that not only the Department of Nuclear Safety gets a little more money, the Emergency Services Department gets an increase. It was something worked out within the two departments in the state administration and I don't have any problems with it or know anyone else who does.

PRESIDENT:

All right. Senator Schaffer has moved the adoption of Amendment No. 1 to Senate Bill 1502. Further discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. Anybody else have one on the recall list? There will be another recall list tomorrow, you can be sure. All right. With leave of the Body, then, we'll start at page 2, right at the top. We'll go through Senate bills 2nd reading, then we'll move to Senate bills 3rd reading, and at the...the final order of business will be the...the reading and vote on the Agreed Bill List. Senator Philip and I have

discussed that we at some point have to go to the Order of Motions in Writing. We'll find out whether that's going to be this afternoon or tomorrow morning, I'm not sure it makes much difference. Any event, on the Order of Senate Bills 2nd Reading, Senate Bill 2, Senator DeAngelis. Senator DeAngelis. Senator DeAngelis.

SENATOR DeANGELIS:

Mr. President, I am momentarily awaiting this amendment. I could move this to 3rd and do a recall or if I could have leave of the Body bring it back when the amendment comes up here. It should be up here momentarily.

PRESIDENT:

All right. With leave of the Body, we'll get back to that. 17, Senator Collins. On the Order of Senate Bills 2nd Reading is Senate Bill 17. Read the bill, Madam Secretary.

END OF REEL

REEL #3

SECRETARY:

Senate Bill 17.

(Secretary reads title of bill)

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

PRESIDENT:

Senator Collins on Committee Amendment No. 1.

SENATOR COLLINS:

Yes, thank you, Mr. President. I'd like to Table Committee Amendment No. 1 and we've offered...and I'll offer a Floor amendment.

PRESIDENT:

All right, Senator Collins has moved to Table Committee Amendment No. 1 to Senate Bill 17. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments? I...I beg your pardon, the amendment is...all in favor of the motion to Table indicate by saying Aye. All opposed. The Ayes have it. The motion carries. Amendment No. 1 is Tabled. Further amendments?

SECRETARY:

Senator Collins offers Amendment No. 2.

PRESIDENT:

Senator Collins on Amendment No. 2.

SENATOR COLLINS:

Yes, thank you, Mr. President and members of the Senate. Amendment No. 2, as the committee amendment, strikes everything after the enacting clause, and what this amendment does...unlike the original bill that was filed, it was basically a shell bill patterned after the Michigan plan, but what this amendment does it creates a trust but at the same time

it is an investment plan and it does not guarantee full tuition payment in cases...in the case where the investment income of the trust did not keep pace with the increase in tuition in addition to...enough funds to defer the administrative costs of the trust. In those cases, the bill sets forth some very clear provisions by which the state...the trust will not be held liable. It also provides for a very strong provisions to ensure constant monitoring and accountability of the trust so that the trust would not be operating at a deficit without having known and seen those indicators prior to the problem occurring. The amendment also sets forth, unlike most of the plans...the Michigan plan, three different plans, one which would allow lower income people an opportunity to participate in the trust at a minimum basis for...and particularly for those people who...who does...who do not wish to go to a four-year college but may be interested in a two-year type career or a junior college. This amendment also clarifies several of the sections in...in the original bill. It takes out the...the tax exempt portion of the bill...of the amendment that was put on in committee. At this point it does not because of the state our...our economy at the time or the shortage of funds and not knowing what we're going to do in reference to increase in taxes, we did take out the tax incentive part. It does provide though that the trust would pursue a Federal waiver for Federal Income Tax as it relates to the overall trust. I think this bill is...is a giant step forward. It is...it's responded to many of the questions and concerns that have been raised across the state. I have kept in very close contact with Michigan's and others but it's specifically Michigan. They feel that the bill is an improvement over what they have, and at this time, I would just ask for a favorable adoption of Amendment...Floor Amendment No. 1.

PRESIDENT:

All right, Senator Collins has moved the adoption of Amendment No. 2 to Senate Bill 17. 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. If I can have your attention, WCIA-TV in Champaign has requested permission to videotape...Channel 3, I guess that is. With leave of the Body, leave is granted. 21, Senator Collins. On the Order of Senate Bills 2nd Reading, top of page 2, is Senate Bill 21. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 21.

(Secretary reads title of bill)

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

PRESIDENT:

Senator Collins on Committee Amendment No. 1.

SENATOR COLLINS:

Same thing, I move to Table Committee Amendment No. 1.

PRESIDENT:

Senator Collins has moved to Table Committee Amendment No. 1 to Senate Bill 21. Any discussion? If not, all in favor of the motion to Table indicate by saying Aye. All opposed. The Ayes have it. The motion carries. Amendment No. 1 is Tabled. Further committee amendments?

SECRETARY:

Senator Collins offers...pardon me, no committee amendments.

PRESIDENT:

Amendments from the Floor?

SECRETARY:

Senator Collins offers Amendment No. 2.

PRESIDENT:

Senator Collins on Amendment No. 2.

SENATOR COLLINS:

Yes, thank you, Mr. President and members of the Senate. Since the time that we put in Amendment No. 2, we needed...there were technical errors we needed to clarify. Department of Children and Family Services wanted to add back into the bill child welfare and...specialists and supervisors of child welfare investigators and child welfare specialists, and the rest of the language is clarifying language and I would just move for the adoption of Floor Amendment No. 1.

PRESIDENT:

Senator Collins has moved the adoption of Amendment No. 2 to Senate Bill 21. 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. 22, Senator Collins. On the Order of Senate Bills 2nd Reading, Senate Bill 22. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 22.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

Senator Collins offers Amendment No. 1.

PRESIDENT:

Senator Collins.

SENATOR COLLINS:

SB 28  
2nd Reading

Yes, thank you, Mr. President and members of the Senate. Floor Amendment No. 1 is...we are combining Senate Bill 844 and this was really at the advice of the department and...and the staff that we would combine these two...two bills, and what it simply does, it...it calls for the Department of Children and Family Services to develop in conjunction with the Department of Public Health, Department of Public Aid, Board of Education, other private and public agencies a child prevention plan to be submitted annually to the General Assembly and to the Governor...the plan shall include secondary tertiary preventive services with the major emphasis on utilizing our schools, our preschools, both private and public; local health divisions and a combined effort for early identification and evaluation of children at risk of becoming victims of child abuse. This amendment also requests the Department of Children and Family Services to include in its annual budget a separate line item request dealing specifically with preventive child abuse measures, and I would move for the adoption of this amendment.

PRESIDENT:

Senator Collins has moved the adoption of Amendment No. 1 to Senate Bill 22. 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. 28, Senator Davidson. On the Order of Senate Bills 2nd Reading, the...middle of page 2, is Senate Bill 28. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 28.

(Secretary reads title of bill)

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

one committee amendment.

PRESIDENT:

Senator Davidson on Committee Amendment No. 1.

SENATOR DAVIDSON:

Mr. President and members of the Senate, we need to Table Committee Amendment No. 1 and replace it with which will be the...Floor amendment which will be the bill.

PRESIDENT:

All right, Senator Davidson has moved to Table Committee Amendment No. 1 to Senate Bill 28. Any discussion? If not, all in faovr of the motion to Table indicate by saying Aye. All opposed. The Ayes have it. The motion carries. Amendment No. 1 is Tabled. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

Senator Davidson offers Amendment No. 2.

PRESIDENT:

Senator Davidson on Amendment No. 2.

SENATOR DAVIDSON:

Mr. President and members of the Senate, I suggest you all listen very carefully. This is the language which will put in place the constitutional bail amendment which we passed out of here last year with thirty-eight hyphenated co-sponsors, and I invite all of you to join as cosponsors to this bill, incidentally, in which the public adopted by seventy-seven plus percent of the vote last November; and this bill...this amendment will become the bill and it amends the Code of Criminal Procedure to change the bail provisions to be consistent with the Constitutional Amendment adopted by the voters in 1986. It's established procedures to allow bail to be denied on nonprobational felony offenses where the



court determines the defendant's release poses a threat to the safety of others. The Constitutional Amendment passed last year. It became effective upon certification by the Secretary of State that it had received the required votes for adoption. The amendment was only a broad authorization for bail denial in certain types of cases. It did not lay out the procedures to be used. This bill will set out the procedures so the amendment is uniformly applied throughout the state rather than be developed by a slow court work process of cases. The procedure to be used is as follows. The state may file a verified petition for denial of bail at the defendant's first appearance or if out on bail within twenty-one days after arrest. After that, the state may not file. Defendant may...may obtain a five-day continuance to prepare for the hearing. The petition must be supported by clear and convincing evidence that proof is evident and presumption great that the defendant has committed a nonprobational offense and real and present threat to the physical safety of any person. No conditions of release can reasonably assure against the threat. Factors to be considered is determined if a threat is posed to others as set out on page 5 and 6, the defendant is provided with limited immunity for testimony given at the bail hearing, also the defendant attorney is given some discovery as provided by the Supreme Court rule, appeal rights are set out for the defendant and the state; finally, nothing in the new procedures is to be construed to modify or limit the defendant's presumption of innocent. It's effective upon becoming law. This amendment is a product of negotiation with the defense attorneys, Chicago Bar Association, Chicago Public Defender, Cook County State's Attorney and staff and other state's attorneys throughout the state, and it's a compromise that is attempted to accommodate the competing interest of...the above groups. I move the adoption of Amendment No. 2 to Senate Bill 28.

PRESIDENT:

All right, Senator Davidson has moved the adoption of Amendment No. 2 to Senate Bill 28. Discussion? Senator Barkhausen.

SENATOR BARKHAUSEN:

Will the sponsor yield for just one question?

PRESIDENT:

Indicates he will yield, Senator Barkhausen.

SENATOR BARKHAUSEN:

Senator Davidson, with regard to the twenty-one-day period that you referred to, would the defendant have to remain in jail for that entire period of time?

PRESIDENT:

Senator Davidson.

SENATOR DAVIDSON:

No, it's not in the intent, it's just a period during the time...motion could be filed.

PRESIDENT:

Further discussion? If not, Senator Davidson has moved the adoption of Amendment No. 2 to Senate Bill 28. 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. 34, Senator Poshard. On the Order of Senate Bills 2nd Reading, Senate Bill 34. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 34.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

Senator Watson offers Amendment No. 1.

PRESIDENT:

Senator Watson.

SENATOR WATSON:

Yes, sir. Thank you, Mr. President. This particular amendment...well, the legislation actually shifts the formula for...for the distribution of the sales tax revenues that go to...to the Motor Fuel Tax Fund for...help local roads, it makes some major changes, and what this particular amendment simply says is that all sales tax transferred deposited in the Motor Fuel Tax Fund shall be used solely for construction and...as defined in Section 2-210, and 2-210 of the Highway Code simply says that...defines what construction is. What we're trying to do here is just make sure that the money goes to the roads and that's where it's needed. I move for its adoption.

PRESIDENT:

Senator Watson has moved the adoption of Amendment No. 1 to Senate Bill 34. 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. 40, Senator Netsch. On the Order of Senate Bills 2nd Reading, Senate Bill 40. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 40.

(Secretary reads title of bill)

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

PRESIDENT:

Senator Netsch, on Committee Amendment No. 1.

SENATOR NETSCH:

Thank you, Mr. President. I will be moving to Table both of the committee amendments. They have been picked up and clarified in the Floor amendments that will be offered. I think all sides are aware of this. So, first of all, I would move to Table...

PRESIDENT:

All right, Senator Netsch has moved to Table Committee Amendment No. 1 to Senate Bill 40. Any discussion? If not, all in favor of the motion to Table indicate by saying Aye. All opposed. The Ayes have it. The motion carries. Amendment No. 1 is Tabled. Further committee amendments?

SECRETARY:

Committee Amendment No. 2.

PRESIDENT:

Senator Netsch moves to Table Committee Amendment No. 2 to Senate Bill 40. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. Amendment No. 2 is Tabled. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

Senator Netsch offers Amendment No. 3.

PRESIDENT:

Senator Netsch, on Amendment No. 3.

SENATOR NETSCH:

Thank you, Mr. President. Amendment No. 3 clarifies the status of privileges and, in fact, was adopted by the committee but for some reason was not reported to the Floor, so the committee actually has already acted on this and it makes clear that we are not attempting to undo the existing privi-

leges that exist by law. So, I would move the adoption of...is it Amendment No. 3...Amendment No. 3 to Senate Bill 40.

PRESIDENT:

All right, Senator Netsch has moved the adoption of Amendment No. 3 to Senate Bill 40. 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 Senators Netsch and Etheredge.

PRESIDENT:

Senator Netsch, Amendment No. 4.

SENATOR NETSCH:

Thank...thank you, Mr. President. Amendment No. 4 incorporates the thrust of the other committee amendment that was Tabled. It both deals with the question of the fact reporter and...clarifies and...and tightens the definition of fact reporter and also makes clear that the immunity extends to the fact reporter only when the fact reporter is communicating to someone who is part of a trained...of...of an intervention process. That was a...a question raised particularly by Senator Hawkinson in committee and I think this amendment clarifies that. In addition, after much travail, all...many of us who've been involved with the intervention programs have, I think, finally worked out a good definition of a trained intervener to whom the immunity of the Act is primarily intended to apply. I would be happy to answer any questions; if not, I move the adoption of Amendment No. 4.

PRESIDENT:

Senator Netsch has moved the adoption of Amendment No. 4 to Senate Bill 40. 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. 82, Senator Demuzio. On the Order of Senate Bills 2nd Reading, Senate Bill 82. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 82.

(Secretary reads title of bill)

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

PRESIDENT:

Senator Demuzio on Committee Amendment No. 1.

SENATOR DEMUZIO:

Yes, this is a compromise that's been worked out between the Pest Control Association and the Department of Insurance and Public Health. Committee Amendment No. 1 deleted everything in the bill. It amended the Structural Pest Control Act to allow those individuals who are licensed under the Act to be insured either by a risk retention or a purchasing group formed pursuant to the Federal Liability Risk Retention Act of 1986. I...I know of no opposition and would move the adoption of Committee Amendment No. 1.

PRESIDENT:

All right, Senator Demuzio has moved the adoption of Committee Amendment No. 1 to Senate Bill 82. 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.

SB 100  
2nd Reading

PRESIDENT:

3rd reading. 100, Senator Marovitz. On the Order of Senate Bills 2nd reading, Senate Bill 100. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 100.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Public Health, Welfare and Corrections offers Amendment No. 1.

PRESIDENT:

Senator Marovitz on Committee Amendment No. 1.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. Amendment No. 1 to Senate Bill 100 is recommended by the Governor's...Interdisciplinary Advisory Council on AIDS, the Department of Public Health and the Speaker of the House's Medical Advisory Panel on AIDS. It requires written and informed consent prior to a test that must accompany blood specimens throughout the laboratory process, requires an individual ordering a test to provide the subject information about behavior that poses a risk of AIDS transmission, about counseling for coping with the emotional consequences of learning the test results so that when an individual does come in for testing, they will get the kind of counseling and education that they need; exempts testing for research purposes from the consent requirement if it's conducted in a manner that prohibits disclosure of the identity of test subject, and I would ask for the adoption of this amendment.

PRESIDENT:

Senator Marovitz has moved the adoption of Committee Amendment No. 1 to Senate Bill 100. 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. 102, Senator Netsch, for the Committee on Revenue. On the Order of Senate Bills 2nd Reading is Senate Bill 102. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 102.

(Secretary reads title of bill)

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

PRESIDENT:

Senator Netsch on Committee Amendment No. 1.

SENATOR NETSCH:

Thank you. With the approval of the minority spokesman, I move to Table Committee Amendment No. 1 to Senate Bill 102.

PRESIDENT:

All right, Senator Netsch has moved to Table Committee Amendment No. 1 to Senate Bill 102. Any discussion on the motion to Table? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries. Amendment No. 1 is Tabled. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

...Senator Netsch offers Amendment No. 2.

PRESIDENT:

Senator Netsch on Amendment No. 2.

SENATOR NETSCH:



AB 153  
2nd Reading

I think it's Netsch-Rigney, if I'm not mistaken. Amendment No. 2 would...maintain only one part of the committee's amendment. This is the senior citizen circuit breaker law and the committee had recommended two provisions, one of which would deal with the question of a spousal differential on the income limit, that was the committee's principal objective and principal concern. The other would have...slightly expanded the pharmaceutical assistance law. We got initial impact notes that indicated that the went beyond the amount of money that we had intended and so we are removing the second part which would expand the pharmaceutical assistance program and we are keeping only the provision that would say that...the income limit for circuit breaker and related programs will be sixteen thousand dollars where the spouse of the original applicant is also over sixty-five years of age...we are getting confused...revenue estimates on it, but one from Economic and Fiscal indicates 1.6 million dollars. Revenue, apparently, is suggesting somewhat higher. We will try to reconcile that by 3rd reading. In the meantime, I'd move on behalf of the Committee on Revenue adoption of Amendment No. 2.

PRESIDENT:

Senator Netsch has moved the adoption of Amendment No. 2 to Senate Bill 102. 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. 153, Senator Lechowicz. Senator Lechowicz, the Chair has a problem. There is a motion filed...a motion in writing filed on 153 which under our rules...under Rule 34 it is a motion in writing to recommit, I am told, made by Senator Watson; and under our rules, a motion to recommit

until it is decided precludes all amendments and debates on the main question. You want to roll with the motion? Okay. If I can have your attention, turn to page 67 on the Calendar. Prior to the consideration of any amendments, the motion to recommit takes precedence under our rules. Madam Secretary, on the Order of Motions in Writing there is a motion with respect to Senate Bill 153. Read the motion.

SECRETARY:

I move to recommit Senate Bill 153 to the Senate Committee on Transportation. Filed May 12th, 1987 by Senator Watson.

PRESIDENT:

Senator Watson.

SENATOR WATSON:

Well, thank you, Mr. President. I...I have several reasons that I have filed this motion. I have no problems with the sponsor and really no problems with the amendment. I have problems with the legislation, Senate Bill 153, which I probably won't support, but primarily I issued this motion because of a travesty of justice which occurred in the Transportation Committee a couple of weeks ago, and this particular legislation was one of those issues that got caught up in the airport situation in which the chairman of the Transportation Committee refused to hear our vote of which he committed to do on the airport legislation. Unfortunately, the...

PRESIDENT:

...sponsor has called for a point of order. What...state your point, Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. My point of order is that the gentleman is addressing other...other matters that were discussed in Transportation that day. His remarks should be contained to Senate

SB 153  
2nd Reading

Bill 153 only.

PRESIDENT:

I...I think that's in order. Senator Watson, if you can confine yourself to the motion on 153, we can all benefit from that, I'm sure. Senator Watson.

SENATOR WATSON:

Well, I...I think that's fair. I have no...I have no problems with that, but it certainly wasn't fair...the Transportation Committee hearing that we...unfortunately, the chairman conducted just a couple of weeks ago. And what happened on Senate Bill 153 was that...it went out on a partisan roll call...we had people there to testify against it, they weren't given an opportunity to testify; the amendment wasn't even circulated in the committee. Even after the committee, we went down into the chairman's office, her staff didn't even have the committee amendment at that particular time. I just think that sometimes the minority over here gets trampled on a little bit more than what we deserve and that was a good example of...of trampling, of a stampede, and I just want...I think that...I think that ought to be brought to the attention of the members and others and I appreciate the opportunity to do this. At this particular...time, I'll withdraw my motion.

PRESIDENT:

All right, the motion to recommit has been withdrawn. Madam Secretary, strike it from the Calendar. On the Order of Senate Bills 2nd Reading is Senate Bill 153. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 153.

(Secretary reads title of bill)

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

PRESIDENT:

Senator Lechowicz on Committee Amendment No. 1.

SENATOR LECHOWICZ:

Thank you, Mr...Mr. President and Ladies and Gentlemen of the Senate. Senate...Committee Amendment No. 1 would limit the number of registrations to one automobile per household. This committee...the committee...recommend the adoption of the amendment. I move for its adoption.

PRESIDENT:

All right, Senator Lechowicz has moved the adoption of Committee Amendment No. 1 to Senate Bill 153. 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. 172, Senator Netsch. Top of page 3, 181, Senator Joyce, Jerome. On the Order of Senate Bills 2nd Reading, Senate Bill 181. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 181.

(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. 191, Senator Joyce. On the Order of Senate Bills 2nd Reading, Senate Bill 191. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 191.

(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. 192, Senator Marovitz. On the Order of Senate Bills 2nd Reading, Senate Bill 192. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 192.

(Secretary reads title of bill)

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

PRESIDENT:

Senator Marovitz on Committee Amendment No. 1.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. Amendment No. 1 to Senate Bill 192 dealing with driving under the influence allows a two-year probation period for a misdemeanor convictions, requires the Secretary of State to consult with the Supreme Court on DUI forms and rendering driver decisions within forty-five days. The JDP may be issued, that's the judicial driving permit. There's a loophole in the law currently and the loophole is closed by this amendment, and it says that a judicial driving permit may be issued only when no alternative method of transportation exists, and we include in the permissible JDP...reasons, educational and essential household purposes and allows the Secretary of State to object to a JDP if there's insufficient data or failure to comply with the Vehicle Code, and I would

ask for adoption of Amendment No. 1.

PRESIDENT:

Senator Marovitz has moved the adoption of Committee Amendment No. 1 to Senate Bill 192. Discussion? Senator Keats.

SENATOR KEATS:

Not being dilatory, but I was...could we just...this sounds really major and none of us have anything...I don't mean to be dilatory, but, honestly...we're not even asking it be distributed, but could we just see what's in this amendment? Yeah, I mean,...and you can bring it back in a minute, we just...I mean, this sounds really major and we're all sitting here saying, hey, what is this.

PRESIDENT:

Senator Barkhausen.

SENATOR BARKHAUSEN:

...a question for the sponsor.

PRESIDENT:

Indicates he'll yield, Senator Barkhausen.

SENATOR BARKHAUSEN:

Senator Marovitz, is this...I know this is the committee amendment and I was out of the committee at the time that this amendment was considered, is...is there going to be a subsequent amendment or amendments?

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

I spoke to the Secretary of State and we are negotiating with them. As far as I was to understand, the...the bills were to move along, we would be continuing our negotiations with the understanding that we would reach an...an agreed bill as the process moved along.

PRESIDENT:

Senator Barkhausen.

SENATOR BARKHAUSEN:

So, I understand there is no amendment other than this committee amendment?

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

None that I know of, that's correct.

PRESIDENT:

Senator Barkhausen.

SENATOR BARKHAUSEN:

Well, I'm going to...Mr. President, I going to have to join Senator Keats and I assume will be joined by three other members to ask that the...the amendment be distributed.

PRESIDENT:

All right, the Chair...that request is in order. The Chair would only point out that it is a committee amendment. Senator Schaffer.

SENATOR SCHAFFER:

I was...I...I am trying to interpret from the sponsor's verbage, do I interpret correctly that the Secretary of State is in opposition to this amendment? What is the position of the Secretary of State? Many of us are, frankly, interested in his position on DUI legislation. Is he in support? In opposition? We have not heard a word.

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

We...the Secretary of State, to my knowledge, has not taken a position on this amendment. We have negotiated with him. We are continuing to negotiate. He has some concerns about this which we agree with, others that we don't and we are...we are consulting with him and negotiating with him and we'll continue to do that as the process moves along, by agreement of the Secretary of State's Office. There were

AB 200  
2nd Reading

several bills in the Transportation Committee which the Secretary of State asked that they be put in subcommittee. We agreed to do that at the Secretary of State's request.

PRESIDENT:

Take it out of the record, Madam Secretary. There's been a request that...amendment be distributed and that request is in order when supported by five other members. 200, Senator Holmberg. On the Order of Senate Bills 2nd Reading, Senate Bill 200. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 200.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

Senator Holmberg offers Amendment No. 1.

PRESIDENT:

Senator Holmberg on Amendment No. 1.

SENATOR HOLMBERG:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Floor Amendment No. 1 to Senate Bill 200 becomes the bill. It basically requires DCCA to prepare an economic impact study prior to the offering of incentives to foreign firms. DCCA shall not consummate an agreement unless the study indicates a substantial economic benefits will be gained. It requires the Department of Commerce and Consumer Affairs to file the study with the Economic and Fiscal Commission not later than one business day after the agreement. It excludes from the provision...it excludes from the provision those offerings totaling less than ten thousand dollars or creating less than twenty-five jobs. I'm sorry, I forgot to add at the beginning that Senator Roger Keats would like to become the cosponsor of this amendment.



PRESIDENT:

The Chair would just observe, I'm not sure that helped you, but go ahead.

SENATOR HOLMBERG:

And if...if I could give a few particulars that are included in this amendment so that the Body can have an understanding of what it actually does. The economic impact study will be asked to do these things: to list the number of direct and indirect jobs created, the net gain or loss potential by Illinois firms, the effect on local and regional competition within the industry, a degree of economic benefits of awarding the same incentives to similar Illinois firms, list how the location of the foreign firm complements existing industries and submanufacturers, the long-term benefits and losses and the effect on local and state taxes. What we are basically doing with this amendment is asking that the department do an economic impact study before it consummates a deal with a foreign firm.

PRESIDENT:

All right, Senator Brookins, for what purpose do you seek recognition, sir?

SENATOR BROOKINS:

Yes...yes, Mr. Chairman, on a point of personal privilege. I have with me from Chicago from the St. Killian Catholic School, the eighth grade class, in the balcony to my left and we have with them their principal, Mr. Ellis, one of their instructors, and Sister Lucretia and Sister Stephens...Mrs. Stephens.

PRESIDENT:

Will our guests in the...guests in the gallery please rise and be recognized. Welcome to Springfield. All right...we are on Senate Bill 200. Senator Holmberg has moved the adoption of Amendment No. 1. Senate...discussion? Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President and Ladies and Gentlemen of the Senate. I hope the Body is listening. This is an extremely...extremely important issue this afternoon. I, as most of you know, come from an area of the state that was the recipient of...of a foreign firm that will be moving into Illinois...is in Illinois now as a result of the incentives, and, indeed, the...the central Illinois...went to Normal, Peoria, Decatur area is going to be well served by...by...by this company in the future. But take a real careful look at what this amendment says. It does not only address...it does not only address companies in foreign countries, but it also addresses companies whose corporate base is outside of the State of Illinois. So, it does bear upon companies that are already domicile in the United States. The impact is the same, and I think that's an extremely critical issue here this afternoon. Now, let's address the issue of impact studies. We've got two and a half pages...two and a half pages of areas that the department is going to have to cover in a thirty-day period. This is a delaying tactic, absolutely a delaying tactic. There's no way that this information could be compiled in thirty days, that's point number one. Point number two, once you go to an impact study, then you open up the door for...once the information is available, then there are those who will object saying that...that the department has not covered this part of the area or that part of the area and, therefore, go back into a further consideration of the impact of...of this particular incident. Incentives at this point are proving to be a very beneficial thing to labor in this state, for the economic stability of this state and, indeed, Illinois is a landmark. I urge very careful consideration of what we're doing here this afternoon. Already, Ladies and Gentlemen of the Senate, people in foreign countries are talking about

what Illinois is doing. We were moving forward very rapidly, now we're putting the brakes on and saying, hey, we don't know whether we want you here or not, and I think that's terribly wrong, it's going to be terribly damaging to our economy and I would urge defeat of Amendment No. 1.

PRESIDENT:

All right, Senator Holmberg has moved the adoption of Amendment No. 1. Further discussion? Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. I had intended to point out just a rather simple, innocent thing, which is that the language has been cleared also...or...or checked with the staff of the Economic and Fiscal Commission because they are given a role and...had been worked out with their approval and they feel that they can handle the particular responsibility to review the impact statements which is assigned to them under the amendment, and so there was no objection from that point of view. In view of Senator Maitland's comments, I would just like to add that I rise strongly in support of the principle that's embodied in the amendment; I'm a little surprised because I had understood that all of the business groups and labor and everyone else was quite happy with this amendment as it was. I think the point is that it is not to discourage any kind of incentives necessarily, Senator Maitland, that is not the point. The point is that we do this, both the Legislature and the Executive Branch, year after year after year and we never stop to ask what's important, are they worth the investment, what particular ones really make a difference, what particular ones can be justified. What this is doing is...is attempting to say, look, we really ought to find out what makes sense and what does not, and I cannot believe that it is good public policy for the Legislature to continue to put both itself and the taxpayers of the state in a state of ignorance about the incentives

that we offer. That is what the purpose of the amendment is, and it seems to me it's an absolutely noble purpose.

PRESIDENT:

Further discussion? Senator Hudson.

SENATOR HUDSON:

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

PRESIDENT:

Indicates she will yield, Senator Hudson.

SENATOR HUDSON:

Senator Holmberg, there's...there is a question that has arisen and that is the possible cost to the department...the implementation of this and also if any additional staff would have to be added.

PRESIDENT:

Senator Holmberg.

SENATOR HOLMBERG:

It is our opinion that there should not have to be additional staff hired. I think the Department of Commerce and Consumer Affairs has a great number of staff members, ones that do a very good job of recruiting industry all over the United States and abroad, and it would be the same kind of information that we would need that I am sure they now use, but they are not doing a structured, economic development impact study that is available to the legislative Body and that's what we're asking for. In other words, what they must now be doing, we would like prepared and given to us.

PRESIDENT:

Further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. I, too, Senator Holmberg, am somewhat concerned about the rising rate of grants. I think sometimes we tend to overspend when, in fact, the incentives ought to be offered in a different way. But I think this amendment shows a little naiveness because in the process of

trying to get somebody to come here or to stay here, we're generally engaged in a system of competitive bidding in a very competitive situation, so a lot of the things that are done are done for the sake of being competitive. Now we ought not to give away the house...sometimes it's better to give away the customer than give away the house. The other thing is that I think a lot of the elements that are involved are not quantifiable...not as easily quantifiable as pointed out on your sheet, when we talk about direct and indirect business; for instance, when we talk about Mitsubishi, how would you measure an item that can't be measured yet and that is the amount of parts suppliers who are currently coming into the state, are coming into the state in the future and some who have been here? You can't quantify some of those items, and I have to tell you, I think your bill might have a more appropriate use than what you're trying to put it to, and I would like to ask the sponsor if she would like to have that bill changed so that every bill that we introduce in the General Assembly will show the economic impact directly or indirectly on the amount of jobs we're going to get or the amount of...jobs we're going to lose by the legislation, because I want to tell you, if we were going to rate this bill on that basis, this bill would have a negative impact on jobs itself.

PRESIDENT:

All right, Senator Holmberg has moved the adoption of Amendment No. 1. We're discussing the adoption of Amendment No. 1. Senator Dudycz, for what purpose do you seek recognition, sir?

SENATOR DUDY CZ:

Thank you, Mr. President. Point of personal privilege.

PRESIDENT:

State your point.

SENATOR DUDY CZ:

Up in the gallery is...are students from the St. Bartholomew School in Chicago and they're being chaperoned by teachers Laura Crismer, Lois Belicky, Janene Jones and, a parent, Cindy Benadi. I'd like for them to stand and be recognized, please.

PRESIDENT:

Will our guests in the gallery please rise and be recognized. Welcome to Springfield. All right, the question is the adoption of Amendment No. 1 to Senate Bill 200. Further discussion? Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. This bill as amended is intended in great part to rein in the Department of Commerce and Community Affairs, and what we are telling them is that the incentives that they are offering are subject to being second-guessed by this Legislature and the Economic and Fiscal Commission. The genesis of this proposal is, obviously, the incentives offered to the Mitsubishi plant in Bloomington and the incentives offered to the Mitsuboshi plant in Ottawa. Senate...one Senator has argued here that the purpose of the bill is noble, that it will send a message, but, unfortunately, I think that the message is the wrong one. Paragraph B of the amendment states, "The department shall prepare an economic impact study prior to the consummation of an agreement with the foreign firm." I think that that will stifle bringing in businesses in part because the follow-up on the preparation in Paragraph C of page 2 of the amendment is that, "The department shall not consummate an agreement with a foreign firm unless an economic impact statement...study prepared pursuant to this section substantiates that substantial economic benefits shall be derived by the state or units of local government." This, of course, is going to subject...the offerings made by the Department of Commerce and Community Affairs to bring business into the

state to the vagaries of injunctions, lawsuits and second-guessing not just by us as elected officials but by another agency, that of the Economic and Fiscal Commission. The question of what we should do in Illinois to create jobs is, obviously, something that should not be left up solely to a state agency such as the Department of Commerce and Community Affairs. It is a greater task than to leave it to one small agency, but we expect so much of the state agency we have given them very little in the way of guidelines to tell them how to go about their job. Their negotiating a deal that cannot be closed on until a report has been filed is not something that we should do. The giving out of incentives to business is something we do in the Legislature day after day without any guidelines for ourselves, but we don't rein ourselves in, but we do attempt to rein in the Department of Commerce and Community Affairs. The singling out of that department as if they are the only...the only group offering incentives is wrong. We should here look at the impact of the tax incentives that we offer. In particular here, we should set about not just looking at this department but rather setting for this state a statewide industrial policy that looks over all of the aspects of bringing in jobs to Illinois, not just on a piecemeal basis, not just on legislation by legislation. Until the Federal Government does what they should do or should consider doing and that is outlawing tax exemptions by every state to bring in business, we will have to negotiate with these companies as other states compete to bring them in to their states. I, too, agree with the premise of this bill that we should emphasize Illinois first, that we should give jobs and keep jobs here in Illinois rather than bringing in...them in from foreign firms who may pay less money, but that's not what this bill is going to do. This bill has some problems, I believe, with the interstate commerce clause. We are only affecting for-

eign businesses and I think that that may be in restraint of trade and may subject the whole legislation...the whole bill to being unconstitutional. So...so, ladies and gentlemen, I would urge opposition to this amendment.

PRESIDENT:

All right, the question is the adoption of Amendment No. 1. Further discussion? Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. I just want to follow my friend from the other side of the aisle and...and agree totally with...in opposition to this particular amendment. The question, of course, I think, is how effective have we been in Illinois in attracting business and jobs? And that's the bottom line. I come from an area in which we have a high degree of unemployment and the Department of Commerce and Community Affairs has done a tremendous job in providing grants and incentives to businesses to come into our area to employ our people, and I think that this particular direction that this amendment heads is in the wrong direction, and I...I would urge opposition. Thank you.

PRESIDENT:

...further discussion? Senator Joyce.

SENATOR JEROME JOYCE:

Yes, thank you, Mr. President. I...I love the attempt of the sponsor to...to get at this problem, but I think what we...we maybe ought to and...and something...to think about is...is perhaps all the states that are in this bidding competition ought to form a compact and set up guidelines for everyone so that everybody is dealing from a level playing field. I think to do this...for us to do it and no one else to do it will...will in the short-term hurt us, so I...I would oppose this amendment.

PRESIDENT:

All right, the question is the adoption is of Amendment



No. 1. Further discussion? Senator Holmberg, you wish to close?

SENATOR HOLMBERG:

Thank you, Mr. President. First, let me correct several statements made by Senator Maitland so that the Body has...has information on...on which to make its decision. The definition of a foreign firm in the bill is "any industrial or manufacturing enterprise that does not maintain an operation in Illinois or whose corporate headquarters is domiciled in a nation other than the U.S." The thirty days that we're talking about is...is not thirty days for DCCA to do the study. I would hope that they would probably take even longer than this to, perhaps, to their study. We're asking that the Economic and Fiscal Commission get the report to its members once DCCA's study is completed within thirty days. I think it's interesting that both Senator Maitland and Senator Welch have commented on this particular bill. It worries me that they feel the plants awarded to their areas might not have stood up under the scrutiny of this bill and I would really hope that this is not the case. We have in support of the bill the Illinois Manufacturer's Association, the AF of L-CIO and we have had excellent...input from the Illinois Chamber of Commerce; the IMA and the AF of L-CIO stand in strong support. Their...the bill itself was the product of...of a letter to me from Gates Rubber Company which employs some six hundred people in Illinois but was shut out of the bidding process of providing auto parts to Diamond Star because that deal had been cut for Japanese submanufacturers before the company even located here in Illinois, and because the Japanese Government takes into consideration excess capacity in their trade dealings, the Japanese auto part's market is off limits to U.S. manufacturers. Gates feels that if we cannot get into Japanese markets, why should we provide incentives using tax dollars

paid by Gates and other manufacturers to lure foreign plants to the United States? As it is working out, only six of the thirty-nine suppliers to Diamond Star are coming from Illinois. What we had hoped would be eight thousand jobs will at the most be fifteen hundred. One of the problems is that every foreign company's job created in Illinois may provide up to three additional jobs; if the same money is given to an Illinois firm, it will provide eleven other jobs, the reason being that the companies leave behind them their banks, their research and development and their...their high wage component assembly so that we do not get as many jobs from money given that way. This is not a single plant problem, this is something that we should be doing all the time, not just in one case. It has nothing to do with the fact that we gave incentives to one particular company but we are looking at the future. What it does with DCCA is that it protects their confidentiality. They do not have to reveal any of the dealings that they are going through ahead of time, they are just to do a study which they tell us they are not doing now before they consummate the deal. Then after they have consummated the deal, they are to present their findings to the Economic and Fiscal Commission. It seems that it's time to take a look before we leap, that we need to encourage new development but we also need to protect the old. I remember a rhyme I used to say all the time as a child, it was, "Make new friends, but keep the old; one is silver but the other is gold." We need to protect our taxpaying companies while we welcome new companies into Illinois. We need to supplement, not replace. We need to get as many Illinois jobs as we can get, and I advocate adoption of this amendment.

PRESIDENT:

All right, Senator Holmberg has moved the adoption of Amendment No. 1 to Senate Bill 200. A roll call has been requested. 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 35 Ayes, 20 Nays, 1 voting Present. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

Senators...Senators Maitland and Welch offer Amendment No. 2.

PRESIDENT:

Senator Maitland on Amendment No. 2.

SENATOR MAITLAND:

Thank you, very much, Mr. President and Ladies and Gentlemen of the Senate. Amendment No. 2 simply deletes everything after the enacting clause and sets up a...a provision to study the impact of the incentives that we are now offering. I would...move for its adoption.

PRESIDENT:

All right, Senator Maitland has moved the adoption of Amendment No. 2 to Senate Bill 200. Discussion? Senator Holmberg.

SENATOR HOLMBERG:

I rise in opposition to this amendment which deletes everything after the enacting clause and I would ask for the very same roll call as we had on the previous amendment...in reverse.

PRESIDENT:

...any further discussion? Further discussion? Senator Maitland, you wish to close?

SENATOR MAITLAND:

Well, thank you, Mr. President and Ladies and Gentlemen of the Senate. I want to...just simply call the...the Body's attention to the fact and my...my...my name was mentioned in...in debate in the closing on Amendment No. 1, and despite what the sponsor has said to you, if you really carefully

read the language on the amendment that went on, Amendment No. 1, it clearly defines companies that are not domicile in Illinois as foreign companies. So, once again, think about what you're doing here or what you've already done and I think you might then decide to support this amendment.

PRESIDENT:

Question is the adoption of Amendment No. 2. A roll call has been requested. Those in favor of Amendment No. 2 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? Have all voted who wish? Take the record. On that question, there are 30 Ayes, 23 Nays, 1 voting Present. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. I beg your pardon, Senator Holmberg, for what purpose do you arise, ma'am?

SENATOR HOLMBERG:

I would like...I would like to verify the Aye votes...

PRESIDENT:

That request is in order. Will the members please be in their seats. Senator Holmberg has requested a verification. I'd, again, ask the members to please be in their seats. Madam Secretary, if you will read the affirmative vote.

SECRETARY:

Barkhausen, Davidson, DeAngelis, Donahue, Dudycz, Ralph Dunn, Etheredge, Fawell, Friedland, Geo-Karis, Hawkinson, Jacobs, Jerome Joyce, Kustra, Macdonald, Madigan, Mahar, Maitland, Marovitz, Philip, Raica, Rigney, Schaffer, Schuneman, Topinka, Vadalabene, Watson, Weaver, Welch and Woodyard.

PRESIDENT:

Senator Holmberg, do you question the presence of any

member?

SENATOR HOLMBERG:

Senator Topinka.

PRESIDENT:

Senator Topinka was just in her chair. There she is, I'm sorry.

SENATOR HOLMBERG:

Senator Marovitz.

PRESIDENT:

Senator Marovitz on the Floor? Senator Marovitz on the Floor? Strike his name, Madam Secretary.

SENATOR HOLMBERG:

Senator Jeremiah Joyce.

PRESIDENT:

He's not on the affirmative roll call. All right, do you question the presence of any other member, Senator? All right, Madam Secretary.

SECRETARY:

That's 29 Yeahs...

PRESIDENT:

...all right, the roll has been verified. On the question of the adoption of Amendment No. 2 there are 29 Ayes, 23 Nays, 1 voting Present. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. 205, Senator Netsch. On the Order of Senate Bills 2nd Reading is Senate Bill 205. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 205.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Elections and

Reapportionment offers Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch...Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. Committee Amendment No. 1 revised upward the limits on the amount that could be expended by gubernatorial and Lieutenant Governor candidates pursuant to the Gubernatorial Funding Act. It raised the primary limit from one and a half to two million and the general from two million to three million. I would move the adoption of Committee Amendment No. 1 to Senate Bill 205.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Netsch has moved the adoption of Committee Amendment No. 1 to Senate Bill 205. 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 Netsch offers Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. Amendment No. 2 was developed pursuant to a request of the State Board of Elections at the time that they were reviewing the Act. They said that there were certain provisions having to do with the use of technical consultants that were too close a time constraint and they requested a modification of that. The amendment carries out that request. I would move the adoption of Amendment No. 2 to Senate Bill 205.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Netsch has moved the adoption of Amendment No. 2 to Senate Bill 205. 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:

Amendment No. 3 offered by Senator Keats.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Keats.

SENATOR KEATS:

...this is a minor, noncontroversial amendment that adds the Mayoral Election Finance Act. In fairness and equality, we're trying to pick the elections where the big bucks are. The big bucks are not in gubernatorial elections, the big bucks are in mayoral elections, particularly in one city. If you remember, I think the Governor spent like five million. The mayor in 1983 spent ten million. So, if we're going to look at where the big money is and I...that's a legitimate concern and I agree with Senator Netsch that it's a concern we have to deal with. I think we have to just come back and say, everyone should be treated fairly and there should be some equality in the process. So, under this Act, we set all the expenditures as one-half of the amount for the mayor that was established in the gubernatorial race. Now with a couple of changes Senator Netsch just made, we'd be more than willing to move these figures up 'til we stick one-half all the way across but we still are on most of them. Remember, the City of Chicago is a quarter of the population, so in reality, there should be a quarter for the contributions and expenditures but we've, out of generosity, gone with one-half. This is a reform provision. If we are to say we're going to reform the electoral process at the gubernatorial level, which is an enviable effort on the...on behalf of

Senator Netsch, I think it's just as important that we deal with elections that spend far more money and in many ways are much bigger than the gubernatorial by setting fair and equal standards to say that everyone is treated fairly. I would appreciate your affirmative support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. Well, I am delighted, first of all, that Senator Keats and his fellow sponsors of the amendment have accepted the principle of partial public financing of major public campaigns. I think that is a major breakthrough for those of us who have been trying to get this principle accepted in Illinois for a period of some time. I would only suggest to...Senator Keats that you've got your priorities all wrong though, Senator Keats. The purpose of the partial public financing in gubernatorial campaigns is to establish the principle with respect to the most important office in the State of Illinois which is the Governor and along with the Governor, the Lieutenant Governor. I think the next most important offices, I would like to think, are perhaps the other statewide elected officials and then, perhaps, the members of the Illinois General Assembly; and as a matter of fact, there is a provision in Senate Bill 205, as there has been right along, that says in effect that this...once this is established and in place and working that we would hope that its principle would be...would be extended to other major public offices in the State of Illinois, so you're just kind of moving this along rather rapidly. There is one fairly difficult problem, I think, about your's, and that is the source of the public matching funds. As I read the amendment, and, admittedly, we got it only about ten minutes ago, so I've been kind of skimming it through...the...the funding would come not from a checkoff,



which is a voluntary act by taxpayers which is the method of funding the...the gubernatorial election...partial public financing election campaign fund, but it would come from a transfer from the Local Government Distributive Fund. Now,...it seems to me that if the City of Chicago is going to have partial public financing and, incidentally, I think it would be a great idea and my guess is that most of the people who have run for mayor there would agree that it's a great idea, but if it's to have it, it seems to me that the City of Chicago ought to figure out how to provide the public matching funds itself; and instead, Senator Keats, what you are doing is saying that all of the other cities and counties in the State of Illinois should help to provide the money to fund the mayoral elections in the City of Chicago. Now, Senator Keats, I would really like to ask you, are you sure if you went back to your constituents in Kenilworth that they would be happy that they had helped to contribute to funding mayoral elections in Chicago? I think that really is not...obviously, you had not figured out a good way to raise the public matching funds for this part of the election. Now, if you would go ahead and work on some of these very complicated provisions, and incidentally, drafting partial public financing legislation is exceedingly complicated and exceedingly difficult because we've been working on it now for about six years, but if you would take care of some of those problems like how are you going to raise the public matching funds other than taking it out of the mouths of other cities and counties and come back with your own bill, I think, many of us would be absolutely ecstatic about supporting it, but in the meantime, it seems to me that what you have suggested here is highly discriminatory against all the other cities of the State of Illinois and the members of the General Assembly and the other statewide elected officials and that, in fact, we ought to go back to basics which is get

the principle established with the most important office in the state who...the person who represents everyone, then we'll go on and take care of your problem. I rise in strong opposition to the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Kustra.

SENATOR KUSTRA:

Well, thank you, Mr. President and members of the Senate. I rise in support of Senator Keats' amendment but I'm much more impressed with Senator Netsch's analysis of the relative importance of politicians in the State of Illinois, and I...for one who sometimes gets confused over who is more important on your side of the aisle than the others, I note with interest, Senator Netsch, that you tell us now that Roland Burris is a more important public official than Harold Washington.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well...further discussion? Ralph...Senator Ralph Dunn.

SENATOR RALPH DUNN:

Thank you, Mr. President. A matter of personal privilege. I'd like to introduce the Nashville Middle School and their principal and teacher,...Jan Middleton, right behind you in the President's Gallery.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...if our guests in the gallery would please rise and be recognized by the Senate. Welcome to Springfield. All right, further discussion? Senator Collins.

SENATOR COLLINS:

Question of the sponsor, please.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Collins.

SENATOR COLLINS:

Senator,...in...in looking at your amendment, I would like to know just, you know, how do you propose to raise the

matching fund? You know, what source of revenue would...would you use? Are you really planning or have you gotten a commitment from the people out there in Kenilworth that...there are a lot of rich people out there that they're going to put up the matching fund...is that something that we don't know about?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Keats.

SENATOR KEATS:

I appreciate your concern for the lower middle-class ethnic burrow of Kenilworth, but...I apologize, I believe Senator Netsch made a minor mistake in reading, it is not come from the distributive funds statewide, it come from...comes from specifically Chicago's portion of the fund. Now, I do mention, I like Dawn's idea of a checkoff and, Dawn, we made a mistake, I would gladly accept an amendment to make this a statewide checkoff, that's no problem whatsoever, we'd be glad to accept...but it says on our's it's Chicago's portion because we just wanted to be sure...be sure that the most important elected figure in the state did have a...a means to raise those funds.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Collins.

SENATOR COLLINS:

What...what page of the amendment is that on, Senator?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Keats.

SENATOR KEATS:

B in my analysis, I'll find it in the bill for you. Same page, 19, we'll find it...my staffer humbly begs apology and says we'll have the amendment ready in a moment. That's no problem. There's a difference between the analysis and the bill, and my staffer who'll be shot at dawn is begging for-giveness.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, wait a minute...Senator Collins.

SENATOR COLLINS:

...no, Senator, it's not in there. I think campaign financing is a very serious issue and I have to agree with Senator Netsch. If you decide that...that you wish to adequately and fairly and come up with the source of funding to finance the elections in the City of Chicago, I'm sure the mayor of Chicago and everyone else will support that, but I think what you're doing is...is attaching an amendment to Senator Netsch's bill that will probably kill the bill if it's...if it's alive, and I...I don't think that you should do that, and for that reason, I don't think you're serious with this amendment and, therefore, I oppose the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Smith.

SENATOR SMITH:

Mr. President and members of the Senate, I stand on a point of personal privilege, please.

PRESIDING OFFICER: (SENATOR DEMUZIO)

State your point.

SENATOR SMITH:

We have in our gallery here to my left the Mollison School students and with them are their instructors, Mr. Richard Loften, Mrs. Odessa Massey and Dorothy Gray. I'd like you to recognize their presence. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

If our guests in the gallery will please rise and be recognized by the Senate. Welcome to Springfield. All right, further discussion? If not, Senator Keats, do you wish to close?

SENATOR KEATS:

Only in closing, I seek your support. I...I appreciate you questioning our seriousness but, you know, we are dead

serious on this. I mean, our attitude is if we want to do the Governor which doesn't spend anywhere near the kind of money that the mayor does...excuse me, my...my handlers need to talk to me.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well...

SENATOR KEATS:

...the race that spends the most money should be the one that we look at first probably, and the mayoral race does tend to spend more money, so we are dead serious on that issue. The checkoff issue we are more than willing to do, and in terms of what may be a technical drafting error on Chicago's portion of the government distributive fund, I guarantee you that if this amendment goes on the bill, we will come back with that checkoff amendment. I would request a roll call because we are serious and we do feel that if we're going to deal with the major offices, we really cannot just separate out one at a time, we've got to go to where the...the big money is spent and those are the big money races.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Keats has requested a roll call. The question is on the adoption of Amendment No. 3 to Senate Bill 205. Those in favor of adoption of the amendment will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 24, the Nays are 33, 2 voting Present. The amendment...Amendment No. 3 having failed to...to receive a majority of those voting fails. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

AB 209  
2nd Reading

Page 130 - May 19, 1987

3rd...3rd reading. 209, Senator Jones. On the Order of  
Senate Bills 2nd Reading, Senate Bill 209, Madam Secretary.

END OF REEL

REEL #4

SECRETARY:

Senate Bill 209.

(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. 210, Senator Jones. On the Order of Senate Bills 2nd Reading, Senate Bill 210, Madam Secretary.

SECRETARY:

Senate Bill 210.

(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. Senate Bill 211, Senator Jones. On the Order of Senate Bills 3rd Reading, Senate Bill 211, Madam Secretary.

SECRETARY:

Senate...Senate Bill 211.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

*SB 236  
2nd reading*

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. All right. Is there...Senate Bill 236, is there...on the Order of Senate Bills 2nd Reading, Senate Bill 236, Madam Secretary. Read the bill.

SECRETARY:

Senate Bill 236.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

Yes, thank you, very much, Mr. President and Ladies and Gentlemen of the Senate. Senate Bill 236 was amended...this is a committee amendment. In the Insurance and Pensions Committee, it was determined by the...the...the chairman and the members of the committee that this bill...this amendment would incorporate...incorporate Senator Brookins, Senator Jacobs, Senator Davidson, Senator Weaver, Senator Vadalabene, Senator Ralph Dunn and Senator...I'm sorry, Ralph Dunn, 867 and...870, pension amendments all into this committee amendment. It provides for numerous benefit increases. I would suggest that it would...it probably be better to respond to questions than it would be to...to tell...to suggest everything that is in it. I would move adoption of Committee Amendment No. 1 unless someone has some questions that they might pose.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Demuzio moves the adoption of Amendment No. 1 to Senate Bill...Senator Fawell.  
SENATOR FAWELL:

Do...will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR SAVICKAS)



He indicates he will.

SENATOR FAWELL:

You say there's an increase. Do you have any idea what the fiscal impact of this bill is going to be by the time we get through?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

Yes, I do, Senator Fawell. There was a request for a fiscal note. There has one...been one that has been filed. I would suggest to you that there are various categories on the fiscal impact depending upon the pension system. I think it would probably be better off if we photocopied one of them and...and gave it to your staff if you don't already have it, and then perhaps be in a position to discuss it on 3rd reading.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

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

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR SCHUNEMAN:

I think the question was a fair one. What's the...what would be the increase in the unfunded accrued liability if this bill were to pass?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

Well, again, I'm not trying to beg the question and I'm not suggesting that the question wasn't fair. I will suggest to you that there are twelve pages to the fiscal note and I will attempt to answer that question as we go through. According to the Illinois Economic and Fiscal Commission, for

the teachers...the state teachers'...system, the increase in the accrued liability would be 3.6 million dollars which would be an increase in the annual cost of 2.25...two million two hundred fifty thousand. For the state employees' system, the increase in the accrued liability would be 2.9 million, an annual increase of three hundred and sixty thousand. For the state university system, 13.6 million and an annual increase in cost of 1.640.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Demuzio moves the adoption of Amendment No. 1 to Senate Bill 236. 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 242, Senator Kelly. Senate Bill 279, Senator Netsch. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 279.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. Amendment No. 1...Committee Amendment No. 1 is a technical amendment which corrected the reference to the Revenue Act to a correct reference to the retailer's occupation tax, which it was intended to be in the first place. I move the adoption of Amendment No. 1 to Senate Bill 279.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Netsch moves the adoption of Amendment No. 1 to Senate Bill 279. 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 302, Senator Joyce. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 302.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEROME JOYCE:

Thank you, Mr. President. This is a legislative oversight committee to watch over the Department of Nuclear Safety. As it was originally introduced, there were two members appointed by the Speaker and the President of the Senate and one member by the minority leaders, and I changed it to two members each. So there's...it's an eight-member panel

Instead of a six. I'd ask for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Wait this is the Floor amendment, right?

SENATOR JEROME JOYCE:

No. Yes...yes...yes.

PRESIDING OFFICER: (SENATOR SAVICKAS)

There is no committee amendment. Are there any other amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator...Jerome J. Joyce.

PRESIDING OFFICER: (SENATOR SAVICKAS)

That was the explanation for that Floor amendment. Is there discussion? If not, Senator Joyce moves the adoption of Amendment No. 1 to Senate Bill 302. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any other Floor amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 368, Senator Collins. Senate Bill 427, Senator Maitland. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 427.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

Senator Maitland offers Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President and Ladies and Gentlemen of the Senate. Amendment No. 1 simply assures that

funds disbursed by the regional superintendent of schools or regional educational service regions are not included, and I would move for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

(Machine cutoff)...there discussion? If...if not, Senator Maitland moves the adoption of Amendment No. 1 to Senate Bill 427. 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 442, Senator Netsch. Senate Bill 445, Senator D'Arco. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 445.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

Senator D'Arco offers Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. The amendment provides that except as otherwise provided by an act of Congress or by Federal law authorizing the Board of Governors of the Federal Reserve System to establish such time periods, that time period shall be controlling. That time period the amendment refers to is the time period established in Illinois law for determining how long banks and savings and loans can hold checks on deposit. The commissioner of savings and loans requested this amendment to specify what particular Federal

agencies would be preemptive of the State law, and with this amendment, we comply with his request and 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 445. 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 455, Senator Alexander. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 455.

(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 Alexander.

SENATOR ALEXANDER:

Thank you, Mr. President. I'm momentarily expecting an amendment to present it to the Floor and if time permits later when it arrives, may I again request this bill to be heard and the amendment attached and moved to 3rd?

PRESIDING OFFICER: (SENATOR SAVICKAS)

I would suggest that we move it to 3rd and bring it back on the recall sheet tomorrow.

SENATOR ALEXANDER:

...thank you. But I had promised the committee that I would definitely leave it lay there until the amendment has

been properly reviewed by those concerned. So we'll just leave it there.

PRESIDING OFFICER: (SENATOR SAVICKAS)

We'll leave...we'll take it out of the record. Senate Bill 456, Senator Woodyard. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 456.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

Senator Schuneman offers Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr...Mr. President. Amendment No. 1 was offered to answer the concerns that were raised in committee by the Weight Watchers people and the Diet Center people, and that amendment speaks to those concerns, but because the same language is included in a later amendment, I would ask that this amendment be withdrawn at this time.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? You've heard the motion. Senator Schuneman withdraws Amendment No. 1. Are there further amendments?

SECRETARY:

Amendment No. 2 offered by Senators Woodyard and Degnan.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Woodyard.

SECRETARY:

...I'm sorry, this will be No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

...Senator Woodyard on Amendment No. 1.

AB H68  
2nd Reading

SENATOR WOODYARD:

Thank you, Mr. President. Madam Secretary, there is an amendment after this one, correct? I would move to withdraw...Amendment No. 1 then.

PRESIDING OFFICER: (SENATOR SAVICKAS)

(Machine cutoff)...Woodyard, you're...you're withdrawing your Amendment No. 1? Are there further amendments?

SECRETARY:

Senator Woodyard offers Amendment...Senators Woodyard and Degnan offer Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Woodyard.

SENATOR WOODYARD:

Thank you, Mr. President, members of the Senate. This amendment addresses the concerns that Senator Schuneman alluded to and it does exempt Diet Centers, Weight Watchers, health food stores and so on from the Dietetic Practice...Practice Act which is actually the bill. So it does exempt those people from any licensure 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 456. Those in favor will vote...signify 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 468, Senator Joyce. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 468.

(Secretary reads title of bill)



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

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEROME JOYCE:

Yes, thank you, Mr. President. What this bill does is it deals with water when there've been significant withdrawals and create problems in areas where it takes water away from...from ground water wells particularly in irrigation and other...other things of that nature. What...what this...the...the committee...the committee amendment basically did was take the governing authority and share it...it used to be with the Soil and Water Conservation Districts, now it goes with the Department of Agriculture. Now in a Floor amendment that I have later, we'll get into this a little further. So I would ask for the adoption of the Amendment No. 1...committee amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Joyce moves the adoption of Committee Amendment No. 1 to Senate Bill 468. 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:

Senator Jerome Joyce offers Amendment No. 2.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEROME JOYCE:

Yes, thank you, Mr. President. This...this hopefully, addresses the concerns that the members of the committee had

AB484  
3rd Reading

and...as well as other people who were witnesses there that day. This still restricts the withdrawal to a hundred thousand gallons a day if it is causing problems, but what it does now is it says to the Department of Agriculture, we'll regulate that and it also says that and this gets to the heart of the...the problem that it only goes...it only will be...applicable to counties where the Iroquois River flows and that is Kankakee and Iroquois County only. So that, I believe, takes care of the problems that...people were expressing that the impact of this legislation might have across the state. So I would ask for the adoption or answer any questions.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Donahue.

SENATOR DONAHUE:

As spokesman on Ag, this was of major concern to us as the bill was originally, and we requested as it came out that somehow Senator Joyce limit it to the area in which the problem...his problem exists. We have just...as I understand it then...we...we've just gotten the amendment and really haven't had a chance to look at it, but from what Senator Joyce says, it does limit it. I think we'll have...might have more to say on 3rd reading, Senator, but at this point, you have addressed the committee's concern.

PRESIDING OFFICER: (SENATOR SAVICKAS)

If there's no further discussion, Senator Joyce moves the adoption of Amendment No. 2 to Senate Bill 468. 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. 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)

3rd reading. Senate Bill 487, Senator Karpiel. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 487.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on...Energy and Natural Resources offers three committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Karpiel.

SENATOR KARPIEL:

Thank you, Mr. President. Committee Amendment...did we...Committee Amendment No. 1 is just a technical amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is...Senator Karpiel, do you move the adoption of...technical Amendment No. 1?

SENATOR KARPIEL:

Yes, I'm sorry, yeah.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion on technical Amendment No. 1 to Senate Bill 487? If not, Senator Karpiel moves its adoption. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

Committee Amendment No. 2.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Karpel.

SENATOR KARPIEL:

Committee Amendment No. 2 removes the gas lighting restriction and I move for the adoption of Committee Amendment No. 2.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Karpel moves the adoption of Amendment No. 2 to Senate Bill 487. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

Committee Amendment No. 3.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Karpel.

SENATOR KARPIEL:

Committee Amendment No. 3 removes the six-month recertification requirement and I move for the adoption of Committee Amendment No. 3.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Karpel moves the adoption of Amendment No. 3 to Senate Bill 487. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 3 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 496, Senator Savickas. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 496.

(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 500, Senator Marovitz. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 500.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Elementary and Secondary Education offers Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. Amendment No. 1 was a amendment that was requested by the Education Committee, deletes the mandate that physical ed. courses six through twelve include AIDS prevention and I would ask for the adoption of Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Fawell. If there's no further discussion, Senator Marovitz moves the adoption of Amendment No. 1 to Senate Bill 500. 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:

Senator Fawell offers Amendment No. 2.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Fawell.

SENATOR FAWELL:

I'd like to withdraw Amendment No. 2, please.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Are there further amendments?

SECRETARY:

Senator Marovitz offers Amendment No. 2.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. Amendment No. 2 to Senate Bill 500 applies the written parental exemption to all classes includes an...AIDS instruction and I would ask for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Marovitz moves the adoption of Amendment No. 2 to Senate Bill 500. 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. Senate Bill 505, Senator Friedland. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 505.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Friedland.

SENATOR FRIEDLAND:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. The committee amendment reassures DOT access rights in Union County, you know, it's agreed to, urge its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Friedland moves the adoption of Amendment No. 1 to Senate Bill 505. 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:

Senator Ralph Dunn offers Amendment No. 2.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Dunn.

SENATOR RALPH DUNN:

Thank you, Mr. President. Amendment No. 2 authorizes the Department of Agriculture to convey 5.47 acres of land to the City of DuQuoin for purposes of economic development.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Dunn moves the adoption of Amendment No. 2 to Senate Bill 505. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

Senator Demuzio offers Amendment No. 3.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

Yes, I also have a conveyance of...to...of thirty-three acres to Freeze Brothers in Jacksonville. I would move adoption of Amendment No. 3.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Demuzio moves the adoption of Amendment No. 3 to Senate Bill 505. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 3 is adopted. Further amendments?

SECRETARY:

Senator Friedland offers Amendment No. 4.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Friedland.

SENATOR FRIEDLAND:

Thank you, Mr. President. This amendment releases some...reversionary rights and property that was purchased in the sixties and I'd urge its consideration...adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Friedland moves the adoption of Amendment No. 4 to Senate Bill 505. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 4 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 525, Senator Marovitz. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 525.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

Senator Marovitz offers Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President. These changes were



SB 527  
3rd Reading

suggested by discussions with the Chief Justice of the Supreme Court. It allows the Supreme Court to have supervisory authority over the chief judge of each circuit regarding disbursing the grants, making rules regarding operation of the dispute centers and the type of cases which judge...judges can refer to resolution centers and also specifies that unused funds would be retained by the local circuits. I would ask for 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 525. 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 527, Senator Marovitz. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 527.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

Senator Marovitz offers Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. Amendment No. 1 to Senate Bill 527 deletes the provision which changes the standard of care for certain board members. It retains the existing law regarding the fiduciary standard of care 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 527. 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 537, Senator Watson. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill...537.

(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 SAVICKAS)

Senator Watson.

SENATOR WATSON:

I'm going to ask a question of the...of the Secretary. Is this the technical amendment that was put on in committee?

SECRETARY:

May I read you the LRB number? I believe it's technical but I cannot tell from looking at the amendment. LRB 8505584SLPFAM.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Watson.

SENATOR WATSON:

We have a later amendment that's going to delete everything. So whatever the proper procedure is, if we want to withdraw this or move for its adoption, whichever is the proper process, why, the Chair can so do.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. It is a...it is a committee amendment, is that correct?

SENATOR WATSON:

That's correct.

PRESIDING OFFICER: (SENATOR DEHUZIO)

Well, why don't we just...why don't we just put it on and then your other...when your other amendment comes down here, we'll deal with it when it gets here. Senator Watson moves the adoption of Committee Amendment No. 1 to Senate Bill 537...5-3-7. Is there 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 DEHUZIO)

Any amendments from the Floor?

SECRETARY:

Senator Watson, Amendment...offers Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEHUZIO)

Senator Watson on Amendment No. 2.

SENATOR WATSON:

Yes, thank you, Mr. President. This now becomes the bill. This is the Illinois Optometric Practice Act and it's agreed to by the Illinois Department of Registration and Education, the Illinois optometrists, the ophthalmologists. We had a fiscal note that was filed on it and it's actually a revenue generator. They're increasing their fees and it should be an increase of about a hundred and five thousand dollars each year to go into the Illinois Disciplinary and Examining Fund for optometrists, and I move for its adoption.

PRESIDING OFFICER: (SENATOR DEHUZIO)

Senator Watson has moved the adoption of Amendment No. 2 to Senate Bill 537. 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. 541, Senator Degnan. 556, Senator DeAngelis. On the Order of Senate Bills 2nd Reading is Senate Bill 5-5-6, Madam Secretary.

SECRETARY:

Senate Bill 556.

(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. 564, Senator Marovitz. On the Order of Senate Bills 2nd Reading is Senate Bill 5-6-4, Madam Secretary.

SECRETARY:

Senate Bill 564.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, Mr. President. Amendment No. 1 to 564 is a technical amendment only. It's necessary to effectuate the intent of the bill. It revises the dollar limitation for the recovery for loss of support from seven hundred and fifty dollars to a thousand dollars which makes it consistent with the rest of the bill, and I would ask for the adoption of the

amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz has moved the adoption of Committee Amendment No. 1 to Senate Bill 564. 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 Marovitz offers Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Well...okay. I...I guess what we have to do, Mr. President...apparently, we have adopted the wrong amendment. So having voted on the prevailing side by the vote by which Amendment No. 1 was adopted, I move to reconsider the vote by which Amendment No. 1 was adopted.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Marovitz on the adoption of Committee No. 1...having voted on the prevailing side moves to reconsider the vote by which Committee Amendment No. 1 to Senate Bill 564 was adopted. Those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. The motion is now reconsidered...the amendment is now reconsidered. Senator Marovitz now moves to Table Committee Amendment No. 1. Is there discussion on Tabling? 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:

SB 687  
2nd reading

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Amendments from the Floor?

SECRETARY:

Senator Marovitz offers Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Amendment No. 2 was exactly what I explained as Amendment No. 1 which was faulty when it was drafted. It is the...it is a technical amendment only and I would ask for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, Senator Marovitz has moved the adoption of Amendment No. 2 to Senate Bill 564. 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. There's a fiscal note on 567 that has not been yet met, Senator Luft? 630, Senator Carroll. 687, Senator DeAngelis. On the Order of Senate Bills 2nd Reading is Senate Bill 687, Madam Secretary.

SECRETARY:

Senate Bill 687.

(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...I'm sorry, Senator DeAngelis offers Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. Floor Amendment No. 1 does two things. First of all, it changes the repository where the program is to be run from. The State Board of Education really didn't want to and it will be run out of Northern Illinois University. The other changes in the composition of the board where one of the two appointments from the Governor will be a minority or female person. I urge the adoption of Floor Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEHUZIO)

Senator DeAngelis has moved the adoption of Amendment No. 1 to Senate Bill 687. Is there discussion? Discussion? Discussion? Discussion? If not, the question is, ...all...all 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 DEHUZIO)

3rd reading. 688, Senator Poshard. Senate bills 2nd reading is Senate Bill 688, Madam Secretary.

SECRETARY:

Senate Bill 688.

(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. 706, Senator Severns. On the Order of Senate Bills 2nd Reading, Senate Bill 706, Madam Secretary. Read the bill, please.

SECRETARY:

Senate Bill 706.

(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 Severns.

SENATOR SEVERNS:

Thank...thank you, Mr. President and Ladies and Gentlemen of the Senate. Committee Amendment No. 1 becomes the bill, makes changes in benefits. It expands the definition of compensation for state employees and allows nonprofit corporations assuming control of a municipal hospital to participate in IMRF. I move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Severns has moved the adoption of Committee Amendment No. 1 to Senate Bill 706. 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:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 710, Senator Vadalabene. Senator Vadalabene on the Floor? 711, Senator...Senate Bill 711. On the Order of Senate Bills 2nd Reading is Senate Bill 711...let's take...take it out of the record for a moment. On the Order of Senate Bills 2nd Reading is Senate Bill 710. 710, Senator Vadalabene has returned to the Floor. Madam Secretary, read the bill, please.



SECRETARY:

Senate Bill 710.

(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. On the Order of Senate Bills 2nd Reading is Senate Bill 711, Madam Secretary.

SECRETARY:

Senate Bill 711.

(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 Berman.

SENATOR BERMAN:

Thank you, Mr. President. This amendment upon its adoption would make this bill include the...the provisions of Senate Bill 150, Senate Bill 711, Senate Bill 712, Senate Bill 866 and Senate Bill 1134, bills that dealt with a number of areas dealing with the pensions. I move the adoption of Committee Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, Senator Berman has moved the adoption of Committee Amendment No. 1 to Senate Bill 711. 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:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 713, Senator Kustra. On the Order of Senate Bills 2nd Reading is Senate Bill 713, Madam Secretary.

SECRETARY:

Senate Bill 713.

(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. Senate Bill 714, Senator Mahar. Senate bills 2nd reading is Senate Bill 714, Madam Secretary.

SECRETARY:

Senate Bill 714.

(Secretary reads title of bill)

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

PRESIDENT:

Senator Mahar on Committee Amendment No. 1.

SENATOR MAHAR:

Thank you, Mr. President. I have a Floor amendment which incorporates what the...the content of the committee amendment. So, at this point, I'd like to move to Table Committee Amendment No. 1.

PRESIDENT:

All right. Senator Mahar has moved to Tabled Committee Amendment No. 1 to Senate Bill 714. Any discussion on the motion to Table? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries.

Amendment No. 1 is Tabled. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

Senator Mahar offers Amendment No. 2.

PRESIDENT:

Senator Mahar on Amendment No. 2.

SENATOR MAHAR:

Thank you, Mr. President. This bill deals with the Illinois-Michigan Canal National Heritage Corridor Civic Center Authority. Based upon the comments in committee, the...the bill does three things. First of all, the...the committee's request that the...because the authority is expanded by one member which allows for an even numbered board that it takes seven votes to pass their initiatives. Number two, it redefines the boundaries of the corridors such that they do not expand the corridor but...or the civic center authority but such that it does not overlap with the DuPage County Civic Center Authority. And, finally, it makes one technical name change and adds the word "heritage" to the title and I would move its adoption.

PRESIDENT:

Senator Mahar has moved the adoption of Amendment No. 2 to Senate Bill 714. 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 Madigan offers Amendment No. 3.

PRESIDENT:

Senator Madigan on Amendment No. 3 to Senate Bill 714,  
Madam Secretary?

SECRETARY:

SB 719  
2nd Reading

I apologize, wrong...wrong bill. No further committee amendments...no further Floor amendments.

PRESIDENT:

3rd reading. 719, Senator Jerome Joyce. On the Order of Senate Bills 2nd Reading, bottom of page 5, is Senate Bill 719. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 719.

(Secretary reads title of bill)

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

PRESIDENT:

Senator Joyce on Committee Amendment No. 1.

SENATOR JEROME JOYCE:

Yes, thank you, Mr. President. This restores the sixty-dollar limit on printed materials that liquor manufacturers and distributors may supply to retailers and raises the limitation signs provided inside the premises from two hundred to four hundred dollars.

PRESIDENT:

Senator Joyce has moved the adoption of Committee Amendment No. 1 to Senate Bill 719. 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. On the Order of Senate Bills 2nd Reading, Senate Bill 720. Read the bill...Madam Secretary.

SECRETARY:

Senate Bill 720.

(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. 722. On the Order of Senate Bills 2nd Reading, bottom of page 5, is Senate Bill 722. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 722.

(Secretary reads title of bill)

2nd reading of the bill. The...the Committee on Public Health, Welfare and Corrections offers Amendment No. 1.

PRESIDENT:

Senator Joyce on Committee Amendment No. 1.

SENATOR JEROME JOYCE:

Thank you, Mr. President. This deletes the language that limited the Department of Public Aid's power to increase the valuation of capital assets of nursing homes and developing reimbursement rates for skilled and immediate care nursing services if the owner...if the ownership of the facility has changed. It removes some of the objection from the Department of Public Aid and was recommended by the Illinois Health Care. I'd...

PRESIDENT:

All right. Senator Joyce has moved the adoption of Amendment No. 1 to Senate Bill 722. Discussion? If not, all in favor indicate by saying Aye. All...I beg your pardon, Senator Topinka.

SENATOR TOPINKA:

No, I just have a question if I might of the sponsor. Is

it...

PRESIDENT:

Sponsor indicates he will yield.

SENATOR TOPINKA:

It's...it's my understanding you are still in negotiations with the Department of Public Aid on this and you will be...you will move the...bill back to 2nd if need be. Okay.

PRESIDENT:

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Yes.

PRESIDENT:

Indicates in the affirmative. All right. Senator Joyce has moved the adoption of Committee Amendment No. 1 to Senate Bill 722. Further discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. Top of page 6, Senator Madigan. On the Order of Senate Bills 2nd Reading, Senate Bill 724. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 724.

(Secretary reads title of bill)

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

PRESIDENT:

Senator Madigan on Committee Amendment No. 1.

SENATOR MADIGAN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Committee Amendment No. 1 just spells out what personnel are covered under by this...by this bill.

PRESIDENT:

All right. Senator Madigan has moved the adoption of Committee Amendment No. 1 to Senate Bill 724. 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 Madigan offers Amendment No. 2.

PRESIDENT:

Senator Madigan on Amendment No. 2 to Senate Bill 724.  
Senator Madigan.

SENATOR MADIGAN:

Pardon me, Mr. President, I think I just gave the Floor amendment to that bill. Was there...was there a committee amendment?

PRESIDENT:

There's...there is a committee amendment and also a Floor amendment having been filed. Senator Madigan.

SENATOR MADIGAN:

Yeah. On the committee amendment, if we could go back to that...or the Floor amendment is what I just covered, but the committee amendment, I reported incorrectly, Mr. President.

PRESIDENT:

Well, it...it has already been adopted. Your reporting, frankly, is immaterial unless you want to Table it.

SENATOR MADIGAN:

(Machine cutoff)...for adoption of the Floor amendment,  
Mr. President.

PRESIDENT:

All right. Senator Madigan is moving to adopt...Senator Berman and others Amendment No. 2 to Senate Bill 724. If there's no 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. 742, Senator Watson. On the Order of Senate Bills 2nd Reading is Senate Bill 742. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 742.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

Senator Watson offers Amendment No. 1.

PRESIDENT:

Senator Watson on Amendment No. 1.

SENATOR WATSON:

Thank you, Mr. President. This is an agreed amendment between the Department of State Police and the Department of Public Aid. It clarifies some of the language that they were concerned with. I move for its adoption.

PRESIDENT:

All right. Senator Watson has moved the adoption of Amendment No. 1 to Senate Bill 742. 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. 744, Senator Woodyard. On the Order of Senate Bills 2nd Reading is Senate Bill 744. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 744.

(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. 745, Senator Woodyard. On the Order of Senate Bills 2nd Reading is Senate Bill 745. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 745.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Elections and Reapportionment offers Amendment No. 1.

PRESIDENT:

Senator Woodyard on Committee Amendment No. 1.

SENATOR WOODYARD:

Thank you, Mr. President and members of the Senate. I wish to Table...Committee Amendment No. 1.

PRESIDENT:

All right. Senator Woodyard has moved to Table Committee Amendment No. 1 to Senate Bill 745. Any discussion on the motion to Table? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The motion prevails and Amendment No. 1 is Tabled. Further amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

Senator Woodyard offers Amendment No. 2.

PRESIDENT:

Senator Woodyard on Amendment No. 2.

SENATOR WOODYARD:

Thank you, Mr. President. Amendment No. 2 is very similar to the committee amendment and was recommended by the committee for adoption and the bill itself deals with the election of county highway superintendents. The amendment establishes the minimum salaries that the committee recommended to us being thirty thousand dollars per year. I would move for its adoption.

PRESIDENT:

All right. Senator Woodyard has moved the adoption of Amendment No. 2 to Senate Bill 745. If there's no 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. 762, Senator Topinka. On the Order of Senate Bills 2nd Reading, Senate Bill 762. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 762.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

*SB 771  
2nd Reading*

Senator Topinka offers Amendment No. 1.

PRESIDENT:

Senator Topinka on Amendment No. 1.

SENATOR TOPINKA:

Yes, the amendment basically puts together the mild disagreement that was going on on this bill between the Department of Agriculture and the Department of Conservation and now they are agreed on it. It basically delineates the duties of the Department of Agriculture in administering this bill and provides some definitions and regular procedures for its operation.

PRESIDENT:

All right. Senator Topinka has moved the adoption of Amendment No. 1 to Senate Bill 762. 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. 771, Senator Smith. On the Order of Senate Bills 2nd Reading is Senate Bill 7-7-1. Read the bill, 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 Amendment No. 1.

PRESIDENT:

Senator Smith on Committee Amendment No. 1.

SENATOR SMITH:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. The amendment to Senate Bill 771 is a violation of the Act or the confidentiality provision or any regulation issued here unto shall constitute a Class B...misdemeanor,

six months or five hundred dollars. It was encouraged by the Subcommittee on AIDS of Public Health and the Department of Public Health just neutral on this bill and amendment.

PRESIDENT:

Senator...

SENATOR SMITH:

I move for...

PRESIDENT:

...Senator Smith has moved the adoption of Amendment No. 1 to Senate Bill 771. 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 committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 774, Senator Welch. 795, Senator Savickas. On the Order of...I beg your pardon? All right. On the Order of Senate Bills 2nd Reading, Senate Bill 795. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 795.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

Senator Savickas offers Amendment No. 1.

PRESIDENT:

Senator Savickas on Amendment No. 1.

SENATOR SAVICKAS:

Yes, Mr. President, members of the Senate, Amendment No. 1 would delete the ability to have greyhound racing throughout the state except in the two areas that have been concerned with it where both the legislators and the community have expressed support of it, that is for Peoria and in Cahokia. The...amendment would authorize one license to be granted for dog racing in a county with a population between two hundred thousand and four hundred thousand which has an active horse race track and an inactive track at which horse racing was conducted within ten years preceding the effective date of this amendatory Act. And the one remaining license shall be granted for dog racing at a facility located within a hundred and seventy-five miles of the track with respect to which a license is granted under the first provision provided that no more than one license shall be granted for dog racing in any county. And no organization license may be granted to conduct a dog race meeting. A fiscal note was requested and we do have a note from the Illinois Racing Board and I would like to read one paragraph in there that would answer some of the concerns on the revenue. It says that, "There would be significant increases to the current budget levels if dog racing is initiated in addition to the current horse racing schedule. The impact is less significant if the dogs replace certain horse race meetings" of which, obviously, there is no intention to do that. Since there has been such a concern in the northern end from the tracks and some of the legislators regarding greyhound racing, we thought it's fit to allow that those communities and those areas that wish to support this type of legislation and wish to benefit from its job market skills and its revenues that it should be done. I would move the adoption of Amendment No. 1 to Senate Bill 795.

PRESIDENT:

All right. Senator Savickas has moved the adoption of Amendment No. 1 to Senate Bill 795. Discussion? Senator

Topinka.

SENATOR TOPINKA:

Yes, if I may ask a question of the sponsor.

PRESIDENT:

The sponsor indicates he'll yield, Senator Topinka.

SENATOR TOPINKA:

Yeah, have you had any meetings with or have any sign-off or opinions from the Humane Society either of Illinois or America or that whole concept or the Anti-Cruelty Society on this?

PRESIDENT:

Senator Savickas.

SENATOR SAVICKAS:

Senator, when I introduced this legislation last Session and let this concept sit for over a year hoping to receive some input from any of these groups, and I don't know if you meant the Dental Society, is that what you had said, but we sat here for a year waiting for some input from them, as I had indicated in my comments when I removed the bill from consideration. I have received as of this date not one letter or one concerned opinion regarding greyhound racing. Obviously, for the whole year, they weren't concerned. I...I...that's all I can answer you.

PRESIDENT:

Senator Topinka.

SENATOR TOPINKA:

If I may just ask, do they remain in opposition?

PRESIDENT:

Senator Savickas.

SENATOR SAVICKAS:

I'm sorry, I didn't hear that.

PRESIDENT:

Senator Topinka.

SENATOR TOPINKA:

Do they remain in opposition?

PRESIDENT:

Senator Savickas.

SENATOR SAVICKAS:

Well, Senator, as I've said, I have received no correspondence and no indication...no personal correspondence or personal...communication. I have no idea.

PRESIDENT:

(Machine cutoff)...discussion? Senator Fawell.

SENATOR FAWELL:

Thank you, very much. In answer to the last speaker's question, I happen to have a letter I, frankly, just threw away from the Humane Society of the United States, Washington D.C., "Dear Senator, the Humane Society of the United States on behalf of its members and constituents in the State of Illinois request that you vote against Senate Bill 795 or any other bill that would legalize parimutuel gambling on dog racing. The society is opposed to the legalization of parimutuel dog racing because this activity results in unjustifiable exploitation abuse of the dogs forced to participate in these events." I would be happy to share the bill...I mean the letter with the sponsor.

PRESIDENT:

Further discussion? Senator Macdonald.

SENATOR MACDONALD:

Thank you, Mr. President. I also rise to inform the sponsor that I not only got that communication just read by the former Senator, but I have received a substantial amount of mail not only during this Session but over the past year that the sponsor has spoken of and...since his introduction of this bill, there has been a continuing opposition to this particular piece of legislation by constituents of mine and even people who have written to me throughout Illinois opposing this particular bill.

PRESIDENT:

All right. The question is the adoption of Amendment No. 1. Any further discussion? Senator Savickas, you wish to close?

SENATOR SAVICKAS:

Just one comment that obviously Senator Fawell's constituency runs to Washington D.C. She hasn't shown me any indication that people in her community are opposed to this, and I...I think that's true throughout our communities. We get letters from Washington, D.C. that are trying to regulate our concerns when we are...when we talk about racing, we are in a competition with Missouri, Iowa, Wisconsin and Indiana and we're sitting here in the middle wondering what Washington D.C. cares about and, yet, everybody...all the states around us are just slowly inching away taking the revenue from our...our state. I would ask for your support of this amendment.

PRESIDENT:

Senator Savickas has moved the adoption of Amendment No. 1 to Senate Bill 795. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

ACTING SECRETARY: (MR. HARRY)

No further amendments.

PRESIDENT:

3rd reading. 798, Senator Savickas. On the Order of Senate Bills 2nd Reading, Senate Bill 798. Read the bill, Madam Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 798.

(Secretary reads title of bill)

The Committee on Insurance offers one amendment.

PRESIDENT:

Senator Savickas on Committee Amendment No. 1.



SENATOR SAVICKAS:

Yes, there was a committee amendment and it was...I guess in 1985...the renewal money was missed and they're putting all the new fees into the enforcement for..licensing and testing and it's...it's a administration amendment.

PRESIDENT:

Senator Savickas has moved the adoption of Committee Amendment No. 1 to Senate Bill 798. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

ACTING SECRETARY: (MR. HARRY)

No further amendments.

PRESIDENT:

Any amendments from the Floor? 3rd reading. 802, Senator Philip. Bottom of page 6, 802. On the Order of Senate Bills 2nd Reading, Senate Bill 802...I beg your pardon, Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I'd like to refer it back to the committee whence it came which I believe is Local Government.

PRESIDENT:

All right. The gentleman has moved to rerefer Senate Bill 802 to the committee from whence it came. All in favor of the motion to rerefer indicate by saying Aye. All opposed. The Ayes have it. The motion carries. Senate Bill 802 is rereferred. 804, Senator Schuneman. On the Order of Senate Bills 2nd Reading is Senate Bill 804. Read the bill, Madam...Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 804.

(Secretary reads title of bill)

The Committee on Public Health offers one amendment.

PRESIDENT:

Senator Schuneman on Committee Amendment No. 1.

SENATOR SCHUNEMAN:

Thank you, Mr. President. Committee Amendment No. 1 made some changes in the responsibility for distributing the pertussis pamphlet which is required under this legislation. It was basically an agreement with the Medical Society with the exception of any immunity provisions and I would move adoption of that amendment.

PRESIDENT:

All right. Senator Schuneman has moved the adoption of Committee Amendment No. 1 to Senate Bill 804. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

ACTING SECRETARY: (MR. HARRY)

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. HARRY)

Amendment No. 2 offered by Senator Schuneman.

PRESIDENT:

Senator Schuneman on Amendment No. 2.

SENATOR SCHUNEMAN:

...Mr. President, I'm advised that we may need do something different here. Could we have just a moment?

PRESIDENT:

All right. Take it out of the record, Mr...Mr. Secretary. Let's just take it out and we'll get back to it...812, Senator Savickas. On the Order of Senate Bills 2nd Reading, Senate Bill 812. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 812.

(Secretary reads title of bill)

The Committee on Transportation offers one amendment...or no,

no amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. HARRY)

No Floor amendments.

PRESIDENT:

3rd reading. 813, Senator Poshard. On the Order of Senate Bills 2nd Reading is Senate Bill 813. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 813.

(Secretary reads title of bill)

No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. HARRY)

Senator Poshard offers Amendment No. 1.

PRESIDENT:

Senator Poshard on Amendment No. 1.

SENATOR POSHARD:

Yes, thank you, Mr. President. Mr. President, the original legislation here set forth certain staff and workload standards for the Department of Children and Family Services in regard to that department's handling of child abuse cases. The department has recommended this amendment to Senate Bill 813. It gives the department more flexibility than the original bill in meeting those standards and extends the compliance date to the June 30th, 1992. I'd recommend adoption of the amendment.

PRESIDENT:

All right. Senator Poshard has moved the adoption of Amendment No. 1 to Senate Bill 813. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

ACTING SECRETARY: (MR. HARRY)

No further amendments.

PRESIDENT:

3rd reading. 814, Senator Poshard. On the Order of Senate Bills 2nd Reading is Senate Bill 814. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 814.

(Secretary reads title of bill)

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

PRESIDENT:

Senator Poshard on Committee Amendment No. 1.

SENATOR POSHARD:

Yes, thank you, Mr. President. This amendment merely changes the population threshold from thirty thousand to twenty thousand for two or more counties that desire to operate a regional ambulance system. I'd hope the amendment would be adopted.

PRESIDENT:

Senator Poshard has moved the adoption of Amendment No. 1 to Senate Bill 814. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

ACTING SECRETARY: (MR. HARRY)

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. HARRY)

No Floor amendments.

PRESIDENT:

3rd reading. 822, Senator Harovitz. On the Order of Senate Bills 2nd Reading, Senate Bill 822. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 822.

(Secretary reads title of bill)

The Committee on Judiciary offers one amendment.

PRESIDENT:

Senator Marovitz on Committee Amendment No. 1.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members. Amendment No. 1 to Senate Bill 822 provides a notice of proceedings in probate must be given to beneficiaries of a trust if the beneficiary possesses a vested interest and is an heir or legatee. Originally, the bill did not provide for notice to the beneficiaries. This gives notice to the beneficiaries.

PRESIDENT:

All right. Senator Marovitz has moved the adoption of Amendment No. 1...Committee Amendment No. 1 to Senate Bill 822. Discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President, will the sponsor yield for a question?

PRESIDENT:

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

SENATOR GEO-KARIS:

Then, Senator, the way it's written and...in our...our Calendar is wrong, 'cause it says it amends the Probate Act to provide that notice of a county is not required to be given to a beneficiary. Under your amendment...under your amendment notice is required to be given...is it to the primary beneficiary?

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

This amendment was drafted at your suggestion as you wished and it will provide for notice to the beneficiary.

PRESIDENT:

Further discussion? If not, Senator Marovitz has moved the adoption of Committee Amendment No. 1 to Senate Bill 822. All in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Are there further amendments?

ACTING SECRETARY: (MR. HARRY)

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. HARRY)

No Floor amendments.

PRESIDENT:

3rd reading. Senator Schuneman. All right, with leave of the Body, we'll move back up. Senator Schuneman indicates that he is now ready to proceed on Senate Bill 804. On the Order of Senate Bills 2nd Reading, Senate Bill 804, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 804.

(Secretary reads title of bill)

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

PRESIDENT:

Senator Schuneman on Committee Amendment No. 1.

SENATOR SCHUNEMAN:

Thank you, Mr. President. I move to Table Committee...Committee Amendment No. 1.

PRESIDENT:

All right. Senator Schuneman has moved to Table Committee Amendment No. 1 to Senate Bill 804. All in favor of the motion to Table indicate by voting Aye. All opposed. The Ayes have it. Motion prevails. Amendment No. 1 is Tabled. Further amendments?

ACTING SECRETARY: (MR. HARRY)

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. HARRY)

Amendment No. 2 offered by Senator Schuneman.

PRESIDENT:

Senator Schuneman on Amendment No. 2.

SENATOR SCHUNEMAN:

Thank you, Mr. President. Amendment No. 2 adds the provisions that were in Amendment No. 1 that we just Tabled and, in addition to that, provides certain immunities for the doctors and the hospitals who are being required to distribute this pamphlet that is provided under the Act. I would move adoption of Amendment No. 1.

PRESIDENT:

All right. Senator Schuneman has moved adoption of Amendment No. 2 to Senate Bill 804. Any discussion? If not, all in favor indicate by...saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

ACTING SECRETARY: (MR. HARRY)

No further amendments.

PRESIDENT:

3rd reading. Top of page 7, 833, Senator Poshard. On the Order of Senate Bills 2nd Reading is Senate Bill 833. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 833.

(Secretary reads title of bill)

The Committee on Public Health offers Amendment No. 1.

PRESIDENT:

Senator Poshard on Committee Amendment No. 1.

SENATOR POSHARD:

Yes, thank you, Mr. President. Mr. President, I would

like to move to Table Committee Amendment 1, that will be included in a Floor amendment I'd like to offer.

PRESIDENT:

All right. Senator Poshard has moved to Table Committee Amendment No. 1 to Senate Bill 833. All in favor of the motion to Table indicate by saying Aye. All opposed. The Ayes have it. The motion prevails. Amendment No. 1 is Tabled. Further amendments?

ACTING SECRETARY: (MR. HARRY)

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. HARRY)

Amendment No. 2 offered by Senators Poshard and Smith.

PRESIDENT:

Senator Poshard.

SENATOR POSHARD:

Yes, thank you, Mr. President. Mr. President, the purpose of this amendment is to limit the fiscal impact of this bill. It was recommended to us by the Department of Public Aid, and with this amendment, Public Aid will support Senate Bill 833. The amendment will allow the department to use its discretion in establishing income standards between the medical assistance standard and the Federal poverty level. It will also eliminate the presumptive eligibility provision that was included in the original bill. I move for the passage of the amendment.

PRESIDENT:

All right. Senator Poshard has moved the adoption of Amendment No. 2 to Senate Bill 833. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

ACTING SECRETARY: (MR. HARRY)

No further amendments.



PRESIDENT:

3rd reading. 841, Senator Karpel. On the Order of Senate Bills 2nd Reading, Senate Bill 841. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 841.

(Secretary reads title of bill)

The Committee on Executive offers one amendment.

PRESIDENT:

Senator Karpel.

SENATOR KARPIEL:

Thank you, Mr. President. Committee Amendment No. 1 is more or less a technical amendment. The Secretary of State and other departments felt that the placement and the paragraph that this language was put in made...gave it more substance than it really had. The amendment has made everybody happy and I ask for the adoption of Committee Amendment No. 1.

PRESIDENT:

All right. Senator Karpel has moved the adoption of Amendment No. 1 to Senate Bill 841. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

ACTING SECRETARY: (MR. HARRY)

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. HARRY)

No Floor amendments.

PRESIDENT:

3rd reading. 843, Senator Collins. On the Order of Senate Bills 2nd Reading is Senate Bill 843. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 843.

(Secretary reads title of bill)

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

PRESIDENT:

Senator Collins on Committee Amendment No. 1.

SENATOR COLLINS:

Thank you. Committee Amendment No. 1 changed the bill from expungement of records to sealing of the records and it raised the...the number of years from seven until ten. The reason we did that is because it was basically the consensus that the expungement bill would not pass and so we...you know, it's very important that we get something on the record so we...we accepted that amendment. Move for the adoption.

PRESIDENT:

All right. Senator Collins has moved the adoption of Amendment No. 1 to Senate Bill 843. Discussion? Senator Hawkinson.

SENATOR HAWKINSON:

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

PRESIDENT:

Sponsor indicates she will yield.

SENATOR HAWKINSON:

Senator, who will have access to these...who will have access to these sealed records?

PRESIDENT:

Senator Collins.

SENATOR COLLINS:

Who would have access to those sealed records? No one...except...I guess the law enforcement if...if...if the need would arrive that they would have the access to it.

PRESIDENT:

Senator Hawkinson.

AB 848  
2nd Reading

SENATOR HAWKINSON:

Thank you. I'm advised that the amendment or the...neither the amendment nor the bill provides for access to law enforcement and I think that that should...that they should have access, and unless your bill would...an amendment would provide for that access by law enforcement, I would have to oppose it.

PRESIDENT:

Senator Collins.

SENATOR COLLINS:

...intensive to make sure that...that law enforcement had access to those sealed records, so we have no problems...you know, putting that amendment on. We can move the bill to 3rd and if you want to do it, fine, we can move it back on recall for that clarifying amendment.

PRESIDENT:

All right. Senator Collins has moved the adoption of Committee Amendment No. 1 to Senate Bill 843. Further discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

ACTING SECRETARY: (MR. HARRY)

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. HARRY)

No Floor amendments.

PRESIDENT:

3rd reading. 848, Senator Jacobs. On the Order of Senate Bills 2nd Reading is Senate Bill 848. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 848.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. HARRY)

Amendment No. 1 offered by Senator Jacobs.

PRESIDENT:

Senator Jacobs on Amendment No. 1.

SENATOR JACOBS:

Thank you, Mr. President. This amendment deletes everything after the enacting clause, it becomes the bill. This creates the Quad-City Regional Economic Development Authority to promote industrial, commercial, residential service and transportation activities and facilities in the four-county area of Rock Island, Henry, Mercer and Whiteside and it permits the authority to issue revenue bonds. I might make a comment, it has no taxing authority; however, revenue bonds may be issued. The bill does define appropriate terms, declares the authority to make up the committee, permits the board to create a task force to study economic development and it may issue revenue bonds for various projects. The authority may enter into intergovernmental agreements with various entities. It disallows the authority to levy any tax or special assessment and the authority shall have the power of quick-take for a period of three years after the effective date, and then it makes the effective date immediately. There will be another amendment to be offered which takes away the quick-take provision of this and I ask for your favorable support.

PRESIDENT:

All right. Senator Jacobs has moved the adoption of Amendment No. 1 to Senate Bill 848. Discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

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

Senate. I simply want the record to reveal that while this is offered as a regional development authority including two of the counties that I represent, Henry County and Whiteside County, I think it's fair to represent the position of those counties as being in support of the concept for the Quad-Cities...for the benefit of the Quad-Cities. There is great concern in...both of those counties as to whether or not our counties really ought to be included, and certainly if there is any kind of financial obligation that falls upon our counties, we perhaps at some point in this negotiation would want to be excluded from this authority. But with the understanding of the sponsor and everybody involved that everybody is in agreement with that, I certainly do support the amendment that's offered by Senator Jacobs.

PRESIDENT:

All right. Senator Jacobs has moved the adoption of Amendment No. 1 to Senate Bill 848. All in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

ACTING SECRETARY: (MR. HARRY)

Amendment No. 2 offered by Senator Jacobs.

PRESIDENT:

Senator Jacobs on Amendment No. 2.

SENATOR JACOBS:

Amendment No. 2 strictly removes the quick-take eminent domain powers contained in the bill.

PRESIDENT:

Senator Jacobs has moved the adoption of Amendment No. 2 to Senate Bill 848. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

ACTING SECRETARY: (MR. HARRY)

No further amendments.

PRESIDENT:

3rd reading. 856, Senator Kustra. On the Order of Senate Bills 2nd Reading is Senate Bill 856. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 856.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. HARRY)

Amendment No. 1 offered by Senator Kustra.

PRESIDENT:

Senator Kustra on Amendment No. 1.

SENATOR KUSTRA:

Thank you, Mr. President and members of the Senate. Amendment No. 1 becomes the bill and this is a bill that arises as a result of the reorganization of the assessment function in Cook County. As a result of that reorganization, there will be a number of school districts in Cook County that will be reassessed every five years...on a one-time basis instead of every four years. As a result of that, they are going to lose significant revenues and they need a hold harmless to protect them in the meantime. What this bill does is authorize a supplemental tax which for one year would catch those school districts which will lose as a result of the five-year reassessment problem. I would urge its adoption.

PRESIDENT:

Senator Kustra has moved the adoption of Amendment No. 1 to Senate Bill 856. Any discussion? Senator Demuzio.

SENATOR DEMUZIO:

I...I'm sorry, Senator Kustra, I...I just walked back here and I, frankly, didn't hear the explanation. If you could just be very brief again, please.

PRESIDENT:

Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President. Yes, first of all, I forgot to mention that Senator Berman is aware of this, he's helped work out the agreement which we've reached. But, again, in Cook County because of a reorganization of the assessment function, there are a group of school districts in the north and northwest suburbs which will not be reassessed after the fourth year, they're going to be reassessed after the fifth year. As a result, they're going to suffer declining revenues as...because they will not have that increased assessed valuation. Consequently, this bill would allow those school districts to implement a supplemental tax to make up the difference. And as I said, Senator Berman, as chairman of the Senate Education Committee has signed off on this.

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

Yes, he's on...he's in the phone booth, I just got the message. But for my own edification, what happens on the equal...on the EAV? Is there...does this have anything to do with...doesn't have anything to do...okay.

PRESIDENT:

Senator Kustra, can we take this out of the record for a moment. There's rampant confusion here. We'll get right back to it, I promise you...has copies been distributed so that everybody from Cook County has a copy of this? All right. Take it out of the record. We'll get back to that one. 861, Senator Schuneman. On the Order of Senate Bills 2nd Reading, Senate Bill 861. Read the bill.





REEL #5

ACTING SECRETARY: (MR. HARRY)

Senate Bill 861.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. HARRY)

Amendment No. 1 offered by Senator Schuneman.

PRESIDENT:

Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. 861 was introduced in an effort to try to get at what I consider to be kind of an unfair practice of insurance companies who sometimes set up a premium rating system for auto insurance under which they can charge for each and every little ticket that anybody might get. And Amendment No. 1 simply says that no insurance company authorized to write your auto insurance in Illinois may raise the premium rates on renewal if your sole offense was to have a speeding ticket...one speeding ticket in excess of ten miles an hour and no claim for damages resulted; that is if there was no accident and it was simply a speeding ticket where you were exceeding the speed by ten miles an hour, they can't raise your premium rate on renewal solely because of that. Move adoption of the amendment.

PRESIDENT:

All right. Senator Schuneman has moved the adoption of Amendment No. 1 to Senate Bill 861. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

ACTING SECRETARY: (MR. HARRY)

No further amendments.

PRESIDENT:

3rd reading. 875, Senator Holmberg. On the Order of Senate Bills 2nd Reading is Senate Bill 875. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 875.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. HARRY)

Amendment No. 1 offered by Senator Holmberg.

PRESIDENT:

Senator Holmberg on Amendment No. 1.

SENATOR HOLMBERG:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. The amendment basically becomes the bill and inserts legislation which provides for a college savings bond program. This amends the GO Bond Act to provide for the sale of 0 coupon bonds as college savings bonds. The task force studying this particular problem felt that this should be an option offered to the parents of Illinois as a possible savings for their students to go to college. We are talking about tuition programs, this is something that could be used in other ways to pay other expenses of college. It would do just this; it would provide a bond authorization level of three hundred million for the sale of the bonds, the director of the Bureau of the Budget would determine the time and amounts that would be available for sale as college savings bonds and the bonds would be designated as General Obligation College Savings Bonds. An important feature would be that the college savings bonds would be free from state taxation. The Governor and director of BOB may provide for additional

SB 897  
2nd Reading

financial incentives to encourage the enrollment of students at institutions of higher education located in Illinois, and there has been some discussion about doing just that. It excludes the investment and college savings bonds from a needs assessment by the Scholarship Commission which should perform...provide an added incentive. And then one more point, it will require that the Board of Higher Education and the Scholarship Commission develop a program to inform parents of the benefits of preparing for future college education. And I would move the passage of this amendment.

PRESIDENT:

Senator Holmberg has moved the adoption of Amendment No. 1 to Senate Bill 875. Any discussion? Senator Collins.

SENATOR COLLINS:

I'm sorry, I couldn't hear. I'd like to know how does...the bill...the amendment differ from the amendment that was put on 17?

PRESIDENT:

Senator Holmberg.

SENATOR HOLMBERG:

This is college savings bonds, the amendment that went on 17, of which I am also the cosponsor, is a trust program. One of these complements the other, they are both not the same thing.

PRESIDENT:

All right. Senator Holmberg has moved the adoption of Amendment No. 1 to Senate Bill 875. Further discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

ACTING SECRETARY: (MR. HARRY)

No further amendments.

PRESIDENT:

3rd reading. 877, O'Daniel. Senator O'Daniel on the Floor? 897, Senator Jones. On the Order of Senate Bills 2nd

Reading, Senate Bill 897. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 897.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. HARRY)

No Floor amendments.

PRESIDENT:

3rd reading. On the Order of Senate Bills 2nd Reading, Senate Bill 898. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 898.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. HARRY)

No Floor amendments.

PRESIDENT:

3rd reading. 900, Senator Watson. On the Order of Senate Bills 2nd Reading is Senate Bill 900. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 900.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. HARRY)

Amendment No. 1 offered by Senator Watson.

PRESIDENT:

Senator Watson on Amendment No. 1.

SB 905  
2nd Reading

SENATOR WATSON:

Thank you, Mr. President. This amendment deletes the last paragraph of the original legislation and it sets up a situation in which the Department of Transportation will be able to negotiate and enter into a contract with the water users along the Kaskaskia River. But it will only be for water that is actually withdrawn from the river during the drought or an emergency situation that has...that has necessitated a...what they call a navigational release in order to float the barges down the Mississippi. This also states that no charge or surcharge shall be made for the storage or the reservation rights of the water to be in the Carlyle Lake or Lake Shelbyville. I move for its adoption.

PRESIDENT:

Senator Watson has moved the adoption of Amendment No. 1 to Senate Bill 900. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

ACTING SECRETARY: (MR. HARRY)

No further amendments.

PRESIDENT:

3rd reading. 905, Senator Schuneman. On the Order of Senate Bills 2nd Reading is Senate Bill 905. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 905.

(Secretary reads title of bill)

The Committee on Insurance offers one amendment.

PRESIDENT:

Senator Schuneman, on Committee Amendment No. 1.

SENATOR SCHUNEMAN:

Thank you, Mr. President. So we don't get confused again on these amendments and their numbers, I'd ask the Secretary, there is a Committee Amendment No. 1 and then there is also a

Floor amendment, am I correct?

ACTING SECRETARY: (MR. HARRY)

No Floor amendment.

SENATOR SCHUNEMAN:

No Floor amendment, so...and the Committee Amendment No. 1...the LRB number ends in 01623RESBAM03.

ACTING SECRETARY: (MR. HARRY)

That's correct.

SENATOR SCHUNEMAN:

Okay. I would move adoption of Committee Amendment No. 1, Mr. President.

PRESIDENT:

All right. Senator Schuneman has moved the adoption of Committee Amendment No. 1 to Senate Bill 905. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

ACTING SECRETARY: (MR. HARRY)

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. HARRY)

No Floor amendments.

PRESIDENT:

3rd reading. All right. Senator Kustra, Senator Berman has indicated he's ready to lend a hand on 856. Mr. Secretary, on the Order of Senate Bills 2nd Reading, the middle of page 7, is Senate Bill 856. Read the bill, please.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 856.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Amendments from the Floor?

ACTING SECRETARY: (MR. HARRY)

Amendment No. 1 offered by Senator Kustra.

PRESIDENT:

Senator Kustra on Amendment No. 1.

SENATOR KUSTRA:

Thank you, Mr. President. I've explained it twice, sometimes I think it's much more effective when the chairman of the committee makes a few comments.

PRESIDENT

All right. Senator Berman on Amendment No. 1.

SENATOR BERMAN:

Thank you, Mr. President. Thank you, Senator Kustra, I wish you'd say that on every bill. The purpose of Amendment No. 1 is to address a problem that exists in the northeast quadrant as to the school districts in that area in Cook County only. And this amendment has been discussed with the Senators that represent the...the school districts in that northeast quadrant. And what the amendment seeks to do, as a result of a new assessment policy by the Cook County Assessors Office, in 1987-88 the usual quadrennial assessment is going to be skipped. That means that those school districts will not have a reassessment which would be an increase in assessed valuation. As the result of the increase in other quadrants it is probable that the multiplier will be decreased. What we are trying to do by this amendment is to hold those school districts harmless so that the revenue that they would receive in the year where there is no quadrennial assessment will not be any less than what they would have received...when they did receive the previous year. It's...they're not making any money but they're not going to lose any money because of the skip of the quadrennial assessment. Senator Kustra and I would be glad to respond to any questions.

PRESIDENT:

All right. Senator Kustra has moved the adoption of Amendment No. 1 to Senate Bill 856. Discussion? Senator Netsch.

SENATOR NETSCH:

Thank you. I have just two questions, Senator Kustra or Senator Berman. One, will this have any affect on the School Aid Formula, that is, the distribution of money from the...from the state?

PRESIDENT:

Senator Kustra.

SENATOR KUSTRA:

No, it will not.

PRESIDENT:

Senator Netsch.

SENATOR NETSCH:

Thank you. The second question is, although I understand the reason for the bill, that is the thing that has...that has given reason for bringing it about, the quadrant...northeast quadrant and the problems of...five-year period and so forth, it still does specifically authorize a...a supplemental tax without referendum as a means of filling that gap, is that not correct?

PRESIDENT:

Senator Kustra.

SENATOR KUSTRA:

That is correct.

PRESIDENT:

Senator Netsch.

SENATOR NETSCH:

One more question. But it is only for one time period, is that correct? That is, as I see your dates in here, it is...covers really just one period of time, one school year, I guess?

PRESIDENT:



Senator Kustra.

SENATOR KUSTRA

Yes, that is correct and, of course, the levy can be for no more than the amount of revenue the school district raised the previous year.

PRESIDENT:

Further discussion? Senator Netsch.

SENATOR NETSCH:

Just one final point. One reason why this is important is that it seems to me that what you are requesting may be a filling of the gap not unlike what we did with respect to one of the taxes involving the Chicago School District, maybe I should address that question to Senator Berman. Is that a reasonably fair characterization?

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

I'm...I'm not sure what you have reference to.

PRESIDENT:

Senator Netsch.

SENATOR NETSCH:

I think it was Senate Bill 399 where we were not increasing the total amount of taxes to be levied for Chicago, we were just simply picking up a tax levy that otherwise would have gone down. This is a slightly different version of the same thing, is it not?

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

No, it's...it is different. 399, if I recall, was to make up the difference between the levy that the School Finance Authority levied and giving that difference to the Board of Education. This is...is different because there is no existing levy which the taxpayers would otherwise benefit

from. It's...it's different.

PRESIDENT:

Further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Question of the sponsor.

PRESIDENT:

Sponsor...Senator Kustra indicates he'll yield, Senator DeAngelis.

SENATOR DeANGELIS:

What EAV are you going to use for access to the School Aid Formula?

PRESIDENT:

Senator Kustra.

SENATOR KUSTRA:

I don't know.

PRESIDENT:

Senator DeAngelis.

SENATOR DeANGELIS:

Well, then I wouldn't be so quick to answer on whether it impacts state aid or not, because the critical issue on whether it impacts on state aid is what EAV you use. The other thing...and I...I personally don't care how anybody votes on this, although we attempted to talk to President Rock last year, Senator Kelly brought some people in, on a similar problem and it was decided that we ought not to be doing it. So what's maybe good for the south is probably good for the north, but...the fact of the matter is, Senator Berman, this does impact on state aid. Now when does...because whatever way you want to cut the pie, and a supplemental is money the last time I heard, it does take away from the State Aid Formula.

PRESIDENT:

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

SENATOR BERMAN:

Thank you, Mr. President, I'm sorry. The way this is drawn and was specifically drawn this way, the equalized assessed valuation that will be utilized by these school districts for the formula is...is the same, it was not...it is not changed by this amendment. The difference in revenue is made up by a supplemental levy, so that there is no impact on the State Aid Formula. There is supplemental local real estate taxes that will be generated, so there is no impact. And let me just add one other thing. The problem that Senator Kelly and I and Senator Rock and you had talked about was different; there, was the...the...where they made the assessment in a second year; here, we're skipping an assessment, the...the problem is just the reverse.

PRESIDENT:

All right. Senator Kustra has moved the adoption of Amendment No. 1 to Senate Bill 856. Any...further discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

ACTING SECRETARY: (MR. HARRY)

No further amendments.

PRESIDENT:

3rd reading. Top of page 8. All right. Ladies and gentlemen, we're going to try to get through 2nd reading, then we will move, pursuant to the agreement that Senator Philip and I have had, to the Order of Motions and then we will go to the Agreed Bill List and that will conclude, hopefully, our business today. If we have more time, we'll do more. 917, Senator Donahue. On the Order of Senate Bills 2nd Reading is Senate Bill 917. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 917.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Agriculture offers no amendments.

PRESIDENT:

...any amendments from the Floor?

ACTING SECRETARY: (MR. HARRY)

Amendment No. 1 offered by Senator Donahue.

PRESIDENT:

Senator Donahue.

SENATOR DONAHUE:

Mr. President, I apologize, we have a little...coincidental here, I was rising on a point of personal privilege...

PRESIDENT:

Oh, I beg your pardon. State your...

SENATOR DONAHUE:

...and I would like to have the bill taken out of the record and put back on 3rd...or kept on 2nd.

PRESIDENT:

All right. Take the bill out of the record. I beg your pardon. Senator Donahue, for what purpose then do you seek recognition?

SENATOR DONAHUE:

A point of personal privilege.

PRESIDENT:

State your point, ma'am.

SENATOR DONAHUE:

In the President's Gallery we have a group of students from Quincy Junior High School and they are associated with the student government there and one of their teachers is a Mrs. Dyer. I'd like to have them rise and be recognized.

PRESIDENT:

Will our guests please rise and be recognized. Welcome to Springfield. Senator Donahue.

SENATOR DONAHUE:

Sorry, Mr. President, I would just like to add one more thing. You know, I've been told by many of my colleagues that Quincy is the City of Champions, the Quincy Senior High School just was the State Champions in the Quiz Bowl, and I'd just like to make that for our...we've got smart kids over there just as well as we've got good athletes.

PRESIDENT:

The...the record will so reflect. 935, Senator Schaffer. On the Order of Senate Bills 2nd Reading is Senate Bill 935. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 935.

(Secretary reads title of bill)

The Committee on Finance offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schaffer.

SENATOR SCHAFFER:

Mr. President and members of the Senate, the amendment, in effect, becomes the bill. And it is a compromise worked out by the commissioner of banks from whence this bill cometh. With the various banking associations it will give the commissioner of banks limited audit power on holding companies. With the passage of the holding company legislation a couple of years ago, we've seen a proliferation of these type of...corporate structures and under certain circumstances it is quite appropriate for the commissioner of banks to do an audit. I am unaware of any opposition to the amendment and the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, Senator Schaffer has moved the adoption of Committee Amendment No. 1 to Senate Bill 935. Those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further

committee amendments?

ACTING SECRETARY: (MR. HARRY)

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Amendments from the Floor?

ACTING SECRETARY: (MR. HARRY)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 937. On the Order of Senate Bills 2nd Reading is Senate Bill 937, Mr. Secretary. Read the bill, please.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 937.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jeremiah Joyce.

SENATOR JEREMIAH JOYCE:

Thank you, Mr. President, members of the Senate. Committee Amendment No. 1 to Senate Bill 937 makes it clear that it's not necessary for the district to keep an undesirable employee on the premises during the two weeks provided in the bill prior to him being terminated.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jeremiah Joyce has moved the adoption of Committee Amendment No. 1 to Senate Bill 937. Is there 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?

ACTING SECRETARY: (MR. HARRY)

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Amendments from the Floor?

ACTING SECRETARY: (MR. HARRY)

Amendment No. 2 offered by Senator Joyce.

PRESIDING OFFICER: (SENATOR DEHUZIO)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

I believe Amendment No. 2 is a technical amendment.

PRESIDING OFFICER: (SENATOR DEHUZIO)

(Machine cutoff)...Joyce.

SENATOR JEREMIAH JOYCE:

This is just...this is a notice provision, job transfers within thirty days.

PRESIDING OFFICER: (SENATOR DEHUZIO)

All right. Senator Joyce has moved the adoption of...Senator Joyce, it is Committee Amendment No. 2, the Secretary was in error. Senator Joyce has moved the adoption of Committee Amendment No. 2 to Senate Bill 937. Is there discussion? If not, those in favor will indicate by saying...saying Aye. Those opposed vote Nay. The Ayes have it. Amendment...Committee Amendment No. 2 is adopted. Further committee amendments?

ACTING SECRETARY: (MR. HARRY)

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEHUZIO)

Amendments from the Floor?

ACTING SECRETARY: (MR. HARRY)

Amendment No. 3 offered by Senator Joyce.

PRESIDING OFFICER: (SENATOR DEHUZIO)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

This is the amendment which provides the definition for educational support personnel as being custodians, paraprofessionals, secretaries and transportation people.

PRESIDING OFFICER: (SENATOR DEHUZIO)

Discussion? If not, Senator Joyce has moved the adoption

SB 952  
2nd Reading

of Amendment No. 3 to Senate Bill 937. Those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 3 is adopted. Further amendments?

ACTING SECRETARY: (MR. HARRY)

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 938. On the Order of Senate Bills 2nd Reading is Senate Bill 938, Mr. Secretary. Read the bill, please.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 938.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. HARRY)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate bills 2nd reading is Senate Bill 952, Mr. Secretary. Read the bill.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 952.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DEHUZIO)

Senator Savickas.

SENATOR SAVICKAS:

Yes, Mr. President, this was Senator Keats' amendment, it gives savings and loan the option of obtaining coverage from a trust or bond company as proposed in the bill or from a fidelity insurance company as now required and I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)



SB 957  
2nd Reading

Senator Savickas has moved the adoption of Committee Amendment No. 1 to Senate Bill 952. 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?

ACTING SECRETARY: (MR. HARRY)

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Amendments from the Floor?

ACTING SECRETARY: (MR. HARRY)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 953, Senator Welch. Senate Bill 957, Senator Jones. On the Order of Senate Bills 2nd Reading is Senate Bill 957, Mr. Secretary. Read the bill.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 957.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. HARRY)

Amendment No. 1 offered by Senator Jones.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

Yes, thank you, Mr. President and members of the Senate. Amendment No. 1 is strictly a technical clean-up amendment and I move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones has moved the adoption of Amendment No. 1. Discussion? Senator Karpel. No. Senator Jones has moved the adoption of Amendment No. 1 to Senate Bill 957. Discussion? If not, those in favor will indicate by saying Aye.

Opposed Nay. The Ayes have it. Amendment No. 1 is adopted.  
Further amendments?

ACTING SECRETARY: (MR. HARRY)

Amendment No. 2 offered by Senators Karpziel and Jones.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Karpziel.

SENATOR KARPIEL:

Thank you, Mr. President. Amendment No. 2 grandfathers in an individual who holds a degree in social work or was registered as a social worker or a certified social worker under the Social Worker's Registration Act. It's just grandfathering in a group of the social workers and I believe it's been worked out with all parties and they are all in agreement.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Karpziel has moved the adoption of Amendment No. 2 to Senate Bill 957. 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?

ACTING SECRETARY: (MR. HARRY)

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The fiscal note has been met. 3rd reading. Senate Bill 964. On the Order of Senate Bills 2nd Reading is Senate Bill 964, Mr. Secretary. Read the bill, please.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 964.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. HARRY)

Amendment No. 1 offered by Senator Barkhausen.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, Amendment No. 1 to Senate Bill 964 is a fairly significant amendment in that it does delete everything after the enacting clause, and it...it takes the form, for the most part, of Senate Bill 1240, which would for the first time in this state authorize the...in very select circumstances the use of a wiretap by law enforcement officials for the investigation of narcotics offenses and acts of hostage taking and terrorism. We have considered such legislation in the past. The reason for this amendment is...is that the bill has...has never really gotten a fair hearing on the...on the Senate Floor. We did have a debate in committee, the...the original bill, Senate Bill 1240, did lose by one vote in committee but there is enough interest in this bill on the part of law enforcement officials throughout the state; the Illinois State's Attorneys' Association with particular help from Richard Daley, the Cook County State's Attorney; the Illinois Sheriff's Association, the Department of State Police, the Chicago Crime Commission and various opinion leaders such as our major metropolitan newspapers have all supported this concept in earlier forms that have been much less restrictive than this particular proposal before you today is. I do emphasize that it is limited to only the most serious types of narcotics offenses, Class X and...and Class I Felony manufacturer or delivery of controlled substance...substances as well as the...the crimes that I mentioned dealing with kidnapping and hostage taking. It is a fairly complex proposal; for that reason, I'll be glad to entertain any questions.

PRESIDING OFFICER: (SENATOR DEHUIZIO)

Discussion? Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very...very much, Mr. President and members of

the Senate. Well, besides the provisions of the bill, I would disagree with one of the words that Senator Barkhausen said when he said it's a fairly comprehensive amendment, strike the word "fairly." This is one of the most comprehensive amendments that we've seen. It has just now been dropped on our desks, it is thirty-three pages long. It makes one of the most major changes in criminal law in the State of Illinois. Nobody has had a chance to look at this bill. I will say that Senate Bill 1240 got a hearing in the Senate Judiciary Committee, not a summary hearing but witnesses testified on both sides of the issue, it was voted down. I would request that the sponsor take this bill out of the record, we get back to it, give us a chance to look at this bill. A thirty-three page amendment has just been dropped on our desks on one of the most comprehensive bills and making one of the most comprehensive changes in criminal law that there is, and I think we...the membership deserves an opportunity to look at this amendment, see what its ramifications are before we summarily vote on a thirty-three page amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Well, I...I can only answer Senator Marovitz' point by...by noting that we really debated this same proposal which has really been less...less restrictive than this particular proposal before us. The bill has been before us for some time. The only change, as I mentioned, between...between this particular amendment and the bill that was debated in committee is contained on page 6, lines 13 through 23, in that we are adding as an offense for which a wiretap may be authorized the...kidnapping or the occupation of premises or any act of terrorism which present a clear and present danger of imminent death or great bodily harm. That

S.B. 981  
2nd Reading

is the only change from the bill as debated in committee and, as I've said, this proposal has been before us for some time, I think most of us are quite familiar with it and...and opinions are probably reasonably well developed on one side or the other.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Well, thank you, Mr. President, Ladies and Gentlemen of the Senate. We have been attempting, at least, to accommodate, on both sides, requests to take it out of the record, defer temporarily. At least let us have the...this...this was delivered to our desks, I am reliably informed, less than ten minutes ago. I would request of the gentleman that...that he pull it. We'll get back to it either today or tomorrow for sure; you know, we're going to be here all week. We...we stall around now, all we're doing is delaying the inevitable.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Take it out of the record. Senate Bill 981, Senator Woodyard. Senator Barkhausen.

SENATOR BARKHAUSEN:

If...could I get some...commitment from our President as to when we might get back to it?

PRESIDING OFFICER: (SENATOR SAVICKAS)

...President indicated that either today or tomorrow he would get back to it. Senator Woodyard on 981. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 981.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SB 994  
2nd Reading  
SB 995  
2nd Reading

ACTING SECRETARY: (MR. HARRY)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 994, Senator Marovitz. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 994.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. This bill was requested by members of the Subcommittee on AIDS and was encouraged by the Department of Public Aid, makes provisions for Department of Public Aid to consult with Department of Public Health performing their duties under this Act so that long-term care research and demonstration projects can be planned and authorized and studied by both departments. I ask for the adoption of this amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Marovitz moves the adoption of Amendment No. 1 to Senate Bill 994. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

ACTING SECRETARY: (MR. HARRY)

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. HARRY)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

No Floor amendments? 3rd reading. Senate Bill 995,

*SB 1001  
2nd Reading*

Senator Marovitz. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 995.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. HARRY)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill...1001, Senator D'Arco. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 1001.

(Secretary reads title of bill)

No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. HARRY)

Amendment No. 1 offered by Senator D'Arco.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator D'Arco.

SENATOR D'ARCO:

...thank you, Mr. President. The amendment provides that in the event that an income tax assessment is made or criminal prosecution is brought against a person, that person may bring an action against the public accountant who prepared the tax return...his tax return within two years from the date of the assessment or conclusion of the prosecution. There was a question about when a public accountant was involved in a fraud conspiracy whether or not the Statute would toll, and this amendment clarifies that in the sense that a taxpayer has the right in the event of a...criminal indictment or a tax assessment to sue the public accountant

who is responsible for any fraud committed in the preparation of the taxpayer's tax return. And I would ask to adopt Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Just a point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR SAVICKAS)

State your point.

SENATOR DeANGELIS:

In the gallery to our left are the students from Washington Junior High in Chicago Heights and their fine Italian teacher, Mr. Denashio. Would they please rise and be recognized.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Would they rise and be recognized. Is there further discussion? If not, Senator D'Arco moves the adoption of Amendment No. 1 to Senate Bill 1001. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

ACTING SECRETARY: (MR. HARRY)

Amendment No. 2 offered by Senator D'Arco.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator D'Arco.

SENATOR D'ARCO:

Amendment No. 2...I don't have Amendment No. 2, I don't know which...with...you got an amendment?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Mr. Secretary, would you read...no, that's all right the amendment was filed twice. Are there further amendments?

ACTING SECRETARY: (MR. HARRY)

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 1014, Senator Severns. Read



the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 1014.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? I mean...I'm sorry, Senator Severns. Any Floor amendments?

ACTING SECRETARY: (MR. HARRY)

Amendment No. 1 offered by Senator Severns.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Severns.

SENATOR SEVERNS:

Thank you, Mr. President and members of the Senate...Amendment No. 1 becomes the bill and works within the established structure of the Illinois Job Training Coordinating Council. The amendment adds duties and strengthens the existing council to...and duties to be formed by the council. It requires the council to be a bipartisan body and authorized the council to employ its own independent staff. I move for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Hudson.

SENATOR HUDSON:

Thank you, Mr. President. Ladies and Gentlemen of the Senate, I rise somewhat reluctantly to...in opposition to this amendment. This bill moved out of committee, Senate Bill 1014, with the understanding that the sponsor was going to work with DCCA to erase some objections that DCCA had...some concerns that DCCA had with the bill. Now, I have to assume that the sponsor has tried to do this and I make no accusation that she has not, but the fact of the matter is that DCCA still has some very, very grave reservations about the measure. And it would be my thought that until the

sponsor and DCCA have come to an understanding on...on these provisions, and there are two or three that they seem to be quite bothered with, that we not support the amendment. I could go into those items that DCCA finds objectionable if...if so desired but they are there. And, as a matter of fact, the sponsor did mention Section 7, one that...would require the council to hire an independent staff, and this is something that the council itself feels that it...should not happen, they should not be forced to hire an independent staff and they would...they seek the...the right as they now have it to hire the staff to their...suing. So there are...there is that provision and there are several others. And I would close, Mr. President, by simply urging the members to think long and hard before they place their Aye vote on this particular amendment, it has a lot of changes.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Severns...Senator Woodyard.

SENATOR WOODYARD:

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

PRESIDING OFFICER: (SENATOR SAVICKAS)

She indicates she will.

SENATOR WOODYARD:

Senator, I missed part of...of your explanation of the amendment. Did...did this basically gut the bill and...and you now have another...another bill in its place? And I guess bottom line question, in...in regard to Senator Hudson's questions or comments, is Department of Commerce and Community Affairs still in opposition to the bill with the amendment?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Severns.

SENATOR SEVERNS:

Thank you, Senator Woodyard and Senator Hudson. I'll try

to respond to concerns raised by both of you. We did...the amendment does become the bill. The original bill created a completely new board of job training and coordinating council. The...the amendment to accommodate the...the concerns expressed by DCCA now works within the existing job training council. In answer to Senator Hudson's concerns, we have worked...numerous meetings with DCCA in trying to address and incorporate the concerns that they have expressed. I think we've managed to incorporate the bulk of those concerns with the exception of one, and the one concern comes down to a turf battle. DCCA does not want their control of this coordinating council to be removed with...to be removed from DCCA and placed independent of DCCA. It's my belief and, frankly, the belief of many based on studies that have been released that to have DCCA in charge of the council is in essence having the fox guard the chicken house. The Inspector General of the United States upon his own review of the fifty states and the Job Training Coordinating Council stressed that these boards should be independent of the...of any job training structures. The bill, in essence, just in a nutshell, recognizes the fact based on not only a recent University of Chicago study but a recent study released by our own Illinois Commission on Intergovernmental Cooperation that currently in Illinois there are twelve different agencies...state agencies conducting twenty-six different job training programs, the left hand does not know what the right hand is doing. And what this bill attempt to do, in essence, is coordinate, consolidate and to strengthen those job coordinating council training efforts. DCCA does not want to see this turf being lost, it's a simple turf battle among the state bureaucracies. We're suggesting that the coordinating council would work better if it were an independent organization. For the council to be within DCCA, they are going to be very reluctant to criticize DCCA, job train-

ing...retraining and...and education for employment efforts. Finally, Senator Hudson, in response to your suggestion that the Job Training Coordinating Council is in opposition, I realize that they took a vote based on the information that DCCA provided them. I've talked personally with Allen..., the chairman of the job training council and his exact response to me was, they want it to work best wherever it's put; he doesn't care if it's with DCCA, independent or wherever, they just want a program that works well. I move for the adoption of this amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Severns moves the adoption of Amendment No. 1 to Senate Bill 1014. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Senator Hudson.

SENATOR HUDSON:

Like a roll call vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Are you joined by five others? I see four. All right. Senator Hudson is insisting upon a roll call on Amendment No. 1 to Senate Bill 1014. All those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record.

On that question, the Ayes are 29, Nays are 28, 1 voting Present. Amendment No. 1 having received the majority vote is adopted. For what purpose does Senator Hudson arise?

SENATOR HUDSON:

Verification, Mr. President.

PRESIDING OFFICER: (SENATOR SAVICKAS)

A verification has been requested. Is that the negative or the affirmative?

SENATOR HUDSON:

Of the...of the affirmative.

PRESIDING OFFICER: (SENATOR SAVICKAS)

A verification of the affirmative vote has been requested. Will all the members please be in their seats. Mr. Secretary, will you call the affirmative vote.

ACTING SECRETARY: (MR. HARRY)

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

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there a question of any of the affirmative vote? Senator Hudson.

SENATOR HUDSON:

Yes, thank you, sir. Senator Jeremiah Joyce.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is Senator Joyce, Jeremiah Joyce on the Floor? Senator Joyce. Senator Joyce. Strike his name from the record.

SENATOR HUDSON:

Senator Brookins.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Brookins. Senator Brookins on the Floor? Senator Brookins. Strike his name from the record.

SENATOR HUDSON:

Senator Degnan.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Degnan. Senator Degnan on the Floor? Senator Degnan. Strike his name from the record.

SENATOR HUDSON:

Senator Raica.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Raica. Senator Raica on the Floor? Strike his name from the record. Do you question any other of the affirmative vote?

SENATOR HUDSON:

That's all, Mr. President.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Thank you, I would request the verification of the negatives.

PRESIDING OFFICER: (SENATOR SAVICKAS)

That's in order. Mr. Secretary, will you verify the negative vote.

ACTING SECRETARY: (MR. HARRY)

The following voted in the negative: Barkhausen, Davidson, DeAngelis, Donahue, Dudycz, Ralph Dunn, Etheredge, Fawell, Friedland, Geo-Karis, Hawkinson, Hudson, Karpiel, Keats, Kustra, Macdonald, Madigan, Mahar, Maitland, Philip, Rigney, Schaffer, Schuneman, Topinka, Vadalabene, Watson, Weaver, Woodyard.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Before we go into the negative vote, let's let the Chair note that Senator Brookins is in his seat. And Senator Degnan is behind the President or to the side. Senator Rock.

SENATOR ROCK:

Senator DeAngelis returned to his place of honor?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Yes, Senator, he did.

SENATOR ROCK:

He has, I see. How about Senator Mahar?

PRESIDING OFFICER: (SENATOR SAVICKAS)

He is in his seat.

SENATOR ROCK:

Senator Barkhausen.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Barkhausen. Is Senator Barkhausen on the floor? Yes. Senator, would you step out there so that we can see

SB 1022  
2nd Reading

you. Senator Barkhausen is in the back. Senator Rock.

SENATOR ROCK:

Yeah, I've asked Senator Vadalabene to do a Raica. Is Senator Vadalabene on the Floor?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Vadalabene. Strike his name from the record.

SENATOR ROCK:

I don't question anybody further, thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Jones, for what purpose do you arise?

SENATOR JONES:

Mr. President, how am I recorded?

PRESIDING OFFICER: (SENATOR SAVICKAS)

You are not recorded, Senator Jones.

SENATOR JONES:

Vote me Aye.

PRESIDING OFFICER: (SENATOR SAVICKAS)

What is the final count, Mr. Secretary? A verified roll call, there are 27 Yeas, 27 Nays. The amendment having failed to receive a majority is declared lost. Senator Severns.

SENATOR SEVERNS:

I would like you to move Senate Bill 1014 to 3rd. Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Are there further amendments?

ACTING SECRETARY: (MR. HARRY)

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 1022, Senator D'Arco. Read the bill, Mr. Secretary...Bill 1022, Mr. Secretary. Read the bill.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 1022.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. HARRY)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 1038, Senator Mahar. 1041, Senator Mahar. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 1041.

(Secretary reads title of bill)

2nd reading of the bill. Committee on Local Government offers two amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Mahar.

SENATOR MAHAR:

Thank you, Mr. President. Committee Amendment No. 1 is...the intent is contained in Floor Amendment No. 1. So, at this time, I would like to move to Table Committee Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

You've heard the motion. Senator...Mahar moves to Table Committee Amendment No. 1. Is there discussion? Hearing no objection, leave is granted to Table Committee Amendment No. 1. Are there further amendments? Senator Mahar.

SENATOR MAHAR:

I'm sorry. Also, based upon an agreement with the members of the committee to offer an amendment that would...make their point a little better on Committee No. 2, we couldn't do that, so to honor the committee amendment...or the committees...the agreement with the committee, I'd also like to Table Committee Amendment No. 2.



PRESIDING OFFICER: (SENATOR SAVICKAS)

You've heard the motion. Senator Mahar moves to Table Committee Amendment No. 2. Is there discussion? Is there objection? Hearing no objection, the motion carries. Committee Amendment No. 2 is Tabled. Further amendments?

ACTING SECRETARY: (MR. HARRY)

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. HARRY)

Amendment No. 3 offered by Senator Mahar.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Mahar.

SENATOR MAHAR:

Thank you, Mr. President. Floor Amendment No. 1 provides for the cap on the stipend for the...the health...department of...or the county health department board members not to exceed a...a hundred and fifty dollar per meeting fee or two hundred...two thousand dollars per year. And if there is no objections, I would move for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Mahar moves the adoption of Amendment No. 3 to Senate Bill 1041. All those in favor signify by saying Aye. Those opposed. The Ayes have it. Amendment No. 3 is adopted. Further amendments?

ACTING SECRETARY: (MR. HARRY)

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 1043, Senator Schaffer. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 1043.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. HARRY)

Amendment No. 1 offered by Senator Schaffer.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schaffer.

SENATOR SCHAFFER:

Mr. President and members of the Senate, this is a technical amendment set up by LRB to correct a typo.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Schaffer moves the adoption of Amendment No. 1 to Senate Bill 1043. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

ACTING SECRETARY: (MR. HARRY)

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 1076, Senator Marovitz. Senator Marovitz. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 1076.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President, members of the Senate. Amendment No. 1 to Senate Bill 1076 excludes...final vacation pay from the definition of salary in computing benefits for the funds. This would reduce the cost and be a savings to the funds, it was requested by the funds, and I know of no opposition. Request your 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 1076. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

ACTING SECRETARY: (MR. HARRY)

Amendment No. 2 offered by Senator Marovitz.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

Mr. President, I have just reliably been informed that Amendment No. 2 does what I explained Amendment No. 1, and Amendment No...so I...I'm happy to explain Amendment No. 1 which...which we just adopted. Amendment No. 2, which is a very technical amendment is the one I explained as Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Why don't...why don't you explain Amendment No. 1 and...

SENATOR MAROVITZ:

Fine, I'll do that.

PRESIDING OFFICER: (SENATOR SAVICKAS)

...if there's objection we will...

SENATOR MAROVITZ:

...fine.

PRESIDING OFFICER: (SENATOR SAVICKAS)

...reverse the process.

SENATOR MAROVITZ:

Makes various changes in benefits and establishes limitations on disability benefits for the Chicago Laborers and Municipal Employees Fund, it incorporates several provisions in Senate Bill 182 and 619 and 824 and 1019, eliminates early retirement discount for employees who retire before the age of sixty with at least thirty years of service, and removes the requirement that an employee with twenty years of service

be born before thirty-six to qualify for the maximum benefit.  
And I ask for adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Now you've heard the explanation on both amendments. Is there any objection or discussion on it? If there is no objection, we will just proceed to a vote on Amendment No. 2 and...as Amendment No. 1 has been adopted and move the bill. Senator Marovitz moves to adopt...Amendment No. 2 to Senate Bill 1076. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 2 is adopted. Are there further amendments?

ACTING SECRETARY: (MR. HARRY)

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 1104, Senator del Valle. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 1104.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. HARRY)

Amendment No. 1 offered by Senator del Valle.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator del Valle.

SENATOR del VALLE:

Thank you, Mr. President. This amendment was recommended by the Board of Higher Education. The amendment extends reporting requirements to all students from all high schools in the state. The reporting requirements are also simplified by allowing the colleges and universities to determine much of the data that will be reported. The amendment also removes from the Board of Higher Education the responsibility of

enforcement. Each governing board will be required to implement the reporting requirements, and the Board of Education has...Board of Higher Education has no objection to the bill if...if amended. I move for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator del Valle moves the adoption of Amendment No. 1 to Senate Bill 1104. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

ACTING SECRETARY: (MR. HARRY)

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 1108, Senator Luft. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 1108.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. HARRY)

Amendment No. 1 offered by Senator Luft.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. I would ask to withdraw that amendment, please.

PRESIDING OFFICER: (SENATOR SAVICKAS)

You've heard the motion. Hearing no objection, leave is granted. Further amendments?

ACTING SECRETARY: (MR. HARRY)

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 1112, Senator Luft. Senator

Luft on 1112. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 1112.

(Secretary reads title of bill)

Committee on Executive offers one amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. In the explanation of the committee amendment, this is a duel between Senator DeAngelis and I. First, the amendment makes a number of technical changes; these changes clarify or modernize a language of the older sections of the Act and integrate the references to specific programs and responsibilities of the authority. Secondly, we alter the notice requirement. The amendment continues the requirement that the...authority must give forty-five days notice...notice of its intent to finance a project but this will allow the authority to proceed without waiting the forty days. And fourth, the authority presently operates an insured revenue bond fund. The changes in the Tax Reform Act of 1986 has changed the market status of a lot of projects with the authority, commercial projects are no longer eligible for tax exempt bonds, and this amendment allows the authority to expand the use of its insured revenue bond fund to assist commercial projects and public purpose projects and municipalities. Senator DeAngelis will continue.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator DeAngelis, do you want to pick up the other half of this?

SENATOR DeANGELIS:

Yeah, thank you, Mr. President. What happened is there was a bill in the Financial Institutions Committee that was not called through an oversight because we have a crackerjack

minority spokesman and essentially this is amended on. It's a bill that IFDA needs real bad, it increases the outstanding IFDA bonds from one billion to one billion five hundred million dollars. These are not GO bonds, these are revenue bonds. And secondly, it creates a credit enhancement fund to allow units of government to get their financing at a lower amount. It also makes some changes in the infrastructure assistant program which most of you are familiar with. It's the one that allows the smaller communities to access the fund to make improvements for their sewer and water projects. I urge its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Luft and DeAngelis urge the adoption of Amendment No. 1 to Senate Bill 1112. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

ACTING SECRETARY: (MR. HARRY)

No further amendments...no further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Any amendments from the Floor?

ACTING SECRETARY: (MR. HARRY)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 1113, Senator Luft. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 1113.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. HARRY)

Amendment No. 1 offered by Senator Luft.

SB 1115  
2nd Reading

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. This amendment was offered by the Department of Financial Institutions. There was some problems with the bill; specifically, the intangible property was considered abandoned after seven years. Senate Bill 113 reduced that to five years, with this amendment we put it back to seven years. And there were other problems with it that...the Department of Financial Institutions had that we've tried to correct in this amendment and everyone is supportive of it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Luft moves the adoption of Amendment No. 1 to Senate Bill 1113. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

ACTING SECRETARY: (MR. HARRY)

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 1115, Senator Jones. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 1115.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any...amendments on the Floor?

ACTING SECRETARY: (MR. HARRY)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 1136, Senator Kustra. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)



Senate Bill 1136.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any Floor amendments?

ACTING SECRETARY: (MR. HARRY)

Amendment No. 1 offered by Senator Kustra.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President and members of the Senate. The bill, 1136, deals with peer review in our Illinois hospitals, and there was a concern expressed by the committee that the bill would give immunity for willful and wanton negligence on the part of doctors. We did not want to do that. The amendment before you is written in such a way that that original language is taken out and this now meets with committee approval. I would urge its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Kustra moves the adoption of Amendment No. 1 to Senate Bill 1136. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

ACTING SECRETARY: (MR. HARRY)

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 1138, Senator Kustra. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 1138.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Kustra.

SENATOR KUSTRA:

Mr. President, this is just a technical amendment and I would move its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Kustra moves the adoption of Amendment No. 1 to Senate Bill 1138. All those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

ACTING SECRETARY: (MR. HARRY)

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. HARRY)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 1155, Senator Marovitz. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 1155.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. HARRY)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 1170, Senator Marovitz. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 1170.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. HARRY)

Amendment No. 1 offered by Senator Marovitz.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. At the request of some members of the committee, the penalty for violation of the Act is being changed from a Class 4 Felony to a Class A misdemeanor. That's what this amendment does and I would ask for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Marovitz moves the adoption of Amendment No. 1 to Senate Bill 1170. All those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted.

PRESIDING OFFICER: (SENATOR DEHUZIO)

(Machine cutoff)...amendments?

ACTING SECRETARY: (MR. HARRY)

No further amendments.

PRESIDING OFFICER: (SENATOR DEHUZIO)

3rd reading. 1171, Senator Savickas. Senate bills 2nd reading, Senate Bill 1171, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 1171.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DEHUZIO)

Senator Savickas.

SENATOR SAVICKAS:

Yes, Committee Amendment No. 1 deals with the exclusion of a non-for-profit adult health clubs and charitable exemption. And previously YMCAs received a charitable exemption

with the exclusion of their adult...health clubs. This includes them and it's supported by the...by the YMCA, the Jewish Federation and United Way and I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas has moved the adoption of Committee Amendment No. 1 to Senate Bill 1171. Is there 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?

ACTING SECRETARY: (MR. HARRY)

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Amendments from the Floor?

ACTING SECRETARY: (MR. HARRY)

Amendment No. 2 offered by Senator Savickas.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas.

SENATOR SAVICKAS:

Yes, this amendment was...brought to me today by the physically handicapped veterans, and this amendment grants an exemption to disabled veterans for the purchase of specifically adopted housing as set forth in the U. S. Code. I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas has moved the adoption of Amendment No. 2 to Senate Bill 1171. Is there discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

ACTING SECRETARY: (MR. HARRY)

Amendment No. 3, by Senator Savickas.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas.

SENATOR SAVICKAS:

I had two amendments that I knew of, would you...excuse me, read the LRB numbers?

ACTING SECRETARY: (MR. HARRY)

On Amendment No. 3 it's LRB8506228GLM1A401.

SENATOR SAVICKAS:

That is the physically handicapped amendment. All right. What is...what is the other one that you have?

ACTING SECRETARY: (MR. HARRY)

LRB No. on Amendment No. 2 is 8506228GLPFAH.

SENATOR SAVICKAS:

Well, that's...that's...I guess...that was what I described as the first committee amendment. Okay, that...that was the second Floor amendment. The first one...the committee amendment was LRB8506228GLBPAM. And that was...all right, that was the committee amendment. The second amendment added the words "or not-for-profit organizations providing services or facilities related to the goals of education, social and physical development." And I don't know where I got this amendment. I tell you...I would move its adoption, and if there is a problem, we will bring it back. I...I don't know who put it on...I thought we had two amendments, it is three, and I would move its adoption.

PRESIDING OFFICER: (SENATOR DEHUZIO)

Senator Savickas has moved adoption of Amendment No. 3. Is there discussion? Senator Rigney.

SENATOR RIGNEY:

Well, Mr. President, I'd point out we're a little confused, too, over here because, frankly, we haven't seen any of the amendments that are being talked about in Floor amendments.

PRESIDING OFFICER: (SENATOR DEHUZIO)

All right. Senator Savickas.

SENATOR SAVICKAS:

Yes, evidently in discussion with the people concerned

with this that we were going to Table Committee Amendment No. 1, go with Committee Amendment No. 2, that was...the Floor Amendment No. 2 and that was the purpose...that's where I got mixed up evidently. Table Amendment No. 1, the committee amendment, go with first Floor amendment which would be the FAM last three letters and adopt that, and then adopt the last Floor amendment that was just brought out on the physically handicapped. And, Senator Rigney, I don't...I don't have any other copies, I'll send this over to you, if you want to take a look at it. So, Senator Demuzio...I mean, Mr. President, I would move at this point to Table Committee Amendment No. 1 to Senate Bill 1171...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Now wait a minute...we...we...we...we have already adopted Committee Amendment No. 1, we have adopted what reported to be Floor Amendment No. 2. It seems to me that we ought to...to get into proper order and just why don't we just take this thing all out of the record...

PRESIDING OFFICER: (SENATOR SAVICKAS)

And start from scratch.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...and come back to it in a couple of minutes. All right. Take it out of the record. 1175, Senator Newhouse. On the Order of Senate Bills 2nd Reading is Senate Bill 1175. Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 1175.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. HARRY)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, I have a Floor amendment indicated on my Calendar.

ACTING SECRETARY: (MR. HARRY)

Amendment No. 1 offered by Senator Newhouse.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Newhouse.

SENATOR NEWHOUSE:

Amendment No. 1 is a technical amendment, it simply cleans the bill up. I'd move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Newhouse moves the adoption of Amendment No. 1 to Senate Bill 1175. 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?

ACTING SECRETARY: (MR. HARRY)

Amendment No. 2 offered by Senator Newhouse.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Newhouse.

SENATOR NEWHOUSE:

Amendment No. 2 restricts this bill to the City of Chicago...and applies only to three or more units of housing, and I move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Newhouse has moved the adoption of Amendment No...Amendment No. 2 to Senate Bill 1175. Is there discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

ACTING SECRETARY: (MR. HARRY)

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senator Savickas, are you now ready to proceed? Senator Rigney. All right. Leave of the Body, we will go back to 1171. On the Order of Senate Bills 2nd Reading is Senate Bill 1171, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 1171.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Savickas.

SENATOR SAVICKAS:

Mr. President and members of the Senate, I would move at this time to Table Amendment No. 1...Committee Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Savickas moves to Table Committee Amendment No. 1 to Senate Bill 1171. Is there...those in favor indicate by saying Aye. Opposed Nay. The Ayes...the Ayes have it. Committee Amendment No. 1 is Tabled. Further committee amendments?

ACTING SECRETARY: (MR. HARRY)

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Amendments from the Floor?

ACTING SECRETARY: (MR. HARRY)

Amendment No. 2 offered by Senator Savickas.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Savickas.

SENATOR SAVICKAS:

All right, this...this is one to clarify the committee amendment and it should be that FAM, the last three letters, that's...I would move the adoption of Amendment No. 1 then...Floor Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

All right. Senator Savickas has moved the adoption of Amendment No. 2 to Senate Bill 1171. Is there discussion? If not, those in favor will indicate by saying Aye. Opposed



SB 1181  
2nd Reading

Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

ACTING SECRETARY: (MR. HARRY)

Amendment No. 3 offered by Senator Savickas.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas.

SENATOR SAVICKAS:

Yes, this is the amendment that grants the exemption to disabled veterans.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Savickas has moved the adoption of Amendment No. 3 to Senate Bill 1171. Discussion on the motion? Senator Rigney.

SENATOR RIGNEY:

Well, Mr. President, this is a rather significant increase in the exemption on veterans' property from thirty thousand up to forty-seven thousand five hundred. Do you have any cost estimates on that, Senator Savickas?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas.

SENATOR SAVICKAS:

No, I...don't, Senator. Like I said, I was given this amendment and asked to introduce it on our bill, just an hour or so ago they prepared it. I do not have the costs, no, I don't.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Savickas has moved the adoption of Amendment No. 3 to Senate Bill 1171. Those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 3 is adopted. Further amendments?

ACTING SECRETARY: (MR. HARRY)

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 1181, Senator Marovitz. On the Order of

Page 238 - May 19, 1987

Senate Bills 2nd Reading is Senate Bill 1181, Mr. Secretary.

END OF REEL

REEL 06

ACTING SECRETARY: (MR. HARRY)

Senate Bill 1181.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEHUZIO)

Senator...wait a minute, is there any amendments from the Floor?

ACTING SECRETARY: (MR. HARRY)

...Amendment No. 1 offered by Senator Marovitz.

PRESIDING OFFICER: (SENATOR DEHUZIO)

I...I was used to it. Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President. I'm glad you've been used to it, glad to offer this to the members of the Senate. This is an amendment that was requested by some Republican members of the committee and takes out the fee structure entirely which was in the legislation and leaves the fees up to the commission to...to set by rule making so that there will be no increase in fees by Statute, that will be up to the commission to set by rule making process after hearing the testimony of everyone involved and I would ask for the adoption of this amendment.

PRESIDING OFFICER: (SENATOR DEHUZIO)

Senator Marovitz has moved the adoption of Amendment No. 1 to Senate Bill 1181. Is there discussion? If not, those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it and Amendment No. 1 is adopted. Further amendments?

ACTING SECRETARY: (MR. HARRY)

No further amendments.

PRESIDING OFFICER: (SENATOR DEHUZIO)

3rd reading. Senate Bill 1182, Senator Jerome Joyce. On

the Order of Senate Bills 2nd Reading is Senate Bill 1182,  
Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 1182.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEHUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. HARRY)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEHUZIO)

Fiscal note has been met. 3rd reading. Senate Bill  
1186, Senator Jones. On the Order of Senate Bills 2nd  
Reading, Senate Bill 1186, Mr. Secretary. Read the bill.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 1186.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DEHUZIO)

Senator Jones.

SENATOR JONES:

Thank you, Mr. President. I move the adoption of Commit-  
tee Amendment No. 1 to Senate Bill 1186.

PRESIDING OFFICER: (SENATOR DEHUZIO)

Senator Jones has moved the adoption of Committee Amend-  
ment No. 1 to Senate Bill 1186. 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. Are there further committee amendments?

ACTING SECRETARY: (MR. HARRY)

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEHUZIO)

Amendments from the Floor?

ACTING SECRETARY: (MR. HARRY)

Amendment No. 2 offered by Senator DeAngelis.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis. We're on 1186, middle of page 10.  
Take your time.

SENATOR DeANGELIS:

That amendment expands the board, I believe. I don't have a copy of it in front of me, but...you're talking about the committee amendment?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Floor amendment.

SENATOR DeANGELIS:

Floor amendment?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis has moved the adoption of...of Amendment No. 2 to Senate Bill 1186. Is there discussion? If...all right, discussion on the amendment. Senator Jones.

SENATOR JONES:

Senator DeAngelis, does that amendment...do what now?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

That was not the amendment I was referring to. It includes in the categories of eligible credible service to the crime scene technician and the official court reporter and the controlled substance inspector, and I believe this is requested by DRE or CMS...it's an administration amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

Go ahead.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator...Senator...Senator DeAngelis has moved the adoption of Amendment No. 2 to Senate Bill 1186.

Further discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

ACTING SECRETARY: (MR. HARRY)

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading...on the Order of Senate Bills 2nd Reading is Senate Bill 1202, Mr. Secretary. Read the bill.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 1202.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Amendments from the Floor?

ACTING SECRETARY: (MR. HARRY)

Amendment No. 1 offered by Senator Maitland.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President and Ladies and Gentlemen of the Senate. First of all, let me apologize to the Body for what I know have been just hundreds of calls to you on this issue and I...I...most of those calls have been very legitimate concerned calls, but I especially apologize for those calls that you've had that have been extremely disrespectful and that's too bad that that has to happen, but nonetheless, I...I do apologize for all the calls that you've had. Senate Bill 1202 was introduced by me to...to address what I consider to be a very real problem and it was introduced primarily in support of the home school movement in...in Illinois and...and, obviously, has not been taken that way, and there was opposition in committee and I agreed to make some changes in the legislation hoping to make it more palatable and it was told to me by the home school

people that they did not like to be singled out, that they, in fact, were a private school and...and I've agreed. They wanted a uniform type of accounting system and...and I agreed, and the amendment that we submit to you this afternoon I think does that. It creates a uniform attendance accounting system. As you know, it is our responsibility in this state under the Compulsory Attendance Act to assure that every student in this state of school age is in school, and the system would...would be developed that would require all parents of school-age children to provide necessary attendance information either through school administrators or individually, and what this does, it...it actually allows the state board to put in place this...this mechanism. We are not in any way attempting to control the private schools, the traditional or nontraditional private schools in this state, we're not affecting calendars, we're not coming in and...and viewing programs, we're doing nothing of the sort, we are simply attempting to...to get a handle on...on the students that are out there; and, Mr. President, I would be happy to respond to any questions that any one of the Body might have, and I would move for the adoption of Amendment No. 1 to Senate Bill 1202.

PRESIDENT:

All right, Senator Maitland has moved the adoption of Amendment No. 1 to Senate Bill 1202. Discussion? Senator Fawell.

SENATOR FAWELL:

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

PRESIDENT:

Senator Maitland indicates he will yield, Senator Fawell.

SENATOR FAWELL:

Senator, as you know, I did support this concept in...in committee. I happen to represent Wheaton which has a number

of these school people apparently. I was wanting...I...I made the mistake of walking outside for a minute to talk to someone and I was handed this paper which the school people gave me, and...and...when I told them about your amendment, they informed me they are I still violently opposed to not only your original bill but your amendment, and I wondered if you were cognizant of that fact.

PRESIDENT:

Senator Maitland.

SENATOR MAITLAND:

Yes, Senator Fawell, I...I don't believe, in all honest, that the home school people will...will ever support any kind of...of registration. I have talked to literally hundreds of them on the phone, I have shared with them what we are attempting to do, they agree with me that...that this attempt is better than what the original bill was, but I would suggest to you and the members of the...of the Body that I have...had long conversations with...with Doctor Brady of the Illinois Catholic Conference who supports this, and...and although all Christian schools do not, some I understand do, some don't. I have really had no contact directly from them in recent days on the issue.

PRESIDENT:

Further discussion? Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President. I just wanted to ask the sponsor a question that...

PRESIDENT:

Sponsor...sponsor indicates he'll yield, Senator Kelly.

SENATOR KELLY:

Seemed to me like your...initial legislation placed this underneath of the jurisdiction of the various county superintendents of education and is it still in that posture?

PRESIDENT:



Senator Maitland.

SENATOR MAITLAND:

Senator Kelly, no, it is not. That was one of the objections. I thought when I originally introduced the bill that...that they would rather not be registered with the state and that register...registrating them locally would be, perhaps, in their best interest. They, obviously, told me that was not and now it's a uniform...it will be a uniform registration.

PRESIDENT:

Further discussion? If not,...Senator Berman, I beg your pardon.

SENATOR BERMAN:

Well, thank you, Mr. President. I stand in, I think, opposition and I'm ambivalent and I think it's essentially because...the testimony in committee was...very meaningful. The people that opposed this opposed it with...with great fervor. They felt that they...that it...that we were imposing upon them, and not only the imposition but it was what was down the road as a result of the reporting, and I've had a lot of calls of support from people that are in my district that I didn't even know existed before this bill came here applauding the position that I took in opposition to the original bill. I guess my question is, Senator Maitland, if it ain't broken, why are we fixing it? And I'm not aware that there's a problem. Could you elaborate on the information brought to you as to why we're doing this in the first place?

PRESIDENT:

Senator Maitland.

SENATOR MAITLAND:

Well, yes, I can. First of all, I mentioned in my opening remarks, Senator Berman, that...that it is necessary, I think, and we are bound by law to assure that every student

in this state of school age is...is being educated, that's...that's a obligation that we have, and...and we are aware of some situations where...where the home school environment is not what it should be. In ninety-five percent of the...more than that, in a tremendous percent of the cases here the home schools are doing an excellent job and...and no one is about to...to affect them in any way, shape or form, but it seems to me that it's necessary and prudent recognizing that in most cases the home school environment goes only K through eight and at high school age the students do come into the traditional high school and, quite frankly, the preponderance of...of the students are K through three or K through four, so it is necessary for us to have a...an accounting of the students that are out there, recognizing that at some point they may become a part of the public school system or the traditional private school system, so, in fact, we do have a count on where those students are.

PRESIDENT:

All right, further discussion? Senator Keats...I beg your pardon, Senator Keats, I...I thought Senator Berman had concluded.

SENATOR KEATS:

...no problem, back to Art.

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

Well, the problem with this amendment...and I think that this is the kind of a thing that I think the committee system is...is structured for; you know, the bill got out on a...on a close vote, but I think that what bothers me about the amendment is that we're giving a carte blanche to the State Board of Education to promulgate its own rules, and I'm not sure what those rules are going to require. I mean, the bill that was originally introduced that required every one of

these parents to...to account to the regional superintendent came from the state board, am I correct? Oh, it didn't. Where did it come from? Well, my impression was that it did. We're allowing by the amendment the State Board of Education to set up its own system of registration, enrollment, et cetera. I am sure that the Catholic Conference has no opposition, they're really not affected. I'm sure the public school system has no opposition, they're not affected. It's this...it's this small but I think significant population of home school people that are apprehensive. Big Brother is coming down on them and...I just come down on their side. I...I know we have an obligation to account for all the kids. My impression is that if we spent as much time on the problems in the public schools as we're...in talking about doing in tracking down the private schools would be doing a lot of the kids a lot better purpose, and I just don't like the flavor and it's probably the same kind of gut reaction I have when we'll hear about it when Barkhausen wants to tap my phones, as when somebody else wants to come in and check on my kids. It bothers me. I'm...I'm just going to vote No if there's a roll call.

PRESIDENT:

Further discussion? Senator Keats.

SENATOR KEATS:

Thank you, Mr. President. Very briefly, I'm standing in support of Senator Berman. It's sort of a...a cross-ideological position. I'm holding in my hands dated March 19th, 1987 some ideas from the State Board of Education concerning pupil accounting, and you start to read as you go through, you know, page after page after page, if we were dealing with, you know, forty percent of the school population that we didn't have some of these figures on, you know, then you'd have something to argue about. We're dealing with a couple percent. It's a small group and when you

look at the Supreme Court which just handed out now that various groups certainly have certain protections of their rights, remember, they just now added, I forgot...Jewish-Americans and I forgot the second group they just added,...pardon,...Arabs, excuse me. Supreme Court saying take a small group...hey, this is a small group. We've got enough figures. They don't want to be harassed. Art has raised the point I think accurately that we're just asking a couple too many questions of a group who has a certain right to privacy and it's not so dogged many people that need to worry about it. Certainly if we vote on it, we should probably just say, the bill is bad, the amendment makes it better but it's still bad. How far do you want to go? I mean, does everybody have to tell you everything down to the size of their undershorts or could we have something left alone once in a while?

PRESIDENT:

Further discussion? Senator Dunn. Senator Dunn, did you seek recognition? No, sir, okay. Any further discussion? Senator Maitland, do you wish to close? Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President. Just in closing. Senator Berman, I'm really a...I'm amazed at your comments on, you know, the state...the State Board of Education promulgating rules and regulations. You and I stood together on the Reform Act asking them to promulgate rules and regulations because they best knew we felt how to do that and we would monitor those rules and regulations and I think the same applies here. I...this bill would absolutely not affect the legitimate, caring home schools. Each and every one of you in this Body know that. We're trying to protect them and help them, not hinder them. Yes, you've received a lot of calls in opposition. They are never going to support this, but to suggest that we are coming down hard on a specific

group in this state is absolutely not true at all. I...you know, I have no idea what the...what...where this thing is going to go, but, Mr. President, I would simply move for the adoption.

PRESIDENT:

All right, Senator Maitland has moved the adoption of Amendment No. 1 to Senate Bill 1202. Roll call has been requested. 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 9 Ayes, 41 voting Nay, 1 voting Present. Amendment No. 1 fails. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. 1203, Senator DeAngelis. On the Order of Senate Bills 3rd Reading, Senate Bill 1203. Read the bill, Madam Secretary. All right, if I can have the attention of the membership, a number of the members have asked what the schedule is and Senator Philip and I agreed early on when we started this, we will attempt to conclude our business every day at six o'clock. Today we are going, however, to go through 2nd reading totally and then I've suggested to Senator Philip that he should have an opportunity to go to motions in writing which we will do and then we have the Agreed Bill List process or procedure, so...Senator DeAngelis, fiscal note not yet filed. 1210, Senator Savickas. On the Order of Senate Bills 2nd Reading, Senate Bill 1210. I beg your pardon, Senator DeAngelis. I didn't file it. Okay? I'm reporting what the clerk told me. We're moving on. Senator Savickas.

SENATOR DeANGELIS:

Well, wait, can I tell you what the...the amendment

eliminates...takes...takes it all out.

PRESIDENT:

Tell the person that filed the fiscal note. I didn't file it and under the...under the Statute, I can't do anything about it. On the Order of Senate Bills 2nd Reading, Senate Bill 1210. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 1210.

(Secretary reads title of bill)

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

PRESIDENT:

Senator Savickas on Committee Amendment No. 1.

SENATOR SAVICKAS:

Yes, Mr. President and members of the Senate, Committee Amendment No. 1 would delete a provision in the bill which made certain services rights, and it adds a new section which requires gradual funding of the mandate in the bill over a five-year period by making funding under the Act commencing 7-1-89 and be totally funded by 7-1-94. It establishes an advisory committee consisting of members of the General Assembly, the state human service agencies and community service providers and there are just some technical changes in the committee amendment.

PRESIDENT:

Senator Savickas has moved the adoption of Committee Amendment No. 1 to Senate Bill 1210. 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:

Amendments from the Floor?

SECRETARY:

Senator Savickas offers Committee Amendment...offers Floor Amendment 2.

PRESIDENT:

Senator Savickas, Amendment No. 2.

SENATOR SAVICKAS:

Yes, Mr. President, Amendment No. 2...evidently there were some errors in enrolling and engrossing and these are technical errors that they had to rectify and I would move its adoption.

PRESIDENT:

Senator Savickas has moved the adoption of Amendment No. 2 to Senate Bill 1210. 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. 1217, Senator Jones. 1234, Senator Raica. On the Order of Senate Bills 2nd Reading, Senate Bill 1234. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 1234.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Public Health, Welfare and Corrections offers Amendment No. 1.

PRESIDENT:

Senator Raica on Committee Amendment No. 1.

SENATOR RAICA:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Of the...Amendment No. 1 is just a technical amendment and adds the words "the department," and I ask for adoption of this amendment.

PRESIDENT:

Senator Raica has moved the adoption of Amendment No. 1

SB 1244  
2nd reading

to Senate Bill 1234. 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. 1244, Senator Joyce. On the Order of Senate Bills 2nd Reading, Senate Bill 1244. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1244.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Energy and Environment offers Amendment No. 1.

PRESIDENT:

Senator Joyce on Committee Amendment No. 1.

SENATOR JEROME JOYCE:

Thank you, Mr. President. Committee Amendment No. 1 requires a bond to be posted prior to the sale of industrial establishment that requires environmental cleanup and establishes procedure for the sale and transfer of closure of the contaminated industrial sites. This says that they can go ahead and...and sell the site if it is contaminated but a bond must be posted to assure that they will clean it up. I'd be happy to answer any questions or ask for the adoption of the amendment.

PRESIDENT:

Senator Joyce has moved the adoption of Committee Amendment No. 1 to Senate Bill 1244. 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...Jeremiah...Jerome Joyce offers Amendment No. 2.

PRESIDENT:

Senator Joyce, Amendment No. 2.

SENATOR JEROME JOYCE:

Yes, thank you, Mr. President. This amendment exempts agricultural facilities and landfills from the Act, and I'd ask for the adoption of the amendment.

PRESIDENT:

Senator Joyce has moved the adoption of Amendment No. 2 to Senate Bill 1244. 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. 45, Senator Alexander. On the Order of Senate Bills 2nd Reading, bottom of page 10, Senate Bill 1245. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 1245.

(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. Senator Newhouse...Senator Newhouse, 1251.

SB 1251  
2nd reading

On the Order of Senate Bills 2nd Reading, top of page 11, is Senate Bill 1251. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 1251.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

Senator DeAngelis offers Amendment No. 1.

PRESIDENT:

Senator DeAngelis on Amendment No. 1.

SENATOR DeANGELIS:

Thank you, Mr. President. You will recall, when this bill was discussed in committee I indicated that it might be wise that we take this procedure and expand it to all units of government who have a set-aside program. That's essentially what this amendment does, and that is that anyone who has a set-aside program will have to follow the same procedures that Senator Newhouse is requesting that the State of Illinois file...follow.

PRESIDENT:

All right, Senator DeAngelis has moved the adoption of Amendment No. 1 to Senate Bill 1251. Any discussion? Senator Newhouse.

SENATOR NEWHOUSE:

I would ask for a No vote on Amendment No. 1, Mr. President. We worked pretty hard to make this bill conform to what the departments think they can stand with and we'd like it to go just as is.

PRESIDENT:

All right, Senator DeAngelis has moved the adoption of Amendment No. 1 to Senate Bill 1251. Further discussion? If not, Senator DeAngelis, you wish to close?

SENATOR DeANGELIS:

Thank you, Mr. President. For those of you who are on the Executive Committee, you will recall during the discussion on this bill that this amendment was brought up. Further, I had a bill, 1224, that was defeated in Executive; however, one of the suggestions from the Democratic majority was that that bill be amended to include all local units of government as well. So, I would think that those of you who stated that and those of you who were there ought to be able to support an amendment which just simply says that if you're going to have a set-aside program, then you're going to have to follow the procedures for that set-aside program as outlined in the body of the bill.

PRESIDENT:

All right, the question is the adoption of Amendment No. 1 to Senate Bill 1251. Those in favor will vote Aye. Opposed...Senator Newhouse, Senator DeAngelis was closing. Senator Newhouse.

SENATOR NEWHOUSE:

I'd just like to point out that to all of the legislators that this bill would...that...that this amendment would preempt local governments that already have their own plans.

PRESIDENT:

Question is the adoption of Amendment No. 1 to Senate Bill 1251. 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? Have all voted who wish? Take the record. On that question, there are 28 Ayes, 31 Nays. Amendment No. 1 fails. Further amendments?

PRESIDENT:

Senator Newhouse offers Amendment No. 2.

PRESIDENT:

Senator...I beg your pardon, Senator DeAngelis, for what purpose do you arise?

SENATOR DeANGELIS:

Can we poll the negatives, Mr. President?

PRESIDENT:

You certainly may. That request is in order. Will the members be in their seats. Senator DeAngelis has requested a verification. If the members will please be in their seats. Madam Secretary, please read the negative roll call.

SECRETARY:

Alexander, Berman, Brookins, Carroll, Collins, D'Arco, Degnan, del Valle, Demuzio, Thomas Dunn, Hall, Holmberg, Jacobs, Jones, Jeremiah Joyce, Jerome Joyce, Kelly, Lechowicz, Luft, Marovitz, Netsch, Newhouse, O'Daniel, Poshard, Savickas, Severns, Smith, Vadalabene, Welch, Zito, Mr. President.

PRESIDENT:

Yes. Senator DeAngelis, do you question the presence...

SENATOR DeANGELIS:

Yeah, Senator Marovitz.

PRESIDENT:

Senator Marovitz on the Floor? Senator Marovitz on the Floor? Senator Marovitz is in the phone booth.

SENATOR DeANGELIS:

I didn't mean to interrupt his press release.

PRESIDENT:

I understand.

SENATOR DeANGELIS:

Senator Carroll.

PRESIDENT:

Senator Carroll on the Floor? Yeah, Senator Marovitz, we've already got you. Senator Carroll on the Floor? Senator Carroll is on the Floor, Senator DeAngelis.

SENATOR DeANGELIS:

Senator Zito.

PRESIDENT:

Senator Zito on the Floor? Is Senator Zito on the Floor?  
Senator Zito on the Floor? Strike his name, Madam Secretary.  
SENATOR DeANGELIS:

Thank you.

PRESIDENT:

All right, Madam Secretary. The roll has been verified.  
There are 28 Ayes, 30 Nays and the amendment fails. Further  
amendments?

SECRETARY:

Senator Newhouse offers Amendment No. 2.

PRESIDENT:

Senator Newhouse on Amendment No. 2.

SENATOR NEWHOUSE:

Amendment No. 2 clarifies that DOT is the only agency to  
certify a business as a minority or female business enter-  
prise for Federal aid highway contracts. The Feds have asked  
for this and we've complied with the Feds' request. I move  
its adoption.

PRESIDENT:

Senator Newhouse has moved the adoption of Amendment No.  
2 to Senate Bill 1251. 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. 1275, Senator del Valle. On the...on the  
Order of Senate Bills 2nd Reading, Senate Bill 1275. Read  
the bill, Madam Secretary.

SECRETARY:

Senate Bill 1275.

(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 on Amendment No. 1.

SENATOR del VALLE:

Amendment No. 1, Mr. President, was recommended by the committee. It deletes the provision that each day of the violation of criminal housing management constitutes a separate offense. I move for the adoption of Committee...Amendment...Floor Amendment No. 1.

PRESIDENT:

Senator del Valle has moved the adoption of Amendment No. 1 to Senate Bill 1275. 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. 1277, Senator del Valle. On the Order of Senate Bills 2nd Reading, Senate Bill 1277. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 1277.

(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. 1314, Senator Dunn. On the Order of Senate Bills 2nd Reading, Senate Bill 1314. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 1314.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Are there amendments from the Floor?

SECRETARY:

Senator Thomas Dunn offers Amendment No. 1.

PRESIDENT:

Senator Dunn on Amendment No. 1.

SENATOR TOM DUNN:

Thank you, Mr. President. The amendment is at the request of the State Police and removes this from the Forensic Division to the Criminal Investigation Division.

PRESIDENT:

Senator Dunn has moved the adoption of Amendment No. 1 to Senate Bill 1314. 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. 1319, Senator Lechowicz. On the Order of Senate Bills 2nd Reading, Senate Bill 1319. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 1319.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Elections and Reapportionment offers Committee Amendment No. 1.

PRESIDENT:

Senator Lechowicz on Committee Amendment No. 1.

SENATOR LECHOWICZ:

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

Senate. Committee Amendment No. 1 was the recommendation as far as that the salary increase for the judges would also include a twenty-five dollar stipend if people who took the time and took the course at the Board of Election Commission at the respective election committees throughout the state, and I move for its adoption.

PRESIDENT:

Senator Lechowicz has moved the adoption of Committee Amendment No. 1 to Senate Bill 1319. 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 Lechowicz offers Amendment No. 2.

PRESIDENT:

Senator Lechowicz on Amendment No. 2.

SENATOR LECHOWICZ:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Committee...Floor Amendment No. 2 is the work product of Senator Harlan Rigney and Senator Macdonald and they raised a question in committee in reference to having an opt-out provision for counties throughout this state, that's what...this amendment does. It also puts in a...an effective date and I move for its adoption.

PRESIDENT:

Senator Lechowicz has moved the adoption of Amendment No. 2 to Senate Bill 1319. 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. 1340, Senator Marovitz. On the Order of Senate Bills 3rd Reading...1353. On the Order of Senate Bills 2nd Reading is Senate Bill 1353. Madam Secretary, read the bill, please.

SECRETARY:

Senate Bill 1353.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

Senators Marovitz and Smith offer Amendment No. 1.

PRESIDENT:

Senator Marovitz on Amendment No. 1.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. Amendment No. 1 to Senate Bill 1353 deletes the provision in the bill that would have required DCFS to contract with community based agencies to provide treatment services to clients of the department who are in need of alcohol and substance abuse services, so that...the contracting language which was originally in the bill is unnecessary due to current DCFS policies and implementation of another bill, Senate Bill 1565, which is now law. I would ask for adoption of this amendment which has been approved by DCFS.

PRESIDENT:

All right, Senator Marovitz has moved the adoption of Amendment No. 1 to Senate Bill 1353. 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. The Chair would like to point out...and I'd ask the sergeant and the assistant sergeant to distribute that material that's in the back. The hour of five o'clock has now arrived. As you recall, under the agreement in the Agreed Bill List procedure, objections were to be filed prior to four o'clock today and the voting closes now at five. The updated list which we will be voting on within the hour, we hope, will be now distributed. There...there have...sure, yeah, whatever you want, Frank, anything you want. Four additional bills have been placed on the recall list and the sponsors, therefore, have expected their removal from the Agreed Bill List. I'd just ask you to make those changes right on the face of this list. Senator Joyce, 1393. On the Order of Senate Bills 2nd Reading, Senate Bill 1393. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 1393.

(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. 1425, Senator Welch. 1426. On the Order of Senate Bills 2nd Reading is Senate Bill 1426. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 1426.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

SB 1459  
2nd Reading

No Floor amendments.

PRESIDENT:

3rd reading. 1428, Senator Collins. Senator Collins on the Floor? 1428. 1436, Senator Degnan. Senator Degnan on the Floor? 1436. 1452, Senator Woodyard. Top of page 12, on the Order of Senate Bills 2nd Reading is Senate Bill 1452. Madam Secretary, read the bill.

SECRETARY:

Senate Bill 1452.

(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. 1459, Senator Dudycz. On the Order of Senate Bills 2nd Reading, top of page 12, is Senate Bill 1459. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 1459.

(Secretary reads title of bill)

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

PRESIDENT:

Senator Dudycz on Committee Amendment No. 1.

SENATOR DUOYCZ:

Thank you, Mr. President. Committee Amendment No. 1 deletes the title and everything after the enacting clause and becomes the bill, the new language as the Neighborhood Preservation Act of 1988, and I ask for adoption of Committee Amendment No. 1.

PRESIDENT:

All right. Senator Dudycz has moved the adoption of...of

Amendment No. 1 to Senate Bill 1459. 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 Lechowicz offers Amendment No. 2.

PRESIDENT:

Senator Lechowicz on Amendment No. 2.

SENATOR LECHOWICZ:

Well, Mr. President and Ladies and Gentlemen of the Senate, this...was such a good idea in committee, I thought it would only be appropriate to make it statewide and I move for its adoption.

PRESIDENT:

Senator Lechowicz has moved the adoption of Amendment No. 2 to Senate Bill 1459. Discussion? Senator Dudycz.

SENATOR DUDYCZ:

Thank you, Mr. President, members...Ladies and Gentlemen of the Senate. I'd just like for you to know what this amendment will do. This Amendment No. 2 will widen the scope of the bill to make it apply statewide. Now, I don't oppose any other areas of the state to follow our lead in Chicago towards gaining additional police patrols. I just want the members to be aware that by including your community in this legislation and by voting for this amendment, you will be taking twelve percent of your motor fuel tax money from your community and placing it in the Neighborhood Preservation Fund. Personally, I'm not...against that, but I think you should know what you're doing. To my downstate and suburban colleagues, if your towns and cities have twelve percent access in their Motor Fuel Tax Fund, then you could easily

support this amendment. As long as we all understand, a Yes vote for this amendment is saying that you are willing to recommit twelve percent...it's at 1.2 but that's twelve percent of your towns' and villages' Motor Fuel Tax Fund to the Neighborhood Preservation Fund, and I'm going to ask for a roll call.

PRESIDENT:

All right. The question is the adoption of Amendment No. 2 to Senate Bill 1459. Further discussion? Senator Watson. Senator Jeremiah...Senator Watson, your light has been on, yes, sir. Senator Watson.

SENATOR WATSON:

Yes, sir. Thank you, Mr. President. I'd just like to point out to our downstate colleagues what this impact might have in our particular area. We're talking about taking twelve percent of the motor fuel tax monies out of our local...local road projects for our local communities. And just to give an example of some of the impact it might have, especially in a...in a community such as Decatur where I know that Senator Severns is concerned about this, it will have a hundred and ninety-two thousand dollar loss...impact, and Senator Sam in Edwardsville, it's got a twenty-five thousand five hundred and ten dollar loss, and Senator O'Daniel in Effingham, it's got twenty-three thousand thirty-six dollar loss, and in Mount Vernon a thirty-five thousand one hundred and forty-three dollar loss and, Senator Holmberg, in Rockford, you're talking about an impact of fifteen thousand nine hundred and fifty-three...fifteen thousand nine hundred and fifty-three dollars. Needless to say, we need the money to put into roads, we don't need to be putting it into Neighborhood Preservations Fund, although I can understand what we're trying to do in...in the City of Chicago and it's probably needed and necessary there but certainly not in our areas, and I would suggest that we vote No on this.

PRESIDENT:

Further discussion? Senator Joyce, Jeremiah.

SENATOR JEREMIAH JOYCE:

Thank you, Mr. President. The...Senator Watson has touched on the...the distinction here that Senator Lechowicz's amendment fails to make and that is that...for those who were present in committee and for those who are familiar with this legislation with the...with the bill unamended, the...the problem in the City of Chicago is very much different than what our downstate colleagues face in their districts. In the City of Chicago we have a problem with the allocation of police manpower. It's based primarily on the way that the beats are set up and the beats are, in fact, set up on calls for service and seriousness of crime. There are some communities in the City of Chicago that do not qualify for the type of police protection that they would perhaps qualify for downstate. So there is a difference here and I would ask that Senator Lechowicz's amendment be defeated, because it fails to take into consideration that.

PRESIDENT:

Further discussion? Senator Collins.

SENATOR COLLINS:

Yes, I rise in support of Senator Lechowicz amendment. I was in committee when this bill or this coup, if you want to say, amendment was put on by a Springfielder; and I hope that this amendment, Senator Lechowicz, takes care of the concerns of...and I don't see him on the Floor...Doc Davidson, because he offered the amendment for one of our Chicago colleagues and, therefore, I think what is good for Chicago ought to be good for Springfield and...and the rest of the state. So I support wholeheartedly this amendment.

PRESIDENT:

Further discussion? Senator Jones.

SENATOR JONES:

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

PRESIDENT:

Sponsor indicates he'll yield, Senator Jones.

SENATOR JONES

Yes, Senator Lechowicz, it was...remarks were made that the...has problem with the beats in Chicago as it relate to the distribution of police officers. Now, I was in committee, I didn't hear anyone testify from the City of Chicago...you would be the sponsor of this amendment, are you aware of any problems as it relate to police personnel in the City of Chicago?

PRESIDENT:

Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. In response to your question, Senator Jones. In my personal opinion, Superintendent Rice has done an outstanding job, and because of the constraints of budget...budget constraints to the City of Chicago, as in any other municipality, there is x number of dollars that are allocated for police protection. There has been criticism both pro and con as far as whether there is enough Chicago policemen at any one point in time serving the...people of the City of Chicago, but let me just point very clearly that with the police personnel on hand and Superintendent Rice and the type of job that he's trying to do, I don't believe the City of Chicago, the Chicago Police Department or the superintendent deserves any type of criticism by this Body or any other Body.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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

SENATOR DUDYCZ:

Point of order, Mr. President. I thought we're talking about the amendment not the bill. We're not dealing with the

City of Chicago now...you're dealing with your amendment, Senator, which is expanding the bill to the entire state.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Dudycz, I have to apologize...I don't even know who asked the question. Oh,...Senator Jones.

SENATOR JONES:

Well, in view of the fact that the...the representative of the City of Springfield said this was good for the City of Chicago, and I've seen him there a number of times but I know he doesn't reside there, so if it's good for the City of Chicago, with all the problems I see that our great State Capitol is having as it relate to its form of government...so, evidently, this amendment must be good for Springfield as well and I urge a Aye vote on this amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Davidson.

SENATOR DAVIDSON:

Since some of the people on the other side of the aisle were so gracious to mention my name in debate, yes, I did sponsor this bill in committee and the amendment went on it, and I did it at the request of a person who is not a member of the committee and very simple. The problems in Chicago as far as what is available in uniform policemen being available is not the same as it is downstate. And, secondly, our form of government is in the hands of the Federal governor...Federal judge and is not to be debated here on the Floor of the Senate, 'cause we don't have any jurisdiction in it whatsoever. This is a terrible amendment and I certainly hope all you downstate Democrats have the opportunity of voting No, 'cause if you vote Yes, you're telling all the people in your...incorporated towns and your district downstate you want to send twelve percent of your money elsewhere. I think this is a terrible amendment, let's all vote against it.



PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator...Senator Rock.  
Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I have heard some truly compelling arguments against Amendment No. 2. The thing that strikes me is we should have heard those same arguments against Amendment No. 1. I...I would as one who voted on the prevailing side on a voice vote move to reconsider the vote by which Amendment No. 1 was adopted, and let's hear these same arguments and have the same kind of purported roll call and I would...move to reconsider that vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Rock has moved to reconsider the vote by which...by which Amendment No. 1 was adopted. Senator...discussion? Senator...Senator Philip.

SENATOR PHILIP:

I'm sorry, Mr. President, I think we're on Amendment No. 2 not on Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, we are...we are certainly getting there. Senator Davidson, for what...what purpose do you arise?

SENATOR DAVIDSON:

Well, a point of order. My understanding of the Senate rules, when we're in the middle of a amendment that's already on the bill Floor being considered, it is not appropriate to change the horse in the middle of the stream, and after this amendment is voted up or down, then the motion by the President may or may not be in order. But I believe, Mr. Chairman, I would ask that it's not in order at this time.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator...Senator Jeremiah Joyce.

SENATOR JEREMIAH JOYCE:

(Machine cutoff)...to adjourn. Roll call. Roll call on adjournment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, a motion to adjourn is not debatable. Those in favor of...Senator Joyce has moved that the Senate stand adjourned till tomorrow morning at the hour of ten o'clock. Those in favor will indicate by saying Aye. Opposed Nay. The opinion of the Chair, the...the Nays have it. All right. Senator Smith.

SENATOR SMITH:

Thank you, Mr. President and members of the Senate. I'd like to inquire, please. Have either of the amendments, Amendment...Amendment 1 or Amendment 2, have they been circulated for our perusal?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Amendment No. 1 was adopted...

SENATOR SMITH:

Have either one of...

PRESIDING OFFICER: (SENATOR DEMUZIO)

...Amendment No. 1 was adopted on the voice vote. Amendment No. 2 is before us. Senator Dudycz, has Amendment No. 2 been distributed? Senator Lechowicz, has Amendment No. 2 been distributed?

SENATOR LECHOWICZ:

Check with the Clerk, I don't know. I don't distribute the amendments. It was filed sometime ago though. Has the...I don't know, check with the Clerk. Has it been...been distributed?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, it is...it is not the responsibility of the Clerk...

SENATOR LECHOWICZ:

It's not my responsibility to distribute amendments, I'll

tell you that.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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

SENATOR DUDYCYZ:

Mr. President, I move we take the bill to 3rd reading.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, we have...we...we're...we...we've got a couple of things here to do here...Senator Rock, for what purpose do you arise? Senator Rock.

SENATOR ROCK:

Now, I...I can understand if there's objection to Senator Lechowicz's amendment not being distributed. We've been doing that all day and that's fine. Senator Lechowicz will agree that it probably should be distributed. But I am renewing my motion to reconsider the vote by which I was adopted and requesting a roll call vote on the adoption, after it's properly explained, of Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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

SENATOR LECHOWICZ:

Point of order. Based upon the President's request, I move...I withdraw Amendment No. 2 for the time being. Now his motion is in order.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator...Senator Lechowicz seeks leave of the Body to withdraw Amendment No. 2. Is leave granted? Leave is granted. Amendment No. 2 has been withdrawn. Senator Rock, for what purpose do you arise?

SENATOR ROCK:

I would now...because of the compelling arguments and the concern that I've heard expressed and the same concern I presume ought to be expressed on behalf of the people of Chicago when you're talking about not twenty-five thousand dollars,

talking, as I understand it, somewhere in the neighborhood of six to seven million annually, I would like to move to reconsider the voice vote by which Amendment No. 1 was adopted and ask for a roll call on the adoption of that amendment if it is again reoffered.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Discussion? Senator...on...on Senator Rock's motion. Senator Joyce. Jeremiah Joyce.

SENATOR JEREMIAH JOYCE:

The...I would ask for a ruling on the Chair as to whether or not Senator Rock did, in fact, vote Aye on Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well...well...in the...in the opinion of the Chair, the...Senator Rock was the presiding officer at the time and, in fact, did vote in the affirmative and on the prevailing side. Senator Jeremiah Joyce.

SENATOR JEREMIAH JOYCE:

I would like to appeal the ruling of the Chair and I would like to say to this Body that Senator Rock is, in fact, misrepresenting his vote on Amendment No. 1 and is standing before here lying to the Illinois Senate. I'd ask for a ruling on the Chair.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Lechowicz on a point of order. Senator Lechowicz.

SENATOR LECHOWICZ:

My point, Mr. President, when there is a ruling from the Chair on a voice vote and there has been no objection as far as no negatives recorded, it's always been the policy that everyone in the Chamber has been recorded as Aye as far as on a voice vote. I believe Senator Rock's motion is in order, and as a matter of courtesy and precedent, it should stand.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, in...in many respects...in your explanation, that has been the tradition of the thirteen years that I have been here, that is...that is correct. Now, Senator Rock has moved having voted on the prevailing side to reconsider the vote by which Amendment No. 1 was adopted. Those that...those in favor indicate by saying Aye. Opposed Nay...Senator Philip.

SENATOR PHILIP:

Request a roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Philip, you...you are seeking a roll call on Senator Rock's motion to reconsider the adoption of Amendment No. 1. All right. Senator Rock having voted on the prevailing side moves to reconsider the vote by which Amendment No. 1 was adopted. Is there discussion? Senator Dudycz.

SENATOR DUDY CZ:

Yes, Mr. President, I'd like to know, how many votes would that take?

PRESIDING OFFICER: (SENATOR DEMUZIO)

A motion to reconsider will take a majority. Senator Rock, for what...Senator Rock.

SENATOR ROCK:

Well, I...I think that motion and the question is a proper one, but I think the motion to reconsider will take as many votes as the main action took. So to adopt an amendment, it's a majority of those voting. For final passage, if we were reconsidering final passage, it would be thirty. In this case, it's the majority.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Rock having voted on the prevailing side moves to reconsider the vote by which Amendment No. 1 to Senate Bill 1459 was adopted. Those in favor of the reconsider would vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish?

Have all voted who who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 29, the Nays are 29, none voting Present. The motion to reconsider fails. Further amendments? Senator Lechowicz, have you...have you refiled your amendment?

SENATOR LECHOWICZ:

I sure have. Has the Clerk distributed it?

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further amendments? Further amendments?

SECRETARY:

Amendment No. 2 offered by Senator Lechowicz.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate Amendment No. 2 broadens the Act so that it's available to any municipality in the State, not just Chicago. This Act as created by Senate Amendment No. 1 affected only cities of two million or more, only the City of Chicago. With this amendment, neighborhoods and any municipality could petition the state's attorney and sheriff to provide special sheriff's patrols in areas the municipal police have not been able to cover sufficiently. Each municipality in the state would have twelve percent of its monthly MFT allocation diverted to the Neighborhood Protection Fund, just like the City of Chicago, regardless of whatever...it ever requests special patrols under this Act. So whether it's Springfield would want this or not, the twelve percent would go into the fund on the possibility they may request this Act. Some downstate municipalities may have no municipal police and are now covered the sheriff's department. With this amendment, it is conceivable the sheriff could have a petition circulated, get the state's attorney to officially request such coverage and build a fund for the cost of the patrol. Senate

Amendment No. 1 alluded to the fact that the cost of the special patrols will be paid from the fund created but included no specific authorization language. This amendment adds such necessary language. Senate Amendment...No. 1 provided for the City of Chicago to pay five hundred thousand dollars monthly from the motor fuel tax allocations to the Neighborhood Prevention Fund. This amendment requires twelve percent of each municipality's allocation to go for the fund. This twelve percent should generate approximately twenty million dollars annually; of this, Chicago will contribute approximately 6.1 million dollars. There are approximately one thousand two hundred and seventy-five municipalities in Illinois. It expands the bill's application to all municipalities in Illinois. It decreases the population size of an area that can petition for the special sheriff's patrols from two thousand...from two million to two hundred, and it changes the petition signature requirements from fifteen hundred to fifty percent of the residents affected within their effective area. The Neighborhood Prevention Fund shall receive twelve percent of the monthly MFT allocation to each municipality in the state. The funds may be appropriated from the state. A county whose sheriff's department is providing special sheriff's patrols under this Act shall send a monthly financial statement for the cost and bill it to the state. It also corrects some various technical...errors in Amendment No. 1 and I move for its adoption.

PRESIDENT:

All right. Senator Lechowicz has moved the adoption of Amendment No. 2 to Senate Bill 1459. Discussion? Senator Dudycz.

SENATOR DUDYCYZ:

Thank you, Mr. President. Senator Lechowicz is absolutely correct. Senate Amendment No. 1...in No. 1 we want twelve percent of our motor fuel tax funds to go into a spe-

cial fund to make sure that we have adequate police protection. Those of you...downstate who would like twelve percent of your monies to go into the same account, you can vote Yes also.

PRESIDENT:

Further discussion? Senator Collins.

SENATOR COLLINS:

Thank you, Mr. President and members of the Senate. I would just like to...to say to the downstate members on this side of the aisle, what is happening here is a ploy to prey on your sentiment and make you feel guilty about voting for this amendment. It is absolutely unfair that this bill will pass out of here penalizing the City of Chicago and it is this Senator's intent that the bill fail. An affirmative vote for this amendment would probably accomplish that goal. So that...don't feel bad about voting against this amendment, because we are determined to kill this bill, and if it don't die here, I can assure you it's going to die in the House. So don't let them put you on any guilt trip, right now kill this dog.

PRESIDENT:

Further discussion? Senator Schaffer.

SENATOR SCHAFFER:

Well, I...I agree with Senator Collins to my downstate Democrat friends. This is, obviously, a ploy. I would point out to you that the tall, good-looking fellow over there in the blue coat is the sponsor of the amendment. So if it's a ploy, it's not our ploy, and to those of you who believe Senator Collins that it's going to be killed later in the House, that's only after you have cast an awful bad vote for a downstater. Think about it and would love a roll call on this, Mr. President.

PRESIDENT:

Further discussion? Senator Watson.



SENATOR WATSON:

Yes, thank you, Mr. President. I..I mean, here we have a former police officer from the City of Chicago; he knows the problems of law enforcement in that...particular community. He's asking for some help. I see no problem in doing that and I think that what we're doing and what we did with Amendment No. 1 is fine. But we don't need this kind of help in our particular...especially in my area, maybe some of you do, but any of you downstaters from rural areas, this is a bad vote. If you vote...support this, this is a bad, bad vote. You better be voting No.

PRESIDENT:

Further discussion? Senator Lechowicz, you wish to close?

SENATOR LECHOWICZ:

Thank you, Mr. President and Ladies and Gentlemen of the House...Senate. Let me point out to you that if Amendment No. 1 was good, then Amendment No. 2 should be overwhelmingly approved. Do you think that only in the City of Chicago there's a problem as far as the possibility of allocation of police? You don't believe there's a problem with statewide with every municipality? You don't think they have a problem here in Springfield as far as the allocation of the number of policemen to the calls that they receive? Yes, they do. There's nothing new. The only thing you're saying is that if it's good for Chicago, we're allocating twelve and a half percent of the motor fuel tax funds coming into that city, it should be available for every...every municipality. I don't think there's anybody that's against neighborhood protection, whether it be a Democrat or Republican. But let me tell you exactly what's involved here. What's involved here is as far as the Chicago Police Department trying to service the people within the City of Chicago, now we have a new Republican Sheriff in Cook County by the name of Jim O'Grady who can

SB 1463  
2nd Reading

come in and hire people and say that, well, the Chicago Police Department isn't responding quick enough to your...your calls. And now we're going to have a police department within a police department within a police department, that's absolute lunacy and who's paying for it? Who's paying for it? The people of the City of Chicago. Inadvertently, where the money that is raised and generated is supposed to be going to motor fuel tax funds is being diverted for this shenanigan and you can tell it the way it is. This is a...shenanigan and a ploy. Amendment No. 1 should have been defeated, and if it was good enough to be adopted, then this is...if it's good enough for Chicago, it should be good enough for the rest of the state. This is a sham and I strongly encourage that this Body would realize what they're trying to do to the people in Chicago and the fine Chicago Police Department. And that's why I move for the adoption of Amendment No. 2.

PRESIDENT:

Senator Lechowicz has moved the adoption of Amendment No. 2 to Senate Bill 1459. A roll call has been requested. 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 15 Ayes, 43 voting Nay, none voting Present. Amendment No. 2 fails. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. 1463, Senator Berman. On the Order of Senate Bills 2nd Reading, Senate Bill 1463. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 1463.

(Secretary reads title of bill)

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

PRESIDENT:

Senator Berman on Committee Amendment No. 1.

SENATOR BERMAN:

Thank you, Mr. President. Committee Amendment No. 1 corrected some errors that were in the bill as originally drafted. I move the adoption of...Committee Amendment...

PRESIDENT:

Senator Berman has moved the adoption of Amendment No...Committee Amendment No. 1 to Senate Bill 1463. 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. 1468, Senator Newhouse. On the Order of Senate Bill 2nd Reading, Senate Bill 1468. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 1468.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

Senator Newhouse offers Amendment No. 1.

PRESIDENT:

Senator Newhouse on Amendment No. 1.

*SB 1482  
2nd Reading  
SB 1475  
2nd Reading*

SENATOR NEWHOUSE:

This is a technical amendment correcting some errors by the Reference Bureau and I move its adoption.

PRESIDENT:

Senator Newhouse has moved the adoption of Amendment No. 1 to Senate Bill 1468. 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 Jerome Joyce, on the Order of Senate Bills 2nd Reading is Senate Bill 1475. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 1475.

(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. 1482, Senator Welch. On the Order of Senate Bills 2nd Reading, Senate Bill 1482. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 1482.

(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. Amendment No. 1 while it is a Floor amendment actually was heard in committee but wasn't printed in time to be voted on in committee. Amendment No. 1 to Senate Bill 1482 is the product of months of negotiations involving the Governor's Office, the EPA, Energy and Natural Resources, the Department of Public Health and many business and environmental groups. We've gone through many revisions on a bill that the Governor has said is the top environmental...priority of this Session. Significant concessions have been made on both sides in order to balance the need to protect ground water without imposing onerous burdens on business or discouraging economic development. What this amendment does is similar to an earlier amendment; however, this also includes the possibility of preventing contamination earlier on by including recharge areas which were not included in the earlier bill and I'd move for the adoption of the amendment.

PRESIDENT:

Senator Welch has moved the adoption of Amendment No. 1 to Senate Bill 1482. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments? Senator Geo-Karis, I'm sorry, on Amendment No. 1.

SENATOR GEO-KARIS:

I'd just like to know, Mr. President, is that the one that has Senator Savickas' name on it?

PRESIDENT:

Senator Welch.

SENATOR WELCH:

I don't believe so.

PRESIDENT:

Further discussion? All right, Senator Welch has moved the adoption of Amendment No. 1 to Senate Bill 1482. Any...further 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. 2 offered by Senators Etheredge and Savickas.

PRESIDENT:

Senator Etheredge.

SENATOR ETHEREDGE:

Yes, Mr. President and Ladies and Gentlemen of the Senate, Amendment No. 2 would delete everything after the enacting clause and would insert the wording which was earlier adopted as part of Senate Bill 422. This is the...a bill which would protect and preserve and provide for the management of ground water.

PRESIDENT:

All right, Senator Etheredge has moved the adoption of Amendment No. 2 to Senate Bill 1482. Discussion? Senator Welch.

SENATOR WELCH:

Yes, Mr. President. What this amendment does is what we did earlier in the day, so this would be a duplication of what we already have moving to 3rd reading. This particular amendment that I have offered addresses the key to the effective comprehensive approach to the protection of ground water while the Etheredge amendment does not. The identification and protection of extremely sensitive areas is crucial to any real ground water bill. Establishment of set-back zones and identification of potential sources of contamination is crucial to any real ground water bill. The original amendment on the bill will help prevent ground water contamination; the amendment being offered here does not do so. It

is the minimum anyone can do and still attach the word "ground water" to it. We already have one bill doing exactly what this amendment does. It does us little or no good to carry a bill with exactly the same amendment on it. I think that this amendment should be defeated because it doesn't do anything.

PRESIDENT:

Further discussion? Senator Fawell.

SENATOR FAWELL:

Thank you, Mr. President. Again, I would like to remind my colleagues that this...the sponsor of this amendment is the only one really who has the necessary background to know what in the world we're doing. He does have his Doctorate in Geology along with his Masters and his...and his Bachelors, and I would suggest we follow his lead rather than an attorney...and I...and I have an attorney in my family, but I...and I have no objections but what...what attorneys know about this type of thing is...is not certainly comparable to Doctor...Etheredge.

PRESIDENT:

Further discussion? Any further discussion? Senator Welch.

SENATOR WELCH:

Well, I...I don't think it does us much good to be bringing in professions, Senator. I think that each of us have staff members who are trained in each area, certainly geology helps out. I have a brother who happens to be a geologist as well; however, I don't think I'd want him advising me on a ground water bill. I think that they're...they may be two different things. This amendment is a duplication. It does nothing and it should be defeated.

PRESIDENT:

Further discussion? Senator Joyce.

SENATOR JEROME JOYCE:

Yes, thank you, Mr. President. I rise in opposition to this amendment. I think the...the bill as amended by Senator Welch is one that can leave this Chamber in the fashion that it...it should be. I...I don't know about qualifications...whether...who's better able to draft a bill. I suspect the IMA drafted this bill rather than Doctor Etheredge. So, I...I would just tell you that everybody drinks water, little kids drink water and old people drink water and I think that we aren't paying attention to what is happening to our water in this state for...and in a lot of areas, not only in quality but in quantity. I think water is the most important thing that we have in the State of Illinois to bring industry back to this state. If we aren't careful and we contaminate our water supply, then all of the other things that we offer DCCA...all the incentives aren't going to do a thing to bring industry back to Illinois. That's the one thing that we have that's better than any other state. So, I...I think we ought to try and salvage that. This is just setting back all that the negotiations throughout this whole thing with...with all the environmental groups...the other...the chambers...everybody worked on this thing very, very diligently and then here at the last minute we're going to thwart the whole thing. I...I would certainly ask for a No vote on this amendment.

PRESIDENT:

Further discussion? Senator Macdonald.

SENATOR MACDONALD:

Thank you, Mr. President. I certainly have to agree with my colleagues on the other side of the aisle that this is a long, long overdue bill. The ground water issue in this state is extremely important. I would suggest to you that Senator Etheredge has offered what I believe is the best compromise that we have talked about so far. It is true that the Governor's Office has worked long and hard...over a year



and a half on this issue. I think that this amendment embodies certainly most of what the work has been done previously on this bill and adds a lot of components that will make this a passable bill not only in this Chamber but across the aisle as well...or across the Rotunda as well, so that I urge you to vote for this very sensible and very much needed bill in Illinois.

PRESIDENT:

Further discussion? Senator Etheredge, you wish to close?

SENATOR ETHEREDGE:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. There is not a Senator in this Chamber that is not interested in guaranteeing that our ground water remains pure, safe to drink and that there are ample supplies available...available for all of our uses in the future. I think what is before you now is a very responsible bill which will assure that the quality of our ground water is protected on into the future. I would urge an Aye vote.

PRESIDENT:

Question is the adoption of Amendment No. 2 to Senate Bill 1482. 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? Have all voted who wish? Take the record. On that question, there are 32 Ayes, 23 Nays, 1 voting Present. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. 1488, Senator Schaffer. On the Order of Senate Bills 2nd Reading, Senate Bill 1488. Read the bill, Madam Secretary.

Page 286 - May 19, 1987

END OF REEL

REEL #7

SECRETARY:

Senate Bill 1488.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Public Health, Welfare and Corrections offers Amendment No. 1.

PRESIDENT:

Senator Schaffer on Committee Amendment No. 1.

SENATOR SCHAFFER:

Committee Amendment No. 1 is aimed at resolving some concerns the Comptroller had and to provide for the appropriation of these funds for the General Assembly. I know of no opposition.

PRESIDENT:

Senator Schaffer has moved the adoption of Committee Amendment No. 1 to Senate Bill 1488. 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. 1507, Senator Woodyard. On the Order of Senate Bills 2nd Reading, Senate Bill 1507. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 1507.

(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. 1513, Senator D'Arco. On the Order of Senate Bills 2nd Reading is Senate Bill 1513. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 1513.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

Senator D'Arco offers Amendment No. 1.

PRESIDENT:

Senator D'Arco on Amendment No. 1.

SENATOR D'ARCO:

Thank you, Mr. President. Amendment No. 1 says that every trustee on the...on the termination of a trust shall furnish to the...beneficiaries entitled to distribution a final accounting. Such final accounting shall be binding on the beneficiaries receiving them unless an action against the trustee is instituted by the beneficiary within two years from the date said final account is furnished. It also provides that if the trustee is guilty of fraudulent concealment, in which case the beneficiary may bring an action within five years after the discovery of the cause of action. I would ask to adopt Amendment No. 1.

PRESIDENT:

Senator D'Arco has moved the adoption of Amendment No. 1 to Senate Bill 1513. Discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Sponsor yield for a question?

PRESIDENT:

Indicates he'll yield, Senator Geo-Karis.

SENATOR GEO-KARIS:

Is your bill...your amendment on the bill from Judiciary?

PRESIDENT:

Senator D'Arco.

SENATOR D'ARCO:

I'm sorry, would you repeat that? I didn't hear you.

PRESIDENT:

Senator Geo-Karis.

SENATOR GEO-KARIS:

Was your bill one of those that came before the Judiciary Committee or not?

PRESIDENT:

Senator D'Arco.

SENATOR D'ARCO:

Yes.

PRESIDENT:

Senator Geo-Karis.

SENATOR GEO-KARIS:

Now what you're saying in this is that you're giving a two-year Statute of Limitations. Is that right? If the trustee does something wrong...if...and he can...if he is not sued within two years, why you can't do anything about it even if he defrauds the beneficiary. Is that it?

PRESIDENT:

Senator D'Arco.

SENATOR D'ARCO:

No, it...no, Adeline, that's not it. No...I can't tell that story...anyway, this is...no, that's not it, Adeline. What this is is, it says that if there is fraudulent concealment by the trustee, the beneficiary can sue the trustee

within five years after discovery of a cause of action, so he can sue the trustee whenever he discovers there was fraudulent concealment.

PRESIDENT:

Senator Geo-Karis.

SENATOR GEO-KARIS:

Just a...just another question and I just want to get it clear in my mind...the original bill required the trustees to provide beneficiaries with the receipt, disbursement, distribution and inventory accounting of the trust annually. Now, where did your...I...I don't quite follow where you changed the...the amendment...your amendment changes it. Incidentally, it came out of Finance and Credit Committee that's why I never saw it before and I'm not a member of that committee.

PRESIDENT:

Senator D'Arco.

SENATOR D'ARCO:

You're right about that.

PRESIDENT:

Senator Geo-Karis.

SENATOR GEO-KARIS:

Where is the change...your amendment makes a change to the original bill. Would you just tell us what it changes?

PRESIDENT:

Senator D'Arco.

SENATOR D'ARCO:

This...you ever see "Cool Hand Luke," Adeline, and the sheriff...I know it was this...this...this guy and he says to Paul Newman...and he's telling, you know, you're a failure to communicate. You ever hear that story? That's what...reminds me of that, I don't know why, it just does, you know. Anyway, let me tell you, Adeline, what it does, it...it adds a Statute of Limitations of two years after the beneficiary receives the final accounting and then five years

if there's fraudulent concealment after the date of discovery of a cause of action. That...that's what the amendment does.

PRESIDENT:

Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, if that's what the amendment does, it's not bad, but don't worry about "Cool Hand Luke." Do you qualify? I don't.

PRESIDENT:

Further discussion? Senator Hawkinson.

SENATOR HAWKINSON:

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

PRESIDENT:

Indicates he'll yield, Senator Hawkinson.

SENATOR HAWKINSON:

Senator, that's a five-year Statute whether there's fraud or not. In other words, if fraud is discovered beyond the fifth year, you cannot sue?

PRESIDENT:

Senator D'Arco.

SENATOR D'ARCO:

Five...five years from the discovery. So, you know, it...it could be ten years, fifteen years after a discovery...I mean, it...it can...after a discovery is made. The discovery can be made ten years after the...final accounting is delivered and then five years after that point in time.

PRESIDENT:

Senator Hawkinson.

SENATOR HAWKINSON:

My understanding, Senator, was that you indicated it was two years from time of discovery with a five-year cap. You're indicating that's not the case but I haven't...I haven't seen the amendment, but I understood your initial

explanation to be two years from time of discovery or an outside limit of five years, which would mean that even if there was fraud after five years but I'll take your interpretation.

PRESIDENT:

Further discussion? Senator Berman.

SENATOR BERMAN:

Question of the sponsor.

PRESIDENT:

Indicates he'll yield, Senator Berman.

SENATOR BERMAN:

If there is...if there is something that has wronged a beneficiary, what is the Statute of Limitations now for that beneficiary against the trustee?

PRESIDENT:

Senator D'Arco.

SENATOR D'ARCO:

Well,...I'm not sure what you mean by wronged...what do you mean by wronged?

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

As I read the amendment, you're cutting off the beneficiary's cause of action by a two-year Statute and the only exception to the two-year Statute is five years after fraudulent concealment. Now, fraudulent concealment means where the trustee purposely defrauded the beneficiary. Now that's relatively rare, but there may be times in the usual situation is where there has been some error, some negligence, some improper accounting, not fraud but just improper accounting between the trustee and the beneficiary. That cause of...that Statute is now being cut to two years. What would it be without this amendment?

PRESIDENT:

Senator D'Arco.



SENATOR D'ARCO:

There isn't any Statute at the present time.

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

Then why do we need this? Has there been some terrible imposition on the corporate trustees where the beneficiaries have been suing them and...and these poor corporate trustees, like all the big banks and all the...and the title and trust company, they're...they're really under the gun here and we've got to give them this two-year Statute? I'm more concerned about the beneficiary who's now being limited to two years. If he's been...wronged, and I use that word because we're not talking about fraud, we're just talking about an improper accounting, we're talking about some kind...you're talking about a...a...a...a fiduciary relationship where a beneficiary is relying upon a fiduciary to do something and we're saying that they only have two years to correct that. I'm not sure that that's a fair amount of time. I'm not sure there's anything wrong that we have to give them only a two-year Statute. Could you...can you tell me why we have to cut this down to two years?

PRESIDENT:

Senator D'Arco.

SENATOR D'ARCO:

Right now, I think the injustice is that there isn't any Statute of Limitations for corporate fiduciaries and that's unfair. I mean, they shouldn't be held accountable for the duration of the trust which can go on in perpetuity. What we're talking about is a...you know, a...a reasonable amount of time that they should be held accountable for acts that may...may create some cause of action. The problem isn't with the fraudulent concealment aspects of...of the situation. So the question is, what is a reasonable time. And I

think that two years is more than a reasonable time.

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

Well, let me suggest this and...and I suggest this to Senator D'Arco and to the rest of us. Under existing contract law, a written contract has a ten-year Statute of Limitations. You're...dealing here with corporate fiduciaries. These are the...the big operations that take our money, they invest it, they account for it, they're supposed to do a good job and they get paid for all that, that's the...that's what should be remembered, they get paid for all these services. Now, I would just suggest to you if there is some question as to what the Statute of Limitations is, Senator D'Arco, I would suggest to you, you withdraw this amendment, move it to 3rd reading, prepare a new amendment, recall it tomorrow and let's put a ten-year Statute on there. That means that if I pay a fiduciary a fee for taking care of my money or my children's money and they mess up, I've got ten years in which to sue them. They're getting paid, they ought to do a right job. Two years, I think, is unconscionable.

PRESIDENT:

Senator D'Arco.

SENATOR D'ARCO:

Under present law, as...as a corporate fiduciary, they are legally responsible for the trust income in those accounts and...they can be sued at any time...any time. No, what the amendment says...it says that the final accounting shall be binding on the...on the beneficiaries unless an action against the trustee is instituted by the beneficiary. There's a difference...wait a minute, there's a difference between the trust income in the account and their legal responsibility for that income and the accuracy of a final accounting that's distributed to the beneficiary, and all

we're saying is, in that instance, they...they can't be held accountable after two years.

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

Apologize...I apologize, Mr. President and ladies and gentlemen, but the problem is the wording is as follows, "Such final accounting shall be binding on the beneficiaries receiving the same...unless an action against the trustee is instituted by the beneficiary within two years from the date said final account is furnished," and that means, John...Senator D'Arco, that when they're done, they'll send me or my children or your children or your grandchildren a final accounting and when two years after the receipt of that final accounting is over, if they messed you up, if they failed to give you what you're entitled to, you have no...no right to...question them. That's what the amendment says, and I'm just suggesting to you especially where you've got minors involved or...or people that are under some kind of legal disability, you're giving them two years? I don't think that's fair because the guy is getting paid for being a good trustee. Make it ten years, do that tomorrow, I'll support you; two years, I can't support it.

PRESIDENT:

Further discussion? Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, this is all new to me too and I'm on the committee where the original bill was heard, and it would seem that the people who were most interested in this might have spoken to all of us, but I...I would only point out that I think what we're being asked to do here in this amendment is what we are in the process of doing for accountants in the form of Senate Bill 1001, which if I'm not mistaken is similarly shortening a Statute of Limitations to

two years and except in cases of fraud...fraudulent concealment allowing a longer period of time. So, the...the situation is fairly analogous, trusts and trustees are to some extent performing the same kinds of services that accountants are often called on to perform. So, to that extent the...the amendment, even though it is new to us, does seem to be reasonable if, in fact, we favor Senate Bill 1001 for accountants.

PRESIDENT:

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, Mr. President, I'm sorry to speak a second time, but Senator Berman is absolutely right. There's a contractual obligation of ten years at the present time which will be eliminated if there's any...negligent...conduct on the part of that trustee. That trustee...it's not the same thing as an accountant, the trustee has the highest degree of fiduciary duty, the highest degree of diligence and if we're going to reduce it to two years, that's wrong, we are really hurting the public, hurting the people that do put their money in trust for their children. I submit that...and I'll be happy to support Senator D'Arco's bill if he will take that amendment out and put a ten-year amendment in there.

PRESIDENT:

Further discussion? Any further discussion? Senator D'Arco, you may close.

SENATOR D'ARCO:

Thank you. Mr. President, at the present time there is no Statute of Limitations and these...and these fiduciaries can't be held accountable forever for a mistake in a final accounting. Now Senator Barkhausen brought up a good point. An accountant who makes our tax returns and is held responsible has a Statute of Limitations in this bill, in 1001, of two years. Nobody is saying he should be held accountable

for any longer period of time than is reasonable. There's nothing unreasonable about this. Two years is a long time. Other professions have Statutes of Limitations that say that a cause of action has to be brought within two years, and if it's good for other professions, it should be good for the corporate fiduciaries. I ask for a favorable vote.

PRESIDENT:

Question is the adoption of Amendment No. 1 to Senate Bill 1513. 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 11 Ayes, 40 Nays, none voting Present. Amendment No. 1 fails. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. 1514, Senator Schaffer. On the Order of Senate Bills 2nd Reading, bottom of page 12, is Senate Bill 1514. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 1514.

(Secretary reads title of bill)

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

PRESIDENT:

Senator Schaffer on Committee Amendment No. 1.

SENATOR SCHAFFER:

Mr. President, this amendment which was brought before us by the Human Rights Department would interchange Supreme Court Rule 333 for the present Administrative Review Law that the agency is under. Our staff has looked it over since the committee, they keep telling me it's okay. I don't trust them but I guess it's all right.

PRESIDENT:

Gentleman has moved the adoption of Amendment No. 1 to Senate Bill 1514. Any discussion? 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. All right, we will be moving to page 67 on the Calendar, for everybody's edification, to the Order of Motions in Writing. While you're getting everything ready, resolutions, Madam Secretary.

SECRETARY:

(Machine cutoff)...Resolution 275 offered by Senator Kelly.

Senate Resolution 276 offered by Senator Kelly.

Senate Resolution 277 offered by Senator Jacobs.

Senate Resolution 278 offered by Senators Smith, Rock and all members.

Senate Resolution 279 offered by Senator Dudycz.

They're all congratulatory.

PRESIDENT:

Consent Calendar, Madam Secretary.

SECRETARY:

Senate Resolution 280 offered by Senator Jacobs.

PRESIDENT:

Executive.

SECRETARY:

Senate Joint Resolution 53 offered by Senators Degnan and Davidson. It is congratulatory.

PRESIDENT:

Consent Calendar. We will go to the Order of Motions in Writing, page 67 on the Calendar, and then we will move to page 37 and go back to the Order of Senate Bills 3rd Reading to handle and...and to have read into the record and to vote on the Agreed Bill List. The yellow copy has now been distributed, I am told, to all concerned. On the Order of Motions in Writing, there's a motion with respect to Senate Bill 63. Read the motion, Madam Secretary.

SECRETARY:

I move that Senate Elementary and Secondary Education Committee...be discharged from further consideration of Senate Bill 63 and that Senate Bill 63 be placed on the Calendar of...on the Order of 2nd Reading. Senator Richard Kelly.

PRESIDENT:

Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President and members of the Senate. I move to discharge the Elementary and Secondary Committee on Senate Bill 63. This legislation would prevent schools from dispensing contraceptive devices to students. I...to be honest with you, there was an amendment adopted in committee and upon success of this motion, I would then move to Table the committee amendment which I don't know if we should discuss it at this particular moment, but I would appreciate your support, and Senator Hudson is my hyphenated cosponsor, and I know together we're going to move forward if you give this this opportunity.

PRESIDENT:

All right, Senator Kelly has moved to discharge the Committee on Elementary and Secondary Education from further consideration of Senate Bill 63. Discussion on the motion? Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I think one of the things to consider in any of these motions to discharge is whether there was a fair and adequate hearing in committee; otherwise, on every bill that I don't pass or you don't pass out of committee, we would never get done with our work. Let me suggest to you and I think that the sponsors would concur that there was a...an excellent hearing on this bill. The proponents had two witnesses, the opponents had two witnesses and...and all four of those people were very articulate and...and were...were excellent spokesmen for their...respective positions. What we...what happened in the committee hearing was that there was an amendment that was offered that said that the...contraceptives and drugs and...contraceptive drugs, products or other devices would have to...could only be provided with the consent of the parents. Now, that is what is, in fact, done and I would suggest to you very successfully in problem areas, in problem schools that are faced with a serious, serious problem of teenage pregnancies where...go back...they go back to the parent, the parent signs consent and the consent is very lengthy, the...a copy of that consent was available in committee, it was passed around to the committee members and it was a very detailed consent form. That was the amendment that was put on. Now I find it very interesting that those people that are advocates of Senate Bill 63 argue about the sanctity of the family, and the amendment that was put on, ladies and gentlemen, reinforces the sanctity of the family. With the amendment that was put on, and a roll call was taken...

PRESIDENT:

Senator Berman, I've just been informed that there is no amendment reported out.

SENATOR BERMAN:

That bill, Madam Secretary, was amended in commit-



tee...was amended in committee and the bill remained in committee by the decision of the sponsors. Isn't that right, Senator Kelly?

PRESIDENT:

All right, we understand now.

SENATOR BERMAN:

Okay?

PRESIDENT:

Secretary...Secretary would not have that report because it hasn't been reported.

SENATOR BERMAN:

That's right, but I think that if...if it's discharged, and Senator Kelly was right in his explanation, it would be discharged as amended. Okay? So, that's why I'm giving you all this background and...and details. Now, I would just suggest to you that this motion to discharge should be defeated for two reasons; number one, the bill received a full, adequate hearing, some bills we win, some bills we lose, but I think it was an excellent hearing on the bill. It was the decision of the sponsors to not move the bill after the amendment in committee went on. I think that was their choice and I think that they must be held to that decision. The second reason I would urge a No vote is that the bill...as Senator Kelly has indicated, if the bill is discharged, he's going to seek to...to...to drop that amendment, and I think that those of us who are concerned with the sanctity of the family should recognize that those clinics that are operating now do it only with the advise and...and written consent, permission of the family. Nothing has to be changed. I think that...for that reason Senate Bill 63 should stay in committee also. I urge a No vote.

PRESIDENT:

Further discussion? Senator Hudson.

SENATOR HUDSON:

Thank you, Mr. President. I stand shoulder to shoulder with Senator Kelly in this matter. What...what has been overlooked, I believe, by the distinguished Senator Art Berman is that that amendment in committee was a total and complete surprise to both of us, and I must confess, perhaps, we were stunned and shocked and momentarily discombobulated by the whole thing. Neither one of us had seen the amendment. We had...had no proper chance to evaluate it, and we did, it is true, and what...what Senator Berman has said it is true, we did have a fair hearing of the bill; the only thing that wasn't fair in our opinion was that we had had no time whatsoever to consider the amendment, and the amendment went on, we considered that that eviscerated the bill and perhaps wrongly decided to hold the bill in committee, but I stand with Senator Kelly in...in my desire...our desire to have the...have the bill discharged so it could be heard by this Body, and the sanctity of the home and all that Senator Berman talks about is...well,...it isn't a matter of the sanctity of the home, it's a matter of a lot of other things, but we would be debating the bill if we got into that, but that's exactly what we'd like a chance to do if you see fit to give it to us.

PRESIDENT:

Further discussion? Senator Smith.

SENATOR SMITH:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I agree with Senator Berman that that was a promise that this bill was to remain in committee and I think that it should. I happen to be affected by this because this is my district that is really being discussed in this bill, and unless you are living in and around a particular situation, you don't appreciate and neither do you get the depth of it. When I heard that this was going to come to the Floor and ask to be discharged, I ran to the telephone and I called the

principal at DuSable School and to ask her about the problems there where they primarily concerned there with just merely contraceptives. It seems...this is what they're seeming to blow up, and she told me that they had just received their April printout and that they had had a total number of seventeen hundred children that they had attended for the month of April, that eighty-nine of those that they attended was for a...physical checkups, that five hundred and ninety-five were treated for accute general medicine...other words, they got sick immediately; a hundred and thirty-eight of the youth were...aided for chronic general medicine such as diabetes, asthma, sickle-cell anemia and hypertension, now these are young people in school; that seventeen was for first aid, thirteen for immunization, fifty-two for family planning services for the boys, a hundred and twenty-one for family planning services for females, fifty-two for sexually transmitted diagnosis treatment, twenty-three for pregnancies, ninety-four for gynecology service, seventy-four for prenatal care, and every child that attends this clinic must have parent...parental permission and on file they had one thousand three hundred and ninety-five permission sheets from the parents which have to be signed before a...the clinic or the teacher or someone who is...responsible there in the school or either by the truant officer, and the forms are signed...are signed and the...with the parent's permission. I'm bringing this to your attention because of this; many of the people in my district...and you don't live in that type of district, you have nice, possibly, facilities, but a lot of these young people that come to this clinic have no place else to go, they're not able to go to any hospitals and...and ride transportation, but this is a service that is being done on behalf of the parent because they themselves cannot do...what you're blowing up is the talk about...contraceptions, contraception, but if you'd kill

these clinics, then these children have no place else to go. We have already asked that if the child's parent said that she wants some contraceptives, then with the permission of the parent, she should have it. Now how can you go and dictate to somebody about what they should do or how they should live? I think this is wrong. I'm asking Senator Kelly to please let this remain in committee on my...and it should have come through my committee anyway but it did not; but anyway, we are planning hearings, five of them, across this state whereby we're going to talk about teenage pregnancies, suicide, youth and all of these problems, and I would like to invite you to come and be a part of this and go with us so that you can fully understand, also your cochairman, Senator Hudson, and go into...I'd like to invite you over into the Robert Taylor Homes and meet the parents and talk to them and see what they're saying. Unless you live in a situation, you don't know what makes people tick. I know when I went abroad and went to Africa, I slept in native huts, I ate the native...food and went to the native churches and slept in native huts. If...unless you live among the people, you don't know what makes them tick, but here you can stand here in your ivory tower and sit down and offer a panacea for the ills of the world and you cannot do that. You don't know what these parents are going through and why should you deny them a privilege if they can get it. So, I'm saying, Brother...Mr. President, I'm please appealing to you, please let this bill stay in committee.

PRESIDENT:

Further discussion? Senator Alexander.

SENATOR ALEXANDER:

Thank you, Mr. President. I rise in support of the discussions that Senator Berman and Senator Margaret Smith has just stated. This is not just a contraceptive type clinic, it is a medical clinic also. The need for proper

medical care in our community is very scarce. Many of you all don't know the problems that exist in our areas, and if one child's life can be saved by knowing that it has diabetes or it has a sickle-cell anemia condition or that it comes in with the consent of its parent to get contraceptives, then the motion to discharge is wrong. We should defeat this motion. Secondly, I have only received one call with regards to this piece of legislation. In my district I have been talking to people concerning it and many of them have merely said, I see it as a way of stopping teenage pregnancies, I see it as a way of the parent and the child coming together and having a conversation wherein before they were slipping around in backdoors and doing things that they had no business doing. I would urge this Body not to discharge Senate Bill 63 from committee.

PRESIDENT:

All right, just for the benefit of the...nine additional lights have gone on in the last two minutes. Senator Savickas.

SENATOR SAVICKAS:

Yes, Mr. President, I rise in support of the discharge motion. We're talking about the children and we're concerned about abortions and the pregnancies. We want to...prescribe pills to them for the prevention of pregnancies. It's awful easy to do that and I think we should have hearings and have this in a public debate, because I think one of the most concerned problems is there are no pills for the emotional concern of these children that get pregnant, get abortions, whether they take pills or not. Just pumping out pills is not the answer to the problem. It's not going to stop the emotional drain on these children when they go through a pregnancy, when they go through an abortion while they are still in school. We don't have pills to stop this or help that. We cannot depend just on prescribing pills in our

school as a solution to this problem. I think it should be discussed. I think we should talk about it and I think there should be done more than a concern about prescribing pills.

PRESIDENT:

Further discussion? Senator Kelly.

SENATOR KELLY:

Yes, Mr. President, a point of order.

PRESIDENT:

Yes, sir.

SENATOR KELLY:

A number of our Senators had...discussed this issue and talked about the bill on its merits and so forth, that's why we want to get it out on the Floor. I don't think we have to get into all the disseration. I would just...ask for...I'd like to make a closing comment, but I think we ought to get to...

PRESIDENT:

Well, you will have...you will have the opportunity to close and the Chair will just admonish those who wish to speak that, yes, it is the...the subject is a motion to discharge the committee. Senator Poshard.

SENATOR POSHARD:

Well, thank you, Mr. President and Ladies and Gentlemen of the Senate. I rise in support of the motion to discharge from committee. I want to make very sure about what we're talking about here. The bill that Senator Kelly and Senator Hudson has introduced does not prohibit clinics in the schools. It does not prohibit counselors in those clinics giving advice, counseling the students, the give and take of counsel to advise the students on whether or not they should appropriately have sexual relationships or not. What the bill says is that we should not dispense prophylactics to those students, that's all it says. The point is this, I think we can all agree that it is appropriate for those in

the clinics to advise, to counsel, to do what is necessary to make sure that students understand the alternatives and the choices, but when you go the one step beyond, when you give the student the prophylactic, at that point, you condone the practice and that's the point which this bill addresses. I personally do not feel it's in the best interest of this state, ethically or legally, to take that stance and go that one step beyond what we have always gone in advising and counseling to the point of the state condoning the practice, and that's the issue here and that's the issue that Senator Kelly would like to be...have discussed on this Floor, it's not to do away with the clinics. And I guess there's another point that I should address too. My area probably has as high a rate of teenage pregnancy as any area of the state. I don't believe and I think statistics will bear it out that the dispensation of prophylactics has lessened the degree at all of teenage pregnancy. I think there's a principle involved here and I know that those of us who see it in light of a principle will be called do-gooders and everything else with that, do that if you may, it's not that at all, it's a matter of whether or not we should condone the practice and I don't think we should and I think the bill should be...let out of committee.

PRESIDENT:

All right, further discussion? Senator Newhouse.

SENATOR NEWHOUSE:

Thank you, Mr. President. Would...would the sponsor yield to some questions, please?

PRESIDENT:

Indicates he will yield, Senator Newhouse.

SENATOR NEWHOUSE:

Senator, the...your...your...the bill that we're discussing has concerns about the issuance of contraceptives and at the same time you are also opposed to abortions for

those who do get pregnant. I...I'm wondering how you square those two positions. I'm...I'm...I'm...and I come to you with some real troubled...a troubled mind because I do have some troubles with this, but can you help clarify for me how you see this proceeding and how you see the...this...this bill as a solution to a serious problem?

PRESIDENT:

Senator Kelly.

SENATOR KELLY:

Yes, Senator Newhouse, I would like to point out that on the two issues of abortion and contraceptives, I would say it's very closely in line to what Senator Poshard said, that...when we get into an area where schools start dispensing contraceptives, that's a...that's a moral problem, that's something that should not be done in our educational institutions. If you're going to address that issue, then it should occur outside of the schools but not inside the schools; and as far as on...on abortion and so forth, the...both the Catholic Conference and the Illinois Right-to-Life are in...in support of this legislation, and...and I can't think of two organizations that have fought more, you know, against abortion, and I...we're not getting into whether or not you're going to dispense contraceptives, the idea is that schools will not be dispensing them. If they want to be dispensed on the outside, this legislation doesn't address that issue.

PRESIDENT:

Senator Newhouse.

SENATOR NEWHOUSE:

...is...is your concern, Senator, that youngsters might be induced to...to engage in activities they would not otherwise engage in because this service is available?

PRESIDENT:

Senator Kelly.



SENATOR KELLY:

The remarks made previously about the...even when you dispense contraceptives or if you give sex education...we all know since 1970, you know, there was the advocate of the...giving sex education to schools to curb teenage pregnancies and we found out that we actually had a higher incident...of...of teenage births, and by dispensing contraceptives, you are, in fact, condoning sexual activity by teenagers and there will be births at an increasing level and there also will be, particularly now, the incident of AIDS, for instance, will...will go up because you are saying, go ahead, with contraceptives and I...I just think it's the wrong direction, and probably we'll never get together on a meeting of the minds on the issue, Senator, but it's a...it's an area that I...I don't know, I happen to think that, you know, what's good for one school district ought to be good for all, and I can't see...I think there is a deep moral problem here in allowing one or two or several school districts to go ahead forward and not the rest of them. I...I just think it...it's a moral question whether or not we're going to allow this type of practice to take place, whether it's at DuSable or any other school in the state.

PRESIDENT:

Senator Newhouse.

SENATOR NEWHOUSE:

Senator, I don't think we're too far apart on the moral issue. The question then is...how do we get to the point where the moral issue controls conduct, and I'm not sure that...that what you're suggesting gets us any closer to that kind of resolution. It seems to me that one of the options that we're playing with here now is what do we do immediately to try to put the brakes on a very tragic situation, and Senator Poshard is absolutely right, it isn't limited to poor sections of the City of Chicago, it's a statewide problem.

The second...the second question I would put to you is, in...the...the problem that you're talking about is really pretty much a local option problem, and one of the questions I would ask you is whether or not the state should step in and remove that option from localities who feel the need to have this kind of resolution?

PRESIDENT:

Senator Kelly.

SENATOR KELLY:

Well, I think Senator Berman's...the...the amendment that was adopted in committee that Senator Berman had discussed giving parental permission, I think it's a lot like the school districts, particularly in the school districts that are the hardest pressed. There's difficulty particularly when you have families with one parent and...and other areas to really follow very closely, and I'm concerned that by...by having the school districts or the parents giving permission in...in a blanket fashion not really know what's going on in the program, I...that's what my concern is, that it's taking place and whether or not parents approve it or not...I happen to think that a majority of parents would not approve of their children getting contraceptives. I don't know, that's what I think.

PRESIDENT:

All right,...can I ask the members to please attempt to curtail their remarks. We...we're on a motion to discharge the committee from the...further consideration of a bill. Senator Newhouse.

SENATOR NEWHOUSE:

All right, then I'll...I'll close, Mr. President, but it seems to me that what we're talking about is, when you talk about parental supervision, there is...Senator...Senator, is it your understanding that there is parental consent prior to the issuance of these...of the contraceptives?

PRESIDENT:

Senator Kelly.

SENATOR KELLY:

That's what the amendment that was placed on...on the bill in committee did. It required parental approval, so that's what the committee amendment did.

PRESIDENT:

Further discussion? Senator Jacobs.

SENATOR JACOBS:

You'll be happy know that I'm not going to speak on the issue per se, Mr. President, but with leave of the Body, would the Senator yield for a question?

PRESIDENT:

Indicates he'll yield, Senator Jacobs.

SENATOR JACOBS:

Senator, it's my understanding that you withdrew this bill from committee. Is that correct?

PRESIDENT:

Senator Kelly.

SENATOR KELLY:

I had...the question that was made...and I was going to make a point of that and I have to also say that Senator Berman and the committee were very accommodating and I asked that there not be a vote on this bill in committee. I did not ask for the bill to be held in committee or for it to be assigned to a study committee or anything else. Now I know that I could get a discharge motion, at least that would be my legislative prerogative to request a discharge motion and I knew that that would require thirty votes and I...I knew that we had that privilege to do that and besides, this bill was on the last day for the committee hearing. There were a number of...of interested persons that were not...informed; in fact, Senator Hudson pointed out the amendment. Now, Senator Berman did mention to me, in all honesty,...that

there may be one or two amendments. I did not before the committee meeting see those amendments nor did we review them and decide whether or not we'll support them. So, that presented a problem to us from that aspect, and the intent was to leave ourself...myself and this particular bill in a posture where we could discharge committee and there was no intention to have the committee stay in...permanently in the Senate Elementary and Secondary Education Committee.

PRESIDENT:

Senator Jacobs.

SENATOR JACOBS:

...I believe in the committee system, and for that reason alone, Senator, I would voice my opposition to the amendment.

PRESIDENT:

Senator Jones. Further discussion? Senator Berman.

SENATOR BERMAN:

Thank you. Mr. President, just to raise a point of order so that we all understand the posture on which we're voting. Would you please state as to what form the bill...if the motion to discharge carries, on what...in what form will the bill be on the Floor, amended or unamended?

PRESIDENT:

It is the opinion of the Chair after some discussion with a number...including the Parliamentarian that the...the report...the motion was made to discharge the committee from further consideration of Senate Bill 63, not Senate Bill 63 as amended, Senate Bill 63. So, it's the opinion of the Chair that the bill...if the motion succeeds, the bill will come to the Floor and be read a second time in its original, unamended form. Any further discussion? Senator Kelly, you wish to close?

SENATOR KELLY:

Just ask for a favorable vote.

PRESIDENT:

All right, thirty affirmative votes are required, on a motion to discharge. Those in...Senator Kelly has moved to discharge the Committee of Elementary and Secondary Education from further consideration of Senate Bill 63 and requests that that bill be placed on the Calendar on the Order of 2nd Reading. Those in favor of that motion 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? Have all voted who wish? Take the record. On that question, there are 30 Ayes, 24 Nays, 2 voting Present. The motion prevails. Senator Berman, for what purpose do you arise, sir?

SENATOR BERMAN:

Request a verification of the affirmative votes.

PRESIDENT:

All right, that request is in order. Senator Berman has requested a verification. Will the members please be in their seats. Madam Secretary, please read the affirmative roll.

SECRETARY:

Degnan, del Valle, Demuzio, Donahue, Dudycz, Ralph Dunn, Etheredge, Friedland, Geo-Karis, Hall, Hawkinson, Hudson, Jeremiah Joyce, Jerome Joyce, Karpiel, Kelly, Kustra, Lechowicz, Mahar, O'Daniel, Philip, Poshard, Raica, Savickas, Schaffer, Topinka, Vadalabene, Watson, Welch and Zito.

PRESIDENT:

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

SENATOR BERMAN:

No questions.

PRESIDENT:

All right. The roll has been verified. There are 30 Ayes, 24 Nays, 2 voting Present. The motion prevails. Senate Bill 63 will be shown on the...placed on the Calendar on the

Order of 2nd Reading. Senate Bill 163, Senator Netsch. Withdrawn. 186, Senator Berman. Withdrawn. Senate Bill 275, there's a motion in writing filed, page 68...top of page 68, Madam Secretary, a motion in writing filed on Senate Bill 275. Read the motion, please.

SECRETARY:

I move to discharge the Committee on Transportation...from further consideration of Senate Bill 275 and that it be advanced to 2nd reading. Filed 5-12-87. Senator Philip.

PRESIDENT:

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I don't think in my years down here in the Senate or the House that I've ever filed a motion to discharge a committee and, quite frankly, I believe in the committee system, I support the committee system when you or I get a fair hearing. Unfortunately, on Senate Bill 275 we did not get a fair hearing. Now, as you're probably aware, I represent O'Hare Field, it's in my Senatorial District. I get the calls, the letters, the complaint, the heat, and I'm telling you there is heat. I live in Wood Dale which is a little community...west of the airport and you want to hear some noise? Come up some day and or weekend and be my guest. But I will say this, I had people from Cook County, from DuPage County that came all the way down from the north area to testify for these bills. We not only had one hearing, we had two hearings, we had three hearings. All along we were promised by the chairman of Transportation that we would have a vote on these bills. Well, we had a lot of hearings, when it came right down to it at the last day, when these people have once again driven down from the Chicagoland area and got here at eight o'clock in the morning and stayed till two-thirty in

the afternoon and still didn't get a vote on those bills. So, that's my reason for filing the motion, just in fairness. What this bill does is creates a fifteen-member planning authority for the northern Illinois area. It has nothing to do with the daily operation of O'Hare Field whatsoever. All it says is that we...suburbanites, we the people that take all the noise, have some input in runways, in schedules, et cetera.

PRESIDING OFFICER: (SENATOR DEMUZIIO)

All right, Senator Philip has moved to discharge. Discussion? Senator Collins.

SENATOR COLLINS:

Yes, thank you, Mr. President and members of the Senate. I rise in opposition to the motion for the same reasons that the bills are in committee, and let me just say that I am not insensitive to the need to respond to some of the...the legitimate demands over the problems voiced by the people living in and around O'Hare Field, but these bills go far beyond the cry of those people and without any flexibility or room for reasonable compromise in the best interest of the overall operation of the airport and the subsequent positive impact that that airport has on the economic climate of this entire state. For that reason, I feel that those bills should, in fact, remain in committee and we continue our work toward a reasonable compromise and I am not alone in that opinion. I have with me a letter from the US Department of Transportation, Federal...Aviation Administration and would just like to read this letter because this letter says verbatim our major objection to those bills as they are developed at this point in time, and so I submit to you this letter. It says, "Dear Ms. Chairman. We have viewed the State of Illinois House Bill 2854 and Senate Bill 275. Both bills seeks to create a regional airport planning authority responsible for wide range planning and airport development

approval in Cook, DuPage, Lake, Kane, Will and McHenry Counties. We have the following comments to offer. The...the FAA has worked with many regional airport authorities. We are not opposed to...to their creation but we are opposed to the separation of the planning functions from the operation and ownership of the airport. If a regional airport authority has the responsibility for planning decisions that affect an airport or a number of airports, it must have the responsibility for the impact caused by those planning decisions. To the...to divorce those elements...these elements and establish independent bodies to address them can result in conflict, confrontation and ultimate stifle viability of an airport. Unity of purpose must be achieved and cannot only occur through unity of ownership alone with other interest that combine to ensure that an airport sponsors whether a municipality or an authority can bring into being that which is planned. The provisions of both House bill and Senate bills appears to duplicate processes already in place in...within the state. The following example, the Northern Illinois Planning Commission has many, if not all, of the planning and coordination requirements found in the proposed bills. NIPC also has a devised...has...has a...diverse membership composed of representatives of all the jurisdiction to be represented under the proposed bill. Its function is to serve as a center point to coordinate with effective communities proposed projects or planning which has potential impact on their jurisdiction. Through the work...

PRESIDING OFFICER: (SENATOR DEHUZIO)

Senator Collins, could you bring your remarks to a close, please?

SENATOR COLLINS:

The last point we would like to make on the proposed legislation applies to the timeliness of action on the proposed regional planning authority and this legislation will



become law, we envision a delay of about six months would it, in fact,...jeopardize Federal funding." I submit to you that we cannot afford to pass these bills in the form that they are, therefore, that they should remain in the committees.

PRESIDING OFFICER: (SENATOR DEHUZIO)

All right, further discussion? Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President and members of the Senate. My comments will be brief but I do feel it's important to point out that for at least two to three years now we have tried to get this bill in a posture where there could be some rational debate on the subject. Last year when this bill was introduced, we were stymied by the fact that this wasn't an emergency or it didn't deal with budget finance or whatever. This year we get the chance to get the bill into a committee and get a hearing...we get the hearing all right, we had the proponents testify, we had the opponents testify, but we didn't get the vote, and what we're asking for at this time is that we get this bill out onto the Floor where, finally, every member of the Senate has an opportunity to take a look at the air transportation problem in the metropolitan region of Chicago in the very same way that we looked and examined and dealt with ground transportation when we created the Regional Transportation Authority. I don't see anything wrong with that. That should be the issue here this evening. We can discuss all the niceties of the bill. I would like to respond to some specific questions that were raised earlier today about the bill, I'll do that once we get it on 3rd reading. I ask for your support in the motion to discharge.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Brookins.

SENATOR BROOKINS:

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Brookins.

SENATOR BROOKINS:

Thank you, Mr...Senator Philip, I'll gather a few of my friends and some of my constituencies, a couple of barbecue pits and we'll be there this weekend. Are we welcome?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Philip.

SENATOR PHILIP:

Absolutely. I would suggest you bring some earplugs.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Brookins.

SENATOR BROOKINS:

Thank you and to the motion, I sat in committee hours on end listening to people come to complain about moving into an area that was a vacant lot of vacancies before the building of the airport, and I sat there and listened as the companies that have built up out there, the hotels that have built up out there and the economic development that has improved because there's such a thing as the O'Hare Airport, and we sat for hours on end and listened and gave them a fair hearing. I see no reason to discharge the committee. We've heard a fair hearing, and I know above all, I guess, of any Senator in here that you lose some and you win some; you lose a lot in committee. I have committee...I have bills spread in every committee in this Senate and I have not moved to discharge any motion. Next year is another year, you bring them back, that's what happens. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Raica.

SENATOR RAICA:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Although...O'Hare Field is one of the topics of discussion, I bring with you the concerns that I share with

the community of the southwest side of Chicago and that of Midway Airport. Unlike O'Hare Field, Midway Airport is bound by residential area; Cicero Avenue on the east, Central Avenue on the west, 55th on the north and 63rd Street on the south. The people in that community were excluded from any type of development plans of Midway Airport and they are very concerned with the further expansion, if there is to be some, of Midway Airport. They have come up with ideas as far as noise abatement and...and those being the other people that discussed possible expansion at Midway, but that would not be accomplished until the year 1990 to year 1991. What we have now is Midway Airport who just moved United Airlines in and a few other airlines, and what it appears is that we put the cart before the horse and we moved the noise pollution problem in but we won't deal with that problem until 1990 or 1991. In the same note, with the noise pollution problem, we have a possible safety problem. We had an incident that occurred about three weeks ago where the brakes on a plane failed and it was like a remake of "Airplane 3" where about three to six feet of an aircraft went into a hanger; fortunately, no one was killed or injured in that. The question that I raise is that the people that live in the surrounding Midway Airport have had no input. What this authority would do is allow open hearings to which we've had one two weeks ago and had about a hundred and twenty-five people share their concerns. Since that...since that meeting, we have the news media in who showed a very big concern about the noise problem and the possible safety problem, so much so that they're going to do a four-day expose starting on Memorial Day with the noise and possible safety problem at O'Hare Field and Midway. I think we owe something to the people, if not of Midway, and if we're concerned with the suburbs, we owe it to the people of the southwest side and the surrounding suburbs to give them a chance to be heard and, therefore,

I ask that Senate Bill 275 be brought to the Senate Floor to be further discussed. Thank you.

PRESIDING OFFICER: (SENATOR DEHUZIO)

Further discussion? Senator Zito.

SENATOR ZITO:

Yes, thank you, Mr. President and members of the Senate. I rise in strong support of the motion to discharge Senate Bill 275 from committee, and as the other speakers have talked to the issue, I will not talk to the issue, I'll talk to the motion. I understand the issue. O'Hare Airport is minutes from my house. I was born and raised in that community and that neighborhood and I know the problems with O'Hare Airport. I rise today, reluctantly, because I never ever thought that I would rise on a motion to discharge after having a...a committee hearing that never had a vote. You know, when I started my legislative career, I started in the House and fast gavels, if any of you have spent any time in the House of Representatives know that's a status quo. We used to live with that. That was something that perpetrated ninety or a hundred percent of our arguments in the House, but when I came to the Senate it was a different story. Five years ago I knew that in the Illinois Senate there was fairness, there was equity, there was an opportunity to hear your legislation, up or down, in or out, you had a vote. I have heard speeches on this Floor commending Senator Rock for his fairness with the gavel and the Chair and the committee structure in this Senate. I am very proud to be in the majority, but today I'm ashamed to be in that majority, because that same majority, that same fair system that has decided legislation the last five years I've been in this Chamber was not executed in the Transportation Committee. I went down to the committee before Session on that day several weeks ago prepared to testify, we heard hearings, we had a number of witnesses, both sides of the issue were there to

discuss this issue and to get a vote in committee, and the Senator and chairman of that committee promised us that if we returned at two-thirty we would have a vote. No vote was ever taken. I support the committee structure in this Senate. I think that if a...if a Senate bill has had a fair and equitable hearing in a committee, they should live by that vote, but I would talk to my colleagues on this side of the aisle and in the majority party, we never had a vote. Now I could live with the results of the vote on both of these bills because I sponsor both and was willing, as we have the last three or four years, to accept defeat, but without a vote we are completely circumventing this structure of the committees and I would ask you to support this discharge motion because it's fair and because it's equitable. Thank you.

PRESIDENT:

Further discussion? Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I don't think we have to belabor the point. I...I think that as one who attended the meeting in Bensenville where there were a couple of thousand concerned citizens and I heard the harangue of those who had organized the meeting that the City of Chicago had some master plan to build another runway and there was going to be more and more noise and what can we do about it and the only thing we can do about it is create an authority, an authority that is dominated; and let there be no mistake, all you have to do if those of you haven't read it is take a look at the makeup of this committee, fifteen people in this authority, Senator Raica. I dare say there won't be many from Midway, if any, 'cause only three are from the City of Chicago...four from the City of Chicago, I beg your pardon, three appointed by the mayor out of fifteen and one of the Governor's appoint-

ments has to live in the city, so that would be four for the city and eleven from elsewhere, all the Governor's people; and it's pretty obvious what's going on, much the same as with the RTA, it is an absolute Republican...land grab and they will then have the authority to hire and fire and everything, and what are they going to do about the noise? I suggest to you they're going to do what they have been doing for 10 these many years, zip, 'cause it's a Federal problem; and I sat there next to my dear friend, Congressman Hyde and I said, for goodness sake, the FAA guy is your appointment, the President's your guy, why don't you take all these folks out to Washington and get this thing solved? What have they done? City of Chicago can't say whether or not there's night flights in and out of O'Hare. It's governed by the Federal Government, by Ronald Reagan and his appointees. Where's the Congressman from that area? I don't know. No, the only solution...this is the only solution to let the Governor of Illinois be in charge of the airport. Well, we're going to talk more about this. I can count probably as well as anybody in the building, but I think we're making a mistake.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. This is a...an amazing day in the Senate because...I don't know, I just find it very interesting to say the least. We don't have any party unity on this side, you know. I mean, we, as Democrats, are not really Democrats. I don't know what we are, you know, some of us are downstaters, some of us are Chicago legislators, some of us are black, some of us are white, but we're not Democrats. The one thing you can be sure of we are not Democrats. That's the one thing that everybody on this side of the aisle should know today. We have no Democratic unity in the Democratic Party in Illinois today, and that's a sad

state of affairs, ladies and gentlemen, and I...I am ashamed to stand here and say that to this Body, but it's a fact of life. Pate, you win, you win the battle, but you haven't won the war.

PRESIDENT:

Further discussion? Senator Philip, you wish to close?

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I'd like to make two closing remarks. First of all, Senator Collins, we...we...and I should say, Senator Kustra or myself have never had anybody from the city or from your side of the aisle other than Senator Zito suggest any kind of a compromise or amendment whatsoever. Senator Rock, I might say to you, I don't know what bill you're reading. This bill has nothing to do with the everyday operation, hiring and firing contracts of...running of O'Hara Field. All it says is that we'll have a super authority to decide on runways, schedules, et cetera. There's no...we don't want to take the...the airport away from the City of Chicago. Quite frankly, the suburbanites use it more, the suburbanites pay for it. It's one of the biggest moneymakers the City of Chicago has got, and who pays for it? Suburban Cook and the collar counties. Our people use it. I use it. I flew in out of O'Hare last night and it's a good facility, we want it but we think that we ought to have a little bit of input on what goes on at O'Hare Field and that's all we're asking. Thank you.

PRESIDENT:

Question is on the motion to discharge. Senator Philip has moved to discharge the Committee on Transportation from further consideration of Senate Bill 275 and asked that that...bill be placed on the Calendar on the Order of 2nd Reading. Those in favor of the motion 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 32 Ayes, 26 Nays, none voting Present. Senate Bill 275 having received the required constitutional majority, the motion prevails. The bill will be placed on the Order of 2nd Reading. Motion in writing with respect to Senate Bill 276, Madam Secretary.

END OF REEL



*Amara Bill List*  
*2nd Reading*  
 JB 652  
 JB 707  
 JB H05  
 SB 1167  
 JB 950  
 JB 1046  
 JB 389  
 JB H95  
 JB 956  
 JB 1223  
 JB 1172  
 SB 1300  
 JB 918  
 SB 1515  
 SB 682  
 JB 846  
 JB 1085  
 JB 668  
 JB 1025  
 JB 1297  
 JB H89  
 JB 1216  
 JB H61  
 JB 670  
 JB 759

REEL #8

SECRETARY:

I move to discharge the Committee on Transportation from further consideration of Senate Bill 276 and that it be advanced to 2nd reading. Filed 5-12-87, by Senator Philip.

PRESIDENT:

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I think you've heard most of the rhetoric in regards to the committee system and what happened, this is a little different. All this says is when the airport comes out to take property from another government whether it be the Elk Grove Village, Bensenville, Wood Dale, they have to have the permission of that government to do it. Be happy to answer any questions, I'd like to see a lot of affirmative votes.

PRESIDENT:

All right. Senator Philip has moved to discharge the Committee on Transportation from further consideration of Senate Bill 276 and moves that that bill be placed on the Calendar on the Order of 2nd Reading. Any discussion? If not, 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 31 Ayes, 25 Nays, none voting Present. The motion prevails. Senate Bill 276 will be placed on the Calendar on the Order of 2nd Reading. If I can have the attention of the membership, we'll move now, with leave of the Body, to the Order of Senate Bills 3rd Reading. Page 37 on the Calendar. All right. On the Order of Senate Bills 3rd Reading, the Secretary will read the agreed bills.

Mr. Secretary, pursuant to our procedure relative to the Agreed Bill List which was circulated among the members, would you please advise the Body of those bills which have been stricken from the list based on the objection of six members. My understanding is that those bills have been stricken from the list. There were eleven in number stricken by...I don't think it's necessary to read them, they're no longer on the list. All right. The question now is whether those bills remaining on the Agreed Bill List, that's found on page 37 on the Calendar shall pass. Mr. Secretary, please read the bills for a third time.

ACTING SECRETARY: (MR. HARRY)

Senate Bill No. 20.

(Secretary reads title of bill)

Senate Bill No. 23.

(Secretary reads title of bill)

Senate Bill No. 132.

(Secretary reads title of bill)

Senate Bill No. 208.

(Secretary reads title of bill)

Senate Bill No. 240.

(Secretary reads title of bill)

Senate Bill No. 277.

(Secretary reads title of bill)

Senate Bill No. 278.

(Secretary reads title of bill)

Senate Bill 282.

(Secretary reads title of bill)

Senate Bill 298.

(Secretary reads title of bill)

Senate Bill No. 350.

(Secretary reads title of bill)

Senate Bill No. 372.

(Secretary reads title of bill)

AB 405  
3rd Reading  
AB 389  
3rd Reading

- Senate Bill No. 379.  
(Secretary reads title of bill)
- Senate Bill 382.  
(Secretary reads title of bill)
- Senate Bill No. 383.  
(Secretary reads title of bill)
- Senate Bill 384.  
(Secretary reads title of bill)
- Senate Bill 387.  
(Secretary reads title of bill)
- Senate Bill 389.  
(Secretary reads title of bill)
- Senate Bill 390.  
(Secretary reads title of bill)
- Senate Bill 403.  
(Secretary reads title of bill)
- Senate Bill 404.  
(Secretary reads title of bill)
- Senate Bill 405.  
(Secretary reads title of bill)
- Senate Bill 410.  
(Secretary reads title of bill)
- Senate Bill 411.  
(Secretary reads title of bill)
- Senate Bill 419.  
(Secretary reads title of bill)
- Senate Bill 440.  
(Secretary reads title of bill)
- Senate Bill 441.  
(Secretary reads title of bill)
- Senate Bill 448.  
(Secretary reads title of bill)
- Senate Bill No. 449.  
(Secretary reads title of bill)

AB H89  
2nd Reading  
AB H61  
2nd Reading

Senate Bill No. 450.

(Secretary reads title of bill)

Senate Bill 457.

(Secretary reads title of bill)

Senate Bill 458.

(Secretary reads title of bill)

Senate Bill 460.

(Secretary reads title of bill)

Senate Bill 461.

(Secretary reads title of bill)

Senate Bill 465.

(Secretary reads title of bill)

Senate Bill 466.

(Secretary reads title of bill)

Senate Bill 467.

(Secretary reads title of bill)

Senate Bill 472.

(Secretary reads title of bill)

Senate Bill 476.

(Secretary reads title of bill)

Senate Bill 481.

(Secretary reads title of bill)

Senate Bill 482.

(Secretary reads title of bill)

Senate Bill 486.

(Secretary reads title of bill)

Senate Bill 488.

(Secretary reads title of bill)

Senate Bill 489.

(Secretary reads title of bill)

Senate Bill 490.

(Secretary reads title of bill)

Senate Bill 491.

(Secretary reads title of bill)

SB 495  
3rd Reading

Senate Bill 492.

(Secretary reads title of bill)

Senate Bill 493.

(Secretary reads title of bill)

Senate Bill 495.

(Secretary reads title of bill)

Senate Bill No. 502.

(Secretary reads title of bill)

Senate Bill 508.

(Secretary reads title of bill)

Senate Bill 531.

(Secretary reads title of bill)

Senate Bill 545.

(Secretary reads title of bill)

Senate Bill 546.

(Secretary reads title of bill)

Senate Bill 548.

(Secretary reads title of bill)

Senate Bill 549.

(Secretary reads title of bill)

Senate Bill 553.

(Secretary reads title of bill)

Senate Bill 557.

(Secretary reads title of bill)

Senate Bill 582.

(Secretary reads title of bill)

Senate Bill 585.

(Secretary reads title of bill)

Senate Bill 587.

(Secretary reads title of bill)

Senate Bill 596.

(Secretary reads title of bill)

Senate Bill 609.

(Secretary reads title of bill)

SB 682  
3rd Reading  
AB 653  
2nd Reading  
AB 668  
3rd Reading  
AB 670

Senate Bill 616.

(Secretary reads title of bill)

Senate Bill 617.

(Secretary reads title of bill)

Senate Bill 618.

(Secretary reads title of bill)

Senate Bill 635.

(Secretary reads title of bill)

Senate Bill 637.

(Secretary reads title of bill)

Senate Bill 639.

(Secretary reads title of bill)

Senate Bill 641.

(Secretary reads title of bill)

Senate Bill 642.

(Secretary reads title of bill)

Senate Bill 643.

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Senate Bill 644.

(Secretary reads title of bill)

Senate Bill 646.

(Secretary reads title of bill)

Senate Bill 653.

(Secretary reads title of bill)

Senate Bill 667.

(Secretary reads title of bill)

Senate Bill 668.

(Secretary reads title of bill)

Senate Bill 670.

(Secretary reads title of bill)

Senate Bill 682.

(Secretary reads title of bill)

Senate Bill 684.

(Secretary reads title of bill)

*SB 707  
2nd Reading  
SB 759*

Senate Bill 690.

(Secretary reads title of bill)

Senate Bill 695.

(Secretary reads title of bill)

Senate Bill 707.

(Secretary reads title of bill)

Senate Bill 731.

(Secretary reads title of bill)

Senate Bill 752.

(Secretary reads title of bill)

Senate Bill No. 759.

(Secretary reads title of bill)

Senate Bill...766.

(Secretary reads title of bill)

Senate Bill 769.

(Secretary reads title of bill)

Senate Bill 779.

(Secretary reads title of bill)

Senate Bill 780.

(Secretary reads title of bill)

Senate Bill 781.

(Secretary reads title of bill)

Senate Bill 788.

(Secretary reads title of bill)

Senate Bill 789.

(Secretary reads title of bill)

Senate Bill No. 792.

(Secretary reads title of bill)

Senate Bill No. 806.

(Secretary reads title of bill)

Senate Bill 808.

(Secretary reads title of bill)

Senate Bill 819.

(Secretary reads title of bill)

AB 918  
2nd Reading  
AB 846  
2nd Reading

Senate Bill 826.

(Secretary reads title of bill)

Senate Bill 832.

(Secretary reads title of bill)

Senate Bill 846.

(Secretary reads title of bill)

Senate Bill 857.

(Secretary reads title of bill)

Senate Bill 892.

(Secretary reads title of bill)

Senate Bill 893.

(Secretary reads title of bill)

Senate Bill 894.

(Secretary reads title of bill)

Senate Bill 899.

(Secretary reads title of bill)

Senate Bill 904.

(Secretary reads title of bill)

Senate Bill 906.

(Secretary reads title of bill)

Senate Bill 908.

(Secretary reads title of bill)

Senate Bill 912.

(Secretary reads title of bill)

Senate Bill 913.

(Secretary reads title of bill)

Senate Bill 915.

(Secretary reads title of bill)

Senate Bill 916.

(Secretary reads title of bill)

Senate Bill 918.

(Secretary reads title of bill)

Senate Bill 921.

(Secretary reads title of bill)



AB 950  
2nd Reading  
AB 956  
2nd Reading

Senate Bill 922.

(Secretary reads title of bill)

Senate Bill 923.

(Secretary reads title of bill)

Senate Bill 927.

(Secretary reads title of bill)

Senate Bill 928.

(Secretary reads title of bill)

Senate Bill 929.

(Secretary reads title of bill)

Senate Bill 930.

(Secretary reads title of bill)

Senate Bill 932.

(Secretary reads title of bill)

Senate Bill 933.

(Secretary reads title of bill)

Senate Bill 934.

(Secretary reads title of bill)

Senate Bill 936.

(Secretary reads title of bill)

Senate Bill 942.

(Secretary reads title of bill)

Senate Bill 945.

(Secretary reads title of bill)

Senate Bill 949.

(Secretary reads title of bill)

Senate Bill 950.

(Secretary reads title of bill)

Senate Bill 955.

(Secretary reads title of bill)

Senate Bill 956.

(Secretary reads title of bill)

Senate Bill 958.

(Secretary reads title of bill)

*SB 1046  
3rd Reading  
SB 1025  
3rd Reading*

Senate Bill 959.

(Secretary reads title of bill)

Senate Bill 960.

(Secretary reads title of bill)

Senate Bill 961.

(Secretary reads title of bill)

Senate Bill 973.

(Secretary reads title of bill)

Senate Bill 991.

(Secretary reads title of bill)

Senate Bill 992.

(Secretary reads title of bill)

Senate Bill 993.

(Secretary reads title of bill)

Senate Bill 1006.

(Secretary reads title of bill)

Senate Bill 1012.

(Secretary reads title of bill)

Senate Bill 1018.

(Secretary reads title of bill)

Senate Bill 1025.

(Secretary reads title of bill)

Senate Bill 1031.

(Secretary reads title of bill)

Senate Bill 1037.

(Secretary reads title of bill)

Senate Bill 1040.

(Secretary reads title of bill)

Senate Bill 1046.

(Secretary reads title of bill)

Senate Bill 1051.

(Secretary reads title of bill)

Senate Bill 1052.

(Secretary reads title of bill)

SB 1223  
3rd Reading  
SB 1172  
SB 1085

Senate Bill 1073.

(Secretary reads title of bill)

Senate Bill 1085.

(Secretary reads title of bill)

Senate Bill 1095.

(Secretary reads title of bill)

Senate Bill 1096.

(Secretary reads title of bill)

Senate Bill 1109.

(Secretary reads title of bill)

Senate Bill 1119.

(Secretary reads title of bill)

Senate Bill 1122.

(Secretary reads title of bill)

Senate Bill 1132.

(Secretary reads title of bill)

Senate Bill 1146.

(Secretary reads title of bill)

Senate Bill 1156.

(Secretary reads title of bill)

Senate Bill 1172.

(Secretary reads title of bill)

Senate Bill 1178.

(Secretary reads title of bill)

Senate Bill 1183.

(Secretary reads title of bill)

Senate Bill 1201.

(Secretary reads title of bill)

Senate Bill No. 1222.

(Secretary reads title of bill)

Senate Bill 1223.

(Secretary reads title of bill)

Senate Bill 1225.

(Secretary reads title of bill)

SB 1297  
3rd Reading

Senate Bill 1226.

(Secretary reads title of bill)

Senate Bill 1227.

(Secretary reads title of bill)

Senate Bill No. 1228.

(Secretary reads title of bill)

Senate Bill 1229.

(Secretary reads title of bill)

Senate Bill 1232.

(Secretary reads title of bill)

Senate Bill No. 1233.

(Secretary reads title of bill)

Senate Bill 1241.

(Secretary reads title of bill)

Senate Bill No. 1255.

(Secretary reads title of bill)

Senate Bill 1258.

(Secretary reads title of bill)

Senate Bill 1261.

(Secretary reads title of bill)

Senate Bill 1266.

(Secretary reads title of bill)

Senate Bill No. 1267.

(Secretary reads title of bill)

Senate Bill 1285.

(Secretary reads title of bill)

Senate Bill 1290.

(Secretary reads title of bill)

Senate Bill 1295.

(Secretary reads title of bill)

Senate Bill 1296.

(Secretary reads title of bill)

Senate Bill 1297.

(Secretary reads title of bill)

SB 1300  
3rd Reading  
SB 1216  
2nd Reading

Senate Bill 1298.

(Secretary reads title of bill)

Senate Bill 1300.

(Secretary reads title of bill)

Senate Bill 1302.

(Secretary reads title of bill)

Senate Bill 1304.

(Secretary reads title of bill)

Senate Bill 1308.

(Secretary reads title of bill)

Senate Bill 1316.

(Secretary reads title of bill)

Senate Bill 1318.

(Secretary reads title of bill)

Senate Bill 1320.

(Secretary reads title of bill)

Senate Bill No. 1322.

(Secretary reads title of bill)

Senate Bill 1325.

(Secretary reads title of bill)

Senate Bill 1327.

(Secretary reads title of bill)

Senate Bill 1356.

(Secretary reads title of bill)

Senate Bill 1370.

(Secretary reads title of bill)

Senate Bill 1390.

(Secretary reads title of bill)

Senate Bill 1397.

(Secretary reads title of bill)

Senate Bill...or 1399.

(Secretary reads title of bill)

Senate Bill 1403.

(Secretary reads title of bill)

SB 1467  
3rd reading  
SB 1515  
3rd Reading

Senate Bill 1409.

(Secretary reads title of bill)

Senate Bill 1410.

(Secretary reads title of bill)

Senate Bill 1412.

(Secretary reads title of bill)

Senate Bill 1432.

(Secretary reads title of bill)

Senate Bill 1438.

(Secretary reads title of bill)

Senate Bill 1439.

(Secretary reads title of bill)

Senate Bill 1453.

(Secretary reads title of bill)

Senate Bill 1454.

(Secretary reads title of bill)

Senate Bill 1461.

(Secretary reads title of bill)

Senate Bill 1467.

(Secretary reads title of bill)

Senate Bill 1472.

(Secretary reads title of bill)

Senate Bill 1483.

(Secretary reads title of bill)

Senate Bill 1484.

(Secretary reads title of bill)

Senate Bill 1493.

(Secretary reads title of bill)

Senate Bill 1494.

(Secretary reads title of bill)

Senate Bill 1515.

(Secretary reads title of bill)

And Senate Bill 1517.

(Secretary reads title of bill)

*Vote on Council*  
*Bill 211*  
*SB 707*  
*SB 1172*  
*SB 1223*  
*SB 1300*  
*SB 682*  
*SB 652*  
*SB 672*  
*SB 759*  
*SB 1467*  
*SB 668*  
*SB 950*  
*SB 1046*  
*SB 1025*  
*SB 1297*  
*SB 1189*  
*SB 950*  
*SB 1195*  
*SB 918*  
*SB 1216*  
*SB 1161*  
*SB 1412*

3rd reading of the bills.

PRESIDENT:

(Machine cutoff)...the next roll call will be on the final passage of the bills just read by the Secretary. Is there any discussion? If not, the question is, shall this series of bills 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 59 Ayes...on these bills, the votes are 59 Ayes, no Nays...and the Nays as recorded in the Office of the Secretary of the Senate. There are 59 Ayes, the Nays are as recorded in the Office of the Secretary of the Senate and none voting Present. This series of bills having received a constitutional majority by record vote is declared passed and the record vote of the Ayes and Nays for each bill passed shall be entered as a matter of record in the Journal. Is there any other business or any announcements? Senator Brookins.

SENATOR BROOKINS:

Yes, with leave of the House, I'd like to remove Senator Collins as...as...as...of the Senate, I'd like to move Senator Collins as chief sponsor of House Bill 1841 and replace it with myself, Senator Brookins.

PRESIDENT:

All right. You want to be the chief sponsor?

SENATOR BROOKINS:

Yes.

PRESIDENT:

All right. Senator Brookins requests leave of the Body to be shown as the chief Senate sponsor on House Bill 1841. Without objection, leave is granted. Senator Smith.

SENATOR SMITH:

Thank you, Mr. President and members of the Senate. I'd like to...leave and ask to be placed as hyphenated sponsor

with the...Senator's approval...the sponsor's approval for Senate Bill 1103 and 1104.

PRESIDENT:

All right. The lady seeks leave to be shown as the hyphenated cosponsor on Senate Bills 1103 and 4. Without objection, leave is granted. Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. I'd ask leave to add Senator del Valle and Senator Newhouse as hyphenated sponsors to Senate Bill 234.

PRESIDENT:

All right. The gentleman seeks leave to show Senators del Valle and Newhouse as hyphenated cosponsors on Senate Bill 234. Without objection, leave is granted. Senator del Valle.

SENATOR del VALLE:

Yes, Mr. President, I want to be put on as chief sponsor...of House Bill 1332.

PRESIDENT:

All right. Without objection, the gentleman seeks leave to be shown as the chief Senate sponsor on House Bill 1332, did you say?

SENATOR del VALLE:

(Machine cutoff)...1332, yes.

PRESIDENT:

1332, without objection, leave is granted. Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President, I'd like to add as a hyphenated cosponsor on Senate Bill 1116, Senator Jerome Joyce and I would like to add him as a cosponsor to my Senate Bill 1490.

PRESIDENT:

All right. The lady seeks leave to have Senator Jerome Joyce shown as a cosponsor on Senate Bills 1116 and 1490.



Without objection, leave is granted. Senator Newhouse.

SENATOR NEWHOUSE:

...yes, Mr...Mr. President, I'd like to be shown as a hyphenated cosponsor on Senate Bill 951, Jeremiah Joyce.

PRESIDENT:

All right. The gentleman seeks leave to be shown as the hyphenated sponsor on Senate Bill 951. Without objection, leave is granted. Senator Geo-Karis.

SENATOR GEO-KARIS:

I didn't finish, Senator Rock. I'd like to be added as the hyphenated cosponsor to Senate Bill 1410 and I've got the...permission of the other two main sponsors.

PRESIDENT:

All right. The lady seeks leave of the Body to be added as the hyphenated cosponsor on Senate Bill 1410. Without objection, leave is granted. Senator Poshard.

SENATOR POSHARD:

Thank you, Mr. President. Mr. President, I inadvertently voted No on Senate Bill 66 and I'd like the record to show I would have voted Yes.

PRESIDENT:

The record will so reflect. Further business? Further announcements? Ten o'clock tomorrow morning, ladies and gentlemen. I've been asked to remind you that the Gridiron Dinner is June 3rd, tickets are available from all the members of the press or in the press room. If there's no further business...Senator Brookins.

SENATOR BROOKINS:

Yes, Mr. President, with leave of the Senate, I'd like to become a...a hyphenated cosponsor on House Bill...332.

PRESIDENT:

All right. The gentleman seeks leave to be added as the cosponsor on House Bill 332. Without objection, leave is granted. Any further business? If not, Senator Hall moves

that the Senate stand adjourned until Wednesday, May 20, tomorrow, at the hour of ten o'clock in the morning. We'll begin on 3rd reading and we're going to have to roll. Ten o'clock tomorrow morning.

12/29/87  
15:21

STATE OF ILLINOIS  
85TH GENERAL ASSEMBLY  
SENATE  
DAILY TRANSCRIPTION OF DEBATE INDEX

PAGE 1

MAY 19, 1987

HB-0117	FIRST READING	PAGE	2
HB-0261	FIRST READING	PAGE	2
HB-0351	FIRST READING	PAGE	2
HB-0375	FIRST READING	PAGE	2
HB-0401	FIRST READING	PAGE	2
HB-0428	FIRST READING	PAGE	5
HB-0654	FIRST READING	PAGE	5
HB-0845	FIRST READING	PAGE	2
HB-0881	FIRST READING	PAGE	2
HB-0978	FIRST READING	PAGE	5
HB-1087	FIRST READING	PAGE	3
HB-1146	FIRST READING	PAGE	3
HB-1173	FIRST READING	PAGE	3
HB-1223	FIRST READING	PAGE	3
HB-1284	FIRST READING	PAGE	3
HB-1307	FIRST READING	PAGE	3
HB-1336	FIRST READING	PAGE	3
HB-1370	FIRST READING	PAGE	5
HB-1411	FIRST READING	PAGE	3
HB-1412	FIRST READING	PAGE	3
HB-1465	FIRST READING	PAGE	3
HB-1473	FIRST READING	PAGE	3
HB-1629	FIRST READING	PAGE	3
HB-1730	FIRST READING	PAGE	3
HB-1841	FIRST READING	PAGE	3
HB-1854	FIRST READING	PAGE	3
HB-1856	FIRST READING	PAGE	4
HB-1888	FIRST READING	PAGE	4
HB-1933	FIRST READING	PAGE	4
HB-1966	FIRST READING	PAGE	4
HB-1988	FIRST READING	PAGE	4
HB-2164	FIRST READING	PAGE	4
HB-2250	FIRST READING	PAGE	4
HB-2372	FIRST READING	PAGE	4
HB-2802	FIRST READING	PAGE	4
HB-2812	FIRST READING	PAGE	4
HB-2813	FIRST READING	PAGE	4
SB-0012	RECALLED	PAGE	6
SB-0017	SECOND READING	PAGE	30
SB-0020	THIRD READING	PAGE	326
SB-0021	SECOND READING	PAGE	39
SB-0022	SECOND READING	PAGE	90
SB-0023	THIRD READING	PAGE	326
SB-0028	SECOND READING	PAGE	91
SB-0034	SECOND READING	PAGE	94
SB-0040	SECOND READING	PAGE	95
SB-0073	RECALLED	PAGE	9
SB-0082	SECOND READING	PAGE	98
SB-0100	SECOND READING	PAGE	99
SB-0102	SECOND READING	PAGE	100
SB-0117	RECALLED	PAGE	76
SB-0130	RECALLED	PAGE	10
SB-0132	THIRD READING	PAGE	326
SB-0153	SECOND READING	PAGE	103
SB-0173	RECALLED	PAGE	11
SB-0181	SECOND READING	PAGE	134
SB-0185	RECALLED	PAGE	12
SB-0191	SECOND READING	PAGE	104
SB-0192	SECOND READING	PAGE	104
SB-0192	OUT OF RECORD	PAGE	108
SB-0200	SECOND READING	PAGE	108
SB-0203	RECALLED	PAGE	12
SB-0203	OUT OF RECORD	PAGE	14
SB-0205	SECOND READING	PAGE	121
SB-0208	THIRD READING	PAGE	326

12/29/87  
15:21

STATE OF ILLINOIS  
85TH GENERAL ASSEMBLY  
SENATE  
DAILY TRANSCRIPTION OF DEBATE INDEX

PAGE 2

MAY 19, 1987

SB-0209	SECOND READING	PAGE	130
SB-0210	SECOND READING	PAGE	131
SB-0211	SECOND READING	PAGE	131
SB-0213	RECALLED	PAGE	14
SB-0216	RECALLED	PAGE	14
SB-0220	RECALLED	PAGE	17
SB-0221	RECALLED	PAGE	19
SB-0233	RECALLED	PAGE	19
SB-0234	RECALLED	PAGE	20
SB-0236	SECOND READING	PAGE	132
SB-0240	THIRD READING	PAGE	326
SB-0256	RECALLED	PAGE	21
SB-0258	RECALLED	PAGE	22
SB-0265	RECALLED	PAGE	23
SB-0277	THIRD READING	PAGE	326
SB-0278	THIRD READING	PAGE	326
SB-0279	SECOND READING	PAGE	134
SB-0282	THIRD READING	PAGE	326
SB-0294	RECALLED	PAGE	24
SB-0298	THIRD READING	PAGE	326
SB-0299	RECALLED	PAGE	25
SB-0302	SECOND READING	PAGE	135
SB-0350	THIRD READING	PAGE	326
SB-0359	RECALLED	PAGE	26
SB-0372	THIRD READING	PAGE	326
SB-0375	RECALLED	PAGE	27
SB-0375	RECALLED	PAGE	79
SB-0375	OUT OF RECORD	PAGE	28
SB-0379	THIRD READING	PAGE	327
SB-0382	THIRD READING	PAGE	327
SB-0383	THIRD READING	PAGE	327
SB-0384	THIRD READING	PAGE	327
SB-0387	THIRD READING	PAGE	327
SB-0388	RECALLED	PAGE	28
SB-0389	THIRD READING	PAGE	327
SB-0390	THIRD READING	PAGE	327
SB-0403	THIRD READING	PAGE	327
SB-0404	THIRD READING	PAGE	327
SB-0405	THIRD READING	PAGE	327
SB-0410	THIRD READING	PAGE	327
SB-0411	THIRD READING	PAGE	327
SB-0419	THIRD READING	PAGE	327
SB-0422	RECALLED	PAGE	29
SB-0422	RECALLED	PAGE	66
SB-0422	OUT OF RECORD	PAGE	30
SB-0427	SECOND READING	PAGE	136
SB-0440	THIRD READING	PAGE	327
SB-0441	THIRD READING	PAGE	327
SB-0445	SECOND READING	PAGE	137
SB-0448	THIRD READING	PAGE	327
SB-0449	THIRD READING	PAGE	327
SB-0450	THIRD READING	PAGE	328
SB-0455	SECOND READING	PAGE	138
SB-0455	OUT OF RECORD	PAGE	139
SB-0456	SECOND READING	PAGE	139
SB-0457	THIRD READING	PAGE	328
SB-0458	THIRD READING	PAGE	328
SB-0460	THIRD READING	PAGE	328
SB-0461	THIRD READING	PAGE	328
SB-0465	THIRD READING	PAGE	328
SB-0466	THIRD READING	PAGE	328
SB-0467	THIRD READING	PAGE	328
SB-0468	SECOND READING	PAGE	140
SB-0472	THIRD READING	PAGE	328
SB-0476	THIRD READING	PAGE	328

12/29/87  
15:21

STATE OF ILLINOIS  
85TH GENERAL ASSEMBLY  
SENATE  
DAILY TRANSCRIPTION OF DEBATE INDEX

PAGE 3

MAY 19, 1987

SB-0481	THIRD READING	PAGE	328
SB-0482	THIRD READING	PAGE	328
SB-0484	SECOND READING	PAGE	142
SB-0486	THIRD READING	PAGE	328
SB-0487	SECOND READING	PAGE	143
SB-0488	THIRD READING	PAGE	328
SB-0489	THIRD READING	PAGE	328
SB-0490	THIRD READING	PAGE	328
SB-0491	THIRD READING	PAGE	328
SB-0492	THIRD READING	PAGE	329
SB-0493	THIRD READING	PAGE	329
SB-0495	THIRD READING	PAGE	329
SB-0496	SECOND READING	PAGE	144
SB-0500	SECOND READING	PAGE	145
SB-0502	THIRD READING	PAGE	329
SB-0505	SECOND READING	PAGE	146
SB-0508	THIRD READING	PAGE	329
SB-0523	RECALLED	PAGE	30
SB-0525	SECOND READING	PAGE	148
SB-0527	SECOND READING	PAGE	149
SB-0531	THIRD READING	PAGE	329
SB-0537	SECOND READING	PAGE	150
SB-0539	RECALLED	PAGE	31
SB-0545	THIRD READING	PAGE	329
SB-0546	THIRD READING	PAGE	329
SB-0548	THIRD READING	PAGE	329
SB-0549	THIRD READING	PAGE	329
SB-0553	THIRD READING	PAGE	329
SB-0556	SECOND READING	PAGE	152
SB-0557	THIRD READING	PAGE	329
SB-0564	SECOND READING	PAGE	152
SB-0582	THIRD READING	PAGE	329
SB-0585	THIRD READING	PAGE	329
SB-0587	THIRD READING	PAGE	329
SB-0596	THIRD READING	PAGE	329
SB-0609	THIRD READING	PAGE	329
SB-0616	THIRD READING	PAGE	330
SB-0617	THIRD READING	PAGE	330
SB-0618	THIRD READING	PAGE	330
SB-0635	THIRD READING	PAGE	330
SB-0637	THIRD READING	PAGE	330
SB-0639	THIRD READING	PAGE	330
SB-0641	THIRD READING	PAGE	330
SB-0642	THIRD READING	PAGE	330
SB-0643	THIRD READING	PAGE	330
SB-0644	THIRD READING	PAGE	330
SB-0646	THIRD READING	PAGE	330
SB-0653	THIRD READING	PAGE	330
SB-0667	THIRD READING	PAGE	330
SB-0668	THIRD READING	PAGE	330
SB-0670	THIRD READING	PAGE	330
SB-0682	THIRD READING	PAGE	330
SB-0684	THIRD READING	PAGE	330
SB-0687	SECOND READING	PAGE	154
SB-0688	SECOND READING	PAGE	155
SB-0690	THIRD READING	PAGE	331
SB-0695	THIRD READING	PAGE	331
SB-0702	RECALLED	PAGE	32
SB-0706	SECOND READING	PAGE	155
SB-0707	THIRD READING	PAGE	331
SB-0710	SECOND READING	PAGE	156
SB-0711	SECOND READING	PAGE	157
SB-0713	SECOND READING	PAGE	158
SB-0714	SECOND READING	PAGE	158
SB-0719	SECOND READING	PAGE	160

12/29/87  
15:21

STATE OF ILLINOIS  
85TH GENERAL ASSEMBLY  
SENATE  
DAILY TRANSCRIPTION OF DEBATE INDEX

PAGE 4

MAY 19, 1987

SB-0720	SECOND READING	PAGE	160
SB-0722	SECOND READING	PAGE	161
SB-0724	SECOND READING	PAGE	162
SB-0731	THIRD READING	PAGE	331
SB-0742	SECOND READING	PAGE	164
SB-0744	SECOND READING	PAGE	165
SB-0745	SECOND READING	PAGE	165
SB-0749	RECALLED	PAGE	33
SB-0752	THIRD READING	PAGE	331
SB-0759	THIRD READING	PAGE	331
SB-0762	SECOND READING	PAGE	166
SB-0766	THIRD READING	PAGE	331
SB-0769	THIRD READING	PAGE	331
SB-0771	SECOND READING	PAGE	167
SB-0779	THIRD READING	PAGE	331
SB-0780	THIRD READING	PAGE	331
SB-0781	THIRD READING	PAGE	331
SB-0788	THIRD READING	PAGE	331
SB-0789	THIRD READING	PAGE	331
SB-0792	THIRD READING	PAGE	331
SB-0795	SECOND READING	PAGE	168
SB-0798	SECOND READING	PAGE	172
SB-0804	SECOND READING	PAGE	173
SB-0804	SECOND READING	PAGE	178
SB-0804	OUT OF RECORD	PAGE	174
SB-0806	THIRD READING	PAGE	331
SB-0808	THIRD READING	PAGE	331
SB-0812	SECOND READING	PAGE	174
SB-0813	SECOND READING	PAGE	175
SB-0814	SECOND READING	PAGE	176
SB-0819	THIRD READING	PAGE	331
SB-0822	SECOND READING	PAGE	176
SB-0826	THIRD READING	PAGE	332
SB-0832	THIRD READING	PAGE	332
SB-0833	SECOND READING	PAGE	179
SB-0841	SECOND READING	PAGE	181
SB-0843	SECOND READING	PAGE	181
SB-0846	THIRD READING	PAGE	332
SB-0848	SECOND READING	PAGE	183
SB-0856	SECOND READING	PAGE	185
SB-0856	SECOND READING	PAGE	194
SB-0856	OUT OF RECORD	PAGE	187
SB-0857	THIRD READING	PAGE	332
SB-0861	SECOND READING	PAGE	187
SB-0875	SECOND READING	PAGE	190
SB-0892	THIRD READING	PAGE	332
SB-0893	THIRD READING	PAGE	332
SB-0894	THIRD READING	PAGE	332
SB-0897	SECOND READING	PAGE	191
SB-0898	SECOND READING	PAGE	192
SB-0899	THIRD READING	PAGE	332
SB-0900	SECOND READING	PAGE	192
SB-0903	RECALLED	PAGE	34
SB-0904	THIRD READING	PAGE	332
SB-0905	SECOND READING	PAGE	193
SB-0906	THIRD READING	PAGE	332
SB-0908	THIRD READING	PAGE	332
SB-0912	THIRD READING	PAGE	332
SB-0913	THIRD READING	PAGE	332
SB-0915	THIRD READING	PAGE	332
SB-0916	THIRD READING	PAGE	332
SB-0917	SECOND READING	PAGE	199
SB-0917	OUT OF RECORD	PAGE	200
SB-0918	THIRD READING	PAGE	332
SB-0921	THIRD READING	PAGE	332

12/29/87  
15:21

STATE OF ILLINOIS  
85TH GENERAL ASSEMBLY  
SENATE  
DAILY TRANSCRIPTION OF DEBATE INDEX

PAGE 5

MAY 19, 1987

SB-0922	THIRD READING	PAGE	333
SB-0923	THIRD READING	PAGE	333
SB-0925	RECALLED	PAGE	35
SB-0927	THIRD READING	PAGE	333
SB-0928	THIRD READING	PAGE	333
SB-0929	THIRD READING	PAGE	333
SB-0930	THIRD READING	PAGE	333
SB-0932	THIRD READING	PAGE	333
SB-0933	THIRD READING	PAGE	333
SB-0934	THIRD READING	PAGE	333
SB-0935	SECOND READING	PAGE	201
SB-0936	THIRD READING	PAGE	333
SB-0937	SECOND READING	PAGE	202
SB-0938	SECOND READING	PAGE	204
SB-0942	THIRD READING	PAGE	333
SB-0945	THIRD READING	PAGE	333
SB-0949	THIRD READING	PAGE	333
SB-0950	THIRD READING	PAGE	333
SB-0952	SECOND READING	PAGE	204
SB-0955	THIRD READING	PAGE	333
SB-0956	THIRD READING	PAGE	333
SB-0957	SECOND READING	PAGE	205
SB-0958	THIRD READING	PAGE	333
SB-0959	THIRD READING	PAGE	334
SB-0960	THIRD READING	PAGE	334
SB-0961	THIRD READING	PAGE	334
SB-0964	SECOND READING	PAGE	206
SB-0964	OUT OF RECORD	PAGE	209
SB-0973	THIRD READING	PAGE	334
SB-0977	RECALLED	PAGE	37
SB-0981	SECOND READING	PAGE	209
SB-0991	THIRD READING	PAGE	334
SB-0992	THIRD READING	PAGE	334
SB-0993	THIRD READING	PAGE	334
SB-0994	SECOND READING	PAGE	210
SB-0995	SECOND READING	PAGE	210
SB-1001	SECOND READING	PAGE	211
SB-1003	RECALLED	PAGE	39
SB-1006	THIRD READING	PAGE	334
SB-1012	THIRD READING	PAGE	334
SB-1014	SECOND READING	PAGE	212
SB-1018	THIRD READING	PAGE	334
SB-1022	SECOND READING	PAGE	219
SB-1025	THIRD READING	PAGE	334
SB-1031	THIRD READING	PAGE	334
SB-1037	THIRD READING	PAGE	334
SB-1040	THIRD READING	PAGE	334
SB-1041	SECOND READING	PAGE	220
SB-1043	SECOND READING	PAGE	221
SB-1046	THIRD READING	PAGE	334
SB-1047	RECALLED	PAGE	43
SB-1051	THIRD READING	PAGE	334
SB-1052	THIRD READING	PAGE	334
SB-1073	THIRD READING	PAGE	335
SB-1076	SECOND READING	PAGE	222
SB-1085	THIRD READING	PAGE	335
SB-1095	THIRD READING	PAGE	335
SB-1096	THIRD READING	PAGE	335
SB-1102	RECALLED	PAGE	44
SB-1103	RECALLED	PAGE	45
SB-1104	SECOND READING	PAGE	224
SB-1108	SECOND READING	PAGE	225
SB-1109	THIRD READING	PAGE	335
SB-1112	SECOND READING	PAGE	225
SB-1113	SECOND READING	PAGE	227

12/29/87  
15:21

STATE OF ILLINOIS  
85TH GENERAL ASSEMBLY  
SENATE  
DAILY TRANSCRIPTION OF DEBATE INDEX

PAGE 6

MAY 19, 1987

SB-1115	SECOND READING	PAGE	228
SB-1119	THIRD READING	PAGE	335
SB-1122	THIRD READING	PAGE	335
SB-1125	RECALLED	PAGE	46
SB-1132	THIRD READING	PAGE	335
SB-1136	SECOND READING	PAGE	228
SB-1138	SECOND READING	PAGE	229
SB-1146	THIRD READING	PAGE	335
SB-1155	SECOND READING	PAGE	230
SB-1156	THIRD READING	PAGE	335
SB-1170	SECOND READING	PAGE	230
SB-1171	SECOND READING	PAGE	231
SB-1171	SECOND READING	PAGE	235
SB-1171	OUT OF RECORD	PAGE	234
SB-1172	THIRD READING	PAGE	335
SB-1175	SECOND READING	PAGE	234
SB-1178	THIRD READING	PAGE	335
SB-1179	RECALLED	PAGE	48
SB-1181	SECOND READING	PAGE	237
SB-1182	SECOND READING	PAGE	239
SB-1183	THIRD READING	PAGE	335
SB-1186	SECOND READING	PAGE	240
SB-1201	THIRD READING	PAGE	335
SB-1202	SECOND READING	PAGE	242
SB-1210	SECOND READING	PAGE	250
SB-1222	THIRD READING	PAGE	335
SB-1223	THIRD READING	PAGE	335
SB-1225	THIRD READING	PAGE	335
SB-1226	THIRD READING	PAGE	336
SB-1227	THIRD READING	PAGE	336
SB-1228	THIRD READING	PAGE	336
SB-1229	THIRD READING	PAGE	336
SB-1230	RECALLED	PAGE	49
SB-1232	THIRD READING	PAGE	336
SB-1233	THIRD READING	PAGE	336
SB-1234	SECOND READING	PAGE	251
SB-1241	THIRD READING	PAGE	336
SB-1244	SECOND READING	PAGE	252
SB-1245	SECOND READING	PAGE	253
SB-1251	SECOND READING	PAGE	253
SB-1255	THIRD READING	PAGE	336
SB-1258	THIRD READING	PAGE	336
SB-1261	THIRD READING	PAGE	336
SB-1266	THIRD READING	PAGE	336
SB-1267	THIRD READING	PAGE	336
SB-1271	RECALLED	PAGE	50
SB-1275	SECOND READING	PAGE	257
SB-1277	SECOND READING	PAGE	258
SB-1285	THIRD READING	PAGE	336
SB-1290	THIRD READING	PAGE	336
SB-1291	RECALLED	PAGE	56
SB-1295	THIRD READING	PAGE	336
SB-1296	THIRD READING	PAGE	336
SB-1297	THIRD READING	PAGE	336
SB-1298	THIRD READING	PAGE	337
SB-1300	THIRD READING	PAGE	337
SB-1302	THIRD READING	PAGE	337
SB-1304	THIRD READING	PAGE	337
SB-1308	THIRD READING	PAGE	337
SB-1314	SECOND READING	PAGE	258
SB-1316	THIRD READING	PAGE	337
SB-1318	THIRD READING	PAGE	337
SB-1319	SECOND READING	PAGE	259
SB-1320	THIRD READING	PAGE	337
SB-1322	THIRD READING	PAGE	337



12/29/87  
15:21

STATE OF ILLINOIS  
85TH GENERAL ASSEMBLY  
SENATE  
DAILY TRANSCRIPTION OF DEBATE INDEX

PAGE 7

MAY 19, 1987

SB-1325	THIRD READING	PAGE	337
SB-1326	RECALLED	PAGE	57
SB-1327	THIRD READING	PAGE	337
SB-1335	RECALLED	PAGE	58
SB-1353	SECOND READING	PAGE	261
SB-1356	THIRD READING	PAGE	337
SB-1369	RECALLED	PAGE	58
SB-1370	THIRD READING	PAGE	337
SB-1377	RECALLED	PAGE	59
SB-1377	RECALLED	PAGE	75
SB-1377	OUT OF RECORD	PAGE	59
SB-1390	THIRD READING	PAGE	337
SB-1393	SECOND READING	PAGE	262
SB-1397	THIRD READING	PAGE	337
SB-1399	THIRD READING	PAGE	337
SB-1403	THIRD READING	PAGE	337
SB-1407	RECALLED	PAGE	63
SB-1409	THIRD READING	PAGE	338
SB-1410	THIRD READING	PAGE	338
SB-1412	THIRD READING	PAGE	338
SB-1426	SECOND READING	PAGE	262
SB-1432	THIRD READING	PAGE	338
SB-1438	THIRD READING	PAGE	338
SB-1439	THIRD READING	PAGE	338
SB-1452	SECOND READING	PAGE	263
SB-1453	THIRD READING	PAGE	338
SB-1454	THIRD READING	PAGE	338
SB-1459	SECOND READING	PAGE	263
SB-1461	THIRD READING	PAGE	338
SB-1463	SECOND READING	PAGE	278
SB-1467	THIRD READING	PAGE	338
SB-1468	SECOND READING	PAGE	279
SB-1472	THIRD READING	PAGE	338
SB-1475	SECOND READING	PAGE	280
SB-1482	SECOND READING	PAGE	280
SB-1483	THIRD READING	PAGE	338
SB-1484	THIRD READING	PAGE	338
SB-1488	SECOND READING	PAGE	285
SB-1493	THIRD READING	PAGE	338
SB-1494	THIRD READING	PAGE	338
SB-1498	RECALLED	PAGE	64
SB-1502	RECALLED	PAGE	64
SB-1502	RECALLED	PAGE	84
SB-1502	OUT OF RECORD	PAGE	66
SB-1507	SECOND READING	PAGE	287
SB-1513	SECOND READING	PAGE	288
SB-1514	SECOND READING	PAGE	297
SB-1515	THIRD READING	PAGE	338
SB-1517	THIRD READING	PAGE	338
SR-0275	RESOLUTION OFFERED	PAGE	298
SR-0276	RESOLUTION OFFERED	PAGE	298
SR-0277	RESOLUTION OFFERED	PAGE	298
SR-0278	RESOLUTION OFFERED	PAGE	298
SR-0279	RESOLUTION OFFERED	PAGE	298
SR-0280	RESOLUTION OFFERED	PAGE	298
SJR-0053	RESOLUTION OFFERED	PAGE	298

SUBJECT MATTER

SENATE TO ORDER - SENATOR DEMUZIO	PAGE	1
PRAYER - RABBI STEVE MOCH	PAGE	1
JOURNALS - POSTPONED	PAGE	1
MESSAGE FROM THE HOUSE	PAGE	1
SENATOR DAVIDSON - INTRO. OF GUESTS	PAGE	74

12/29/87  
15:21

STATE OF ILLINOIS  
85TH GENERAL ASSEMBLY  
SENATE  
DAILY TRANSCRIPTION OF DEBATE INDEX

PAGE 8

MAY 19, 1987

SUBJECT MATTER

SB 153 - MOTION TO RECOMMIT	PAGE	101
SB 153 - MOTION WITHDRAWN	PAGE	103
SB 63 - MOTION IN WRITING	PAGE	299
SB 275 - MOTION IN WRITING	PAGE	314
SB 276 - MOTION IN WRITING	PAGE	324
ADJOURNMENT	PAGE	341