

85TH GENERAL ASSEMBLY

REGULAR SESSION

June 16, 1988

PRESIDENT:

(Machine cutoff)...one having arrived, the Senate will please come to order. Members be at their desks. Will our guests in the gallery please rise. Our prayer this afternoon by Doctor Millard Sherich, Church on the County Line, Oakbrook, Illinois. Reverend.

REVEREND MILLARD SHERICH:

(Prayer given by Reverend Sherich)

PRESIDENT:

(Machine cutoff)...Reverend. Reading of the Journal. Senator Vadalabene.

SENATOR VADALABENE:

Thank you, Mr. President and members of the Senate. I move that reading and approval of the Journals of Tuesday, June 7th; Wednesday, June 8th; Thursday, June 9th; Friday, June 10th; Tuesday, June 14th; Wednesday, June 15th, in the year 1988, be postponed pending arrival of the printed Journals.

PRESIDENT:

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

SENATOR HAWKINSON:

Thank you, Mr. President. I'd like to ask leave of the Body to be added as a hyphenated sponsor on House Bills 589 and 3982.

PRESIDENT:

All right. The gentleman has sought leave to be added as the hyphenated cosponsor on House Bills 589 and 3982. Without objection, leave is granted. (Machine cutoff)...Carroll, for what purpose do you arise?

SENATOR CARROLL:

If I may, Mr. President, at this point, on a point of personal privilege.

PRESIDENT:

State your point.

SENATOR CARROLL:

We have within our midst a very special woman who is a constituent of mine but runs a facility that serves so many very special children...special children throughout the greater Chicagoland community. Sister Rose Marie Connelly is so well known as the true chief administrator of Misericordia in all of its facilities. They are a very special place who take care of those very special severely and profoundly handicapped and retarded very special children. She does an outstanding job for the people of Chicago and the people of Illinois as she leads the Sisters of Mercy in their efforts at Misericordia. It is with great pleasure that I introduce a constituent of mine sitting at...President Rock's desk, she also controls apparently President Rock. Sister Rose Marie.

PRESIDENT:

Sister Rose Marie, please stand and be recognized. Welcome. (Machine cutoff)...Dudycz, for what purpose do you arise?

SENATOR DUDYCZ:

On a point of personal privilege, Mr. President.

PRESIDENT:

State your point, sir.

SENATOR DUDYCZ:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This afternoon on the Floor with us we have some special guests on the Republican side. I'd like to introduce Senator Bob Raica's family. First of all, we...we have with us his lovely wife, Karen; his son, Brian; his daughter, Kristen, and his baby, Ryan, who is celebrating his third birthday this afternoon. Please welcome them to Springfield.

PRESIDENT:

Welcome to Springfield everybody. (Machine cut-off)...Hudson, for what purpose do you arise, sir?

SENATOR HUDSON:

Point of personal privilege, Mr. President.

PRESIDENT:

State your point.

SENATOR HUDSON:

In the Speaker's Gallery to my right, I have some guests here today. Doctor Millard Sherich of the Church on the County Line, whom you just heard give the invocation, and also his wife, Esther Sherich, and my wife, Barbara, sitting in the gallery and take a bow.

PRESIDENT:

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

SENATOR HALL:

A point of personal privilege, Mr. President.

PRESIDENT:

State your point.

SENATOR HALL:

I have a young lady here from my district that's an honorary page today and she's from Belleville, Illinois. Her name is Heidi Mattel, she's embarrassed, she begged me not to do this but I wanted the Senate to honor her today for being here. Heidi Mattel from Belleville.

PRESIDENT:

Heidi, welcome to Springfield. Messages from the House, Madam Secretary.

SECRETARY:

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

Mr. President - I'm directed to inform the Senate that the House of Representatives has adopted the following

joint resolution, in the adoption of which I'm instructed to ask the concurrence of the Senate, to-wit:

House Joint Resolution 204, it is congratulatory.

PRESIDENT:

Consent Calendar.

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 concurred with the Senate in the passage of a bill of the following title, to-wit:

Senate Bill 448 with House Amendments 2 and 3.

I have like Messages with regard to Senate Bill 502 with House Amendment 3.

Senate Bill 952 with House Amendment 2.

Senate Bill 1456 with House Amendments 1, 2 and 3.

Senate Bill 1642 with House Amendment 1.

Senate Bill 1812 with House Amendment 1.

Senate Bill 2153 with House Amendment 1.

Senate Bill 2013 with House Amendment 1.

Senate Bill 2228 with House Amendment 1.

Senate Bill 2260 with House Amendment 1.

PRESIDENT:

Resolutions.

SECRETARY:

Senate Resolution 1219 offered by Senator Savickas, it is congratulatory.

Senate Joint Resolution 142 offered by Senator Hawkinson, it is also congratulatory.

PRESIDENT:

Consent Calendar.

SECRETARY:

Senate Resolution 1220 offered by Senator Etheredge, it is substantive.

PRESIDENT:

Executive. (Machine cutoff)...can have your attention, I'd ask the staff to take the conferences off the Floor for the moment, we have a very special guest. (Machine cutoff)...ask the members to please be in their seats. (Machine cutoff)...if the members could be in their seats, we have with us today a very special guest. The Chair will yield to Senator Howard Carroll. Senator.

SENATOR CARROLL:

Thank you, Mr. President and members of the Senate. We are extremely honored to have with us the very new Consul General for the eleven midwestern states from the State of Israel. He has been with us now for merely some six weeks and thought it very important that he quite quickly get to know the leaders of state government...the leaders of the legislative process of state government and had asked us to make arrangements for him to come down here to address the members of the Illinois Senate, later to address the House, and to be available to you individually to answer any questions you may have about Israel, its policies or the current situation in the Middle East. He comes to us with great distinction. He...following his own army service, he studied at Hebrew University in Jerusalem where he received a Bachelor or Arts in History and in International Relations and took courses in International Law. He came to the United States first in 1960 as head of the Jewish Agency working in New York, Atlanta and elsewhere. He then got his Master's Degree in Political Science from Emory University. In 1963, he joined the foreign ministry having had posting since then in Bombay, India and Copenhagen, Denmark and Washington and in New York. He has headed the office in Jerusalem and served in a variety of departments including the departments for

Asia, for North America and for...international cooperation in the Middle East. And from 1983 to 1985, he took a leave of absence from the foreign ministry to be involved in a very special project in Israel as the director of medical organizations during which time, and again this past year, he served in the fund raising capacity of creating for the first time in the Middle East medical services that would be available in medical research, medical surgical complexes and general medical services for all in the Middle East...open to all without passport be it the Israeli, Arab or any other denomination. He served from 1985 to 1987 as the director of Information Services out of the Ministry of Foreign Affairs in Jerusalem. He now serves us as our Consul General, Consul General Uri Ber-Ner. Consul General.

CONSUL GENERAL BER-NER:

(Remarks given by Consul General Ber-Ner)

SENATOR CARROLL:

Thank you, Consul General Ber-Ner. Let me just say that those of us who have gotten to know him in the few short weeks he's been here, he had indicated a true desire to come down here to meet us...meet each and every one of you if possible and discuss any issues you want to. He's a very genuine person and very informed having been the public information officer of the country at one point. He will be available throughout the day if you have questions to ask him, personally. He asked for the opportunity to be able to discuss any matters you may have on your mind as it relates to the Middle East, Israel or the peace process or anything else. Mr. President, we thank you for the courtesies extended and invite you all to have the opportunity in the anteroom to meet with the Consul General.

PRESIDENT:

(Machine cutoff)...Geo-Karis, for what purpose do you arise?

HB 737  
2nd Reading

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, there will be a Republican Caucus immediately in the offices of Senator Pate Philip.

PRESIDENT:

That request obviously is in order. Do we have any idea of the time?

SENATOR GEO-KARIS:

I would say possibly a half an hour.

PRESIDENT:

Till...till Saturday, huh? Okay. All right. That request is in order, obviously. The Senate will stand in recess until the hour of two-thirty.

RECESS

AFTER RECESS

PRESIDING OFFICER: (SENATOR DEMUZIO)

(Machine cutoff)...about to begin and we will go to the Order of House Bills 2nd Reading and take all of the substantive bills. We will skip the appropriation bills, move as many as we possibly can and work till midnight if it's necessary. We're going to do 2nd readings...House bills 2nd reading, no appropriation bills. We will do recalls and work as long as we can. (Machine cutoff)...page 16, we'll begin, page 16. (Machine cutoff)...off the bat we...Senator Jones, Senator Smith, Senator Netsch, Senator Fawell, Senators Topinka, Savickas, Schaffer, Marovitz. (Machine cutoff)...House bills 2nd reading, House Bill 253, Senator Jones. 737, Senator Smith. Senator Smith on the Floor? (Machine cutoff)...Order of House Bills 2nd Reading is House Bill 737, Madam Secretary. Read the bill.

SECRETARY:

House...House Bill 737.

HB 741  
2nd reading

(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. Senator Geo-Karis, for what purpose do you arise?

SENATOR GEO-KARIS:

On a point of personal privilege.

PRESIDING OFFICER: (SENATOR DEMUZIO)

State your point.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, I'm delighted to introduce to this Assembly, my one little girl scout, Tonya Ramey, from Waukegan, Illinois, R-a-m-e-y, and her scout leader, Mrs. Carolyn Howard, from Waukegan, Illinois.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Welcome to the Senate. Nice to have you here. 431, Senator Netsch. House bills 2nd reading is House Bill 741, Madam Secretary. Read the bill, please.

SECRETARY:

House Bill 741.

(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. 1254, Senator Fawell. Senator Fawell on the Floor? 2569, Senator Netsch. 2755, Senator Savickas.



House bills 2nd reading is House Bill 2755, Madam Secretary.

Read the bill.

SECRETARY:

House Bill 2755.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas.

SENATOR SAVICKAS:

Yes, I would move the adoption of Committee Amendment No. 1 to House Bill 2755. It basically does three things. First, it increases the application and renewal fees to make the bill revenue neutral based on cost estimates of the Department of Professional Regulation. Second, it provides an immediate effective date to allow the department to begin its rule making process quickly and defers the actual licensing for six months to allow the...department additional start-up time. Third, it makes a number of technical corrections such as language clarifying that the bill does not affect other licensed professions, a couple of word choice changes and a corrected cross-reference. There was no opposition to this amendment in committee. I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Savickas has moved the adoption of Committee Amendment No. 1 to House Bill 2755. Discussion? Senator...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)

HB 2862  
2nd Reading

Any amendments from the Floor?

SECRETARY:

Senator...Savickas offers Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas.

SENATOR SAVICKAS:

Yes, Mr. President, this amendment is suggested by the Department of Professional Regulation and it makes technical changes in the bill and adds a provision allowing the department to deny licensure on a renewal of a license to those defaulting on an educational loan granted by the Illinois State Scholarship Commission. I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas has moved adoption of Amendment No. 2 to House Bill 2755. 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. 2862, Senator Schaffer. House bills 2nd reading is House Bill 2862, Madam Secretary.

SECRETARY:

House Bill 2862.

(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. 2906, Senator Marovitz...all right. House Bill 2906, Madam Secretary.

SECRETARY:

House Bill 2906.

(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. 2917, is there leave to have Senator Joyce handle that? Leave is granted. On the Order of House Bills 2nd Reading is House Bill 2917, Madam Secretary.

SECRETARY:

House Bill 2917.

(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. (Machine cutoff)...2925, Senator Holmberg. House bills 2nd reading, House Bill 2925, Madam Secretary. Read the bill.

SECRETARY:

House Bill 2925.

(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)

My Calendar indicates there is a Floor amendment. All right, no Floor amendments. 3rd reading. Top of page 17,

2942, Senator Smith. Senator Smith, top of page 17, 2942.  
All right. House bills 2nd reading, House...top of page 17,  
House Bill 2942, Madam Secretary. Read the bill, please.

SECRETARY:

House Bill 2942.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. House Bill 2993, Senator Jacobs. On the  
Order of House Bills 2nd Reading is House Bill 2993, Madam  
Secretary. Read the bill.

SECRETARY:

House Bill 2993.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Senator Jacobs offers Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President and Ladies and Gentlemen of the  
Senate. Amendment No. 1 strictly is technical in nature and  
adds the word "Mercer." So it's Aledo...will read  
Aledo...Aledo-Mercer. Ask for its approval.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jacobs has moved the adoption of Amendment No. 1  
to House Bill 2993. Discussion? Senator Zito.

SENATOR ZITO:

HB 3007  
2nd Reading

Yes, thank you, Mr. President and members. Question of the sponsor, please.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...indicates he will yield.

SENATOR ZITO:

Senator Jacobs, I would appreciate in preparation...you understand that I have filed an amendment to...I'm not prepared at this time. I'd ask if you'd take this out of the record and we can pick it up tomorrow.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jacobs.

SENATOR JACOBS:

If that be your wishes, Senator.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Take it out of the record...take it out of the record, Madam Secretary. 3007, Senator Jones. House bills 2nd reading is House Bill 3-0-0-7, Madam Secretary.

SECRETARY:

(Machine cutoff)...3007.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Senator Jones offers Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

Yeah, thank you, Mr. President and members of...of the Senate. Amendment No. 1 allows a taxpayer to have a informal conference...with the Department of...of Revenue it...it...if requested by the taxpayer, and at that conference, it...it...it would be required that a lawyer need not be present but the taxpayer can be represented by anyone of his

choice, and the department shall establish the rules to set up this informal conference; and I understand the department still has some minor concerns, but if necessary, we'll move the bill on to 3rd reading and come back...bring it back to 2nd if they have another amendment for the bill. So I move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones has moved the adoption of Amendment No. 1 to House Bill 3007. Discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield. Senator DeAngelis.

SENATOR DeANGELIS:

Senator Jones, is this the amendment that you're going to offer based on the conversation that we had? All right. Now, for the record, you said, yes, correct? Well, we have...Mr. President, Senator Netsch would like to say something.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, have you concluded, Senator DeAngelis?

SENATOR DeANGELIS:

No, I haven't concluded. I think she wants to shed some light or heat.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right.

SENATOR DeANGELIS:

I...I've not concluded. I want to hear what she said...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. Yes, I've talked to Senator Jones about this as well as to the Department of Revenue and we are all in agreement that we'll move the bill today. We

have Senator Jones' commitment that he will bring it back if it gets fine-tuned. The...the amendment in principle carries out the concept that we were all in agreement on, but the department still has some difficulty with some particular parts of it and they are continuing to work on it. Senator Jones has agreed that if they get that resolved, he will bring it back for that amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Thank you. And, Senator Jones, I assume you agree with that, yes?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

Of course, Senator Netsch always speaks my mind.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones has moved the adoption of Amendment No. 1 to House Bill 3007. Any further 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. 3179, Senator Geo-Karis. I'm sorry, Senator Macdonald, I beg you pardon. All right. I was so used to seeing your name there. All right. We're skipping the appropriation bills, so we will skip over to page 20. 3264, Senator Berman on the Floor? (Machine cutoff)...3264, Senator Berman on the Floor? 3303, Senator Schuneman. House bills 2nd reading, House Bill 3303, Madam Secretary. Read the bill, please.

SECRETARY:

House Bill 3303.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Senator Schuneman offers Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. This is the amendment which was promised in committee that addresses some of the...I think the majority of the concerns that people had about the extension of the effective date of this Act. I'd be happy to respond to any questions, if there are any, but if not, I would simply move adoption of the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Schuneman has moved adoption of Amendment No. 1 to House Bill 3303. 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. 3311, Senator Holmberg. House bills 2nd reading is House Bill 3311, Madam Secretary.

SECRETARY:

House Bill 3311.

(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. 3338, Senator Marovitz. On the Order of House Bills 2nd Reading is House Bill 3338, Madam Secretary. Read the bill, please.

SECRETARY:

House Bill 3338.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

(Machine cutoff)...very much, Mr. President and members of the Senate. Amendment No. 1 is a technical amendment and puts 3338 in exactly the same shape as Senate Bill 1800 was when it passed out of this Body unanimously. At the request of Senator Hawkinson and others, we eliminated one of the notice provisions and eliminated the penalty and it's exactly the same as it passed out of the Senate. I would ask for adoption of Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz has moved the adoption of Committee Amendment No. 1 to House Bill 3338. Is there any 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:

Committee Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President. Amendment No. 2 is a bill which...is an amendment, excuse me, which I think this entire Body can be very proud of. It will create a statewide housing program for...housing for senior citizens to substan-

tially improve dilapidated housing throughout the state and for the homeless. It increases the real estate transfer tax from twenty-five cents for each five hundred dollars to fifty cents. That would mean on a hundred thousand dollar house, you'd have a...an increase of fifty dollars on your closing statement. This would provide along with other private contributions UDAG grants, twenty-five million dollars to leverage with private funds to provide a very substantial statewide housing program throughout the...throughout Illinois. At minimal impact to anybody with the...with the elimination of subsidies on the federal level...Section 8 subsidies and other subsidies on a federal level, this provides housing throughout the State of Illinois. There is a very substantial statewide housing coalition, SHAC, that is supporting this along with Chicago United, City Corp., many of the business leaders from across the State of Illinois, Ron Gidwitz, who's...who heads the Economic Development for the City of Chicago was down here speaking to people on the bill yesterday, and I would solicit your Aye vote for this...this is something that the...that the Legislature can be very proud of, a statewide housing program that will...will...will not impact financially on anybody in terms of...of tax dollars except that it will provide housing for people in need across the state on an equality basis.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz has moved the adoption of Committee...Committee Amendment No. 2 to House Bill 3338. Is there discussion? If not, those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 2 is adopted. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Senator Barkhausen offers Amendment No. 3.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, what I am seeking to do with Amendment No. 3 to House Bill 3338 is to increase the real estate transfer tax at the state level by an amount identical to the amount which Amendment No. 2 raised it which means fifty cents per one thousand dollars or fifty dollars on a home selling at a value of...for...for a price of one hundred thousand dollars. And the money in this case...under Senator Marovitz' amendment is used for low-income housing, the money would be used in this case by the Department of Conservation with the money to be placed in a fund in the State Treasury known as the Open Space and Natural Areas Acquisition Fund. Let me take a quick moment to...explain the rationale for this and...and what the uses of the money will be. We have...we have benefited in Illinois and states around the country have benefited from federal money coming in from a program known as LAWCON, the Land and Water Conservation Fund which...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Pardon me, Senator Barkhausen. Senator Friedland, can we break up the caucus there just a wee bit. Senator Barkhausen.

SENATOR BARKHAUSEN:

Illinois and other states have...have benefited from federal funds coming to us from the Land and Water Conservation Fund which at their peak were bringing into this state fourteen million dollars a year. That money has dried up to almost nothing, less than one million dollars in the most recent fiscal year. As a result, park districts and forest preserve districts throughout Illinois which had come to rely

on this money as a potential source of support for acquiring necessary parkland have come back empty-handed when they have turned to the Department of Conservation for help under a Statute on the books now known as OSLAD, the Open Space Land Acquisition and Development Act. Under this amendment, as I propose it, two-thirds of the money raised by this slight increase in the transfer tax, two-thirds of the money going into the Open Space and Natural Areas Acquisition Fund would go to units of local government, principally park districts, for grants as I've described them. The other one-third would also be used by the Department of Conservation to acquire and preserve natural areas throughout the state similar to a program which we have supported through Build Illinois for the last few years which at its peak amounted to four million dollars a year. And so the design of this amendment is to raise approximately twelve million dollars a year, the same amount which the housing amendment would raise, with approximately four million dollars being available for natural areas acquisition and preservation, and the other eight million going to local governments under the OSLAD Program. I think it's in...incumbent upon us as we attempt to meet the needs of the state to recognize our responsibility to try to acquire and set aside and preserve those areas that are uniquely important from an environmental standpoint. The...part of our trust as legislators is to make sure that these...that these unique areas that can so quickly slip through our grasp if we fail to take advantage of the opportunity to save them and preserve them for this and future generations, if we fail on that responsibility, I think we...we...we...we fail in...in the major part of our overall responsibility as legislators. I'd be happy to try to answer any questions and would solicit your support for what I feel is a very important initiative here.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Discussion? There...there are several speakers. Senator Marovitz.

SENATOR MAROVITZ:

I'm sorry, was there...did you ask a question or...speaking. Okay. Well, I...I...stand in opposition to the amendment. Let me ask a question of the sponsor. Does this amendment have anything to do with the land disputes that are going on in Lake County regarding Libertyville?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Absolutely nothing. No, it's a totally unrelated to the controversy going on in the House over township open space districts.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

(Machine cutoff)...the nature of my opposition is Amendment No. 2 which we...which we just put on would, in fact, create a statewide housing program, and I don't think anybody in this Body would dispute that there's a need for that for seniors, for people who are in dilapidated housing, distressed housing, for the homeless without using GRF, without using state tax dollars that are going to go to other more important needs; and here we have an...an open lands amendment, and I really believe that yesterday there was a statement made by some individuals from the Illinois Association of Realtors and they said that while they don't like anything that deals with the real estate transfer tax, this usage of...of that tax for a statewide housing program when the federal subsidies have been...have been used up and eliminated seems like perhaps the greater good...use of that tax for the greater good for the populous. I really can't say that about this amendment. I think it weighs down the

bill. I think it's very nebulous in nature and I would urge a...a No vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Schaffer.

SENATOR SCHAFFER:

Well, I can't imagine why the realtors were for a bill to build more houses and I can't believe they would have any other position. I think Senator Barkhausen is trying to address a concern that I think most of us have. There's a great deal of construction and building going on in this state, there's only a limited number of natural areas left. With the drying up of federal dollars and the state's tight financial situation, our ability to acquire those very valuable natural areas before they are gone and gone forever, and one thing about housing,...there's always room for housing, you can always tear down the old stuff and do it over again but a natural area, once it's gone, it's gone forever. I think this is a...a very modest program and I would suggest that our friends in the realtor industry, and they are my friends in my area, we've got thousand of them, are interested in open space and they're interested in quality of life and that's what this is all about. I think it's a good amendment and I think it strengthens an otherwise questionable concept in that bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. With some reluctance I rise in...in strong opposition to the amendment, and the reluctance is related to the fact that I certainly have no objection to the program that Senator Barkhausen is interested in, that is the attempt to get open space and to find a source of funding for it. But I...I would like to strongly underscore, Senator Barkhausen, that the bill as it stands at

this moment without your amendment represents the culmination of long years of work on the part of a lot of people to find a way in which the state's role in helping to provide affordable housing could be enhanced without dipping into general funds which we knew would not be available. Finally, after all of this time, we have found a modest way to raise that sum of money and we have the program in place, and for the first time, really, there is, as Senator Marovitz indicated, a very broad base of support including for the first time broad support from the business community. And one of the things that made it possible is...and some of the businessmen made this very statement, they don't generally like or support tax increases, but this is so related to the objective of House Bill 3338 as amended that is an opportunity to provide some way to generate funds for affordable housing. The purpose of the real estate transfer tax is so related to that that they found they could have no objection in principle to that kind of a modest tax increase. As important as open space acquisition is, it does not have the same relationship to housing and therefore to the real estate transfer tax. What I'm concerned about is not only that your purpose is much more remote to the real estate transfer tax, but if this amendment should go on and the real estate transfer tax is increased that much, that we will lose support for the affordable housing program which we have been working so long to get in place. I really would urge you not to pursue the amendment, or if you do, I would urge the members not to support it and, hopefully, at some stage, you could find a different source of funding but, please, not this one.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Kustra.

SENATOR KUSTRA:

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Kustra.

SENATOR KUSTRA:

Senator, I, at this moment, am confused. Would you explain for me, first of all, how this amendment relates to the last amendment in terms of the cost factor and how that relates to the original bill. I mean, I...I...I agree with Senator Netsch and what she just said, but I'm unclear as to the difference in cost between these two amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Let me, Mr. President and members, quickly walk you through what the...what the tax is now and what it is as a result of the housing amendment and what it would be as a result of this open space parkland amendment if it goes on. Presently on the books...there is both a state real estate transfer tax and is also...there is also authorized a county real estate transfer tax in equal amounts of...of fifty cents per thousand dollars, a total, obviously, of...one dollar per thousand. So that currently if you sell a house for a hundred thousand dollars, you're paying a hundred dollars, a dollar per thousand, in the form of a real estate transfer tax, half of it going to the state and half of it going to the county. Now the housing amendment, Amendment 2, raises...raises that fifty cents, in other words, doubling the state tax but increasing by fifty percent the overall existing state and county tax, and the open space parkland amendment I'm proposing raises it another fifty cents. So the...the net effect of the two amendments together would be to double what people are now paying in the form of the dollar per thousand tax so that it would be two dollars per thousand. But let me...in addition, quickly...quickly point out, I mean, no...no tax is...is insignificant or



is...raising or instituting one is not a step we should take lightly but compared to other taxes that we pay...and let me just quickly point out how...how small this tax is. We pay for...for most goods that we buy, we pay a real estate occupation tax which at a minimum in this state is...is six percent. The...the existing real estate transfer tax is not six percent, it's one-tenth of one percent and this would...would...I admit, would raise it...it would...it would...the two amendments together would take it to two-tenths of one percent. So it's a...it's really a pretty small tax. The average person...sells a house, I don't know what the figures, every five to seven years. So you can kind of figure out what the...what the impact would be for the average family. I must say in...in...in my area where a good...a good portion of which where home values are really far higher than the average in this state, I mean, my people are going to be on average paying a lot more than the average citizen in this state. So this...this isn't a step I take lightly.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Welch.

SENATOR WELCH:

Question of the sponsor, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield. Senator Welch.

SENATOR WELCH:

Senator Barkhausen, would this money also be used to acquire sites that are on a list created by the Historic Preservation Agency, that they don't have money to acquire at this time...

PRESIDING OFFICER: (SENATOR DEMUZIO)

...Senator Barkhausen.

SENATOR BARKHAUSEN:

There's nothing in the amendment, Senator Welch, that

speaks specifically to historic preservation. I suppose insofar as a local governmental unit has it...had as part of a...a park district or a proposed park district on a historic site that they were seeking to save, I suppose that might be eligible and...and by the same token insofar as a...as a natural...what's described as a natural area also had something of historic value, it might be eligible. But the...the words historic preservation are not used in this amendment. Also, insofar as we're providing funds through this amendment to the Department of Conservation for these purposes that arguably freeze up other money that the department has for historic preservation and other responsibilities that DOC has.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Well, Senator Barkhausen, more specifically, in LaSalle County we have a site of about a hundred and thirty-one acres where the Illini Indians set up camp, where the first mass in the State of Illinois was held, where the burial ground for these Indians are for which the state is named and the property is being taken over by developers and the natural...the Historic Preservation Agency says we have no money to buy this area although it is a historic site. What I'm wondering is if your amendment goes on this bill, if we will have money available to purchase this historic area which is basically an open site now right along the Illinois River adjacent to Starved Rock State Park.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

I...I suppose it's possible but, obviously, there's nothing specifically that...directing the Department of Conservation to acquire any...any one area. It does...it does

grant fairly broad discretion of the DOC to...to use money for the generally specified purposes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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

SENATOR BARKHAUSEN:

Mr. President, in...in closing, I think I made most of my closing remarks in responding to Senator Kustra's question. The...the point I made there was simply asking all of you to keep in mind how...how really low this...this tax is...even if it's increased by a slight amount for these purposes, but if I could just very quickly respond to...to Senator Netsch. I...I feel very strongly, Senator, that there has been...that there has been no less effort going into this initiative over a period of time than there has been in the housing amendment that all of us Republicans supported in...in committee without asking any questions and that the committee approved unanimously as...as the Senate did just a moment ago before taking up this amendment. It has been of major interest to...to four significant conservation and...and natural preservation groups, most significantly in...in the one that...that we heard from today; first of all, the Illinois Association of Park Districts; secondly, the Illinois Environmental Council, the Open Lands Project which of course is Chicago based very much supports this as does the Illinois Nature Conservancy. Secondly and finally, the...the use of this tax for parkland and open space purposes is...is, I would argue, no...no less related to real estate and to the real estate transfer tax than is the...the use of this money for...for housing purposes. There are thirty-two states which presently have dedicated funds for open space and...and several of those use a real estate transfer tax for this purpose, many of them, especially the State of Florida, at a much higher rate than what is being proposed here. So it is

a...it is a very small tax increase I admit, but it is a...a worthy purpose and I think we'd do ourselves proud if we support the amendment and as a result the overall bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen has moved the adoption of Amendment No. 3 to House Bill 3338. Those in favor will indicate by saying Aye. Opposed Nay. In the opinion of the Chair, the...the Nays have it. Senator Barkhausen has sought...seeks a roll call. Senator Barkhausen has moved the adoption of Amendment No. 3 to House Bill 3338. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? 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 28, the Nays are 27, none voting Present. Amendment No. 3 is adopted. Senator Marovitz, for what purpose do you arise?

SENATOR MAROVITZ:

Verification of the affirmative.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz has sought verification of those who voted in the affirmative. All members will be in their seats. The Secretary will read the names of those who voted in the affirmative. Madam Secretary.

SECRETARY:

The following members voted in the affirmative: Barkhausen, Brookins, Collins, Davidson, DeAngelis, Ralph Dunn, Etheredge, Fawell, Friedland, Hall, Hudson, Jacobs, Jones, Keats, Kelly, Macdonald, Madigan, Mahar, Maitland, Newhouse, Rigney, Schaffer, Schuneman, Topinka, Weaver, Welch, Woodyard and Zito.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz, do you question the presence of anybody who voted in the affirmative?

SENATOR MAROVITZ:

Yes, I do. Senator Hall.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall is sitting in his seat.

SENATOR MAROVITZ:

Senator Brookins.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Brookins is sitting in his seat.

SENATOR MAROVITZ:

Senator Newhouse.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Newhouse is sitting in his seat.

SENATOR MAROVITZ:

Senator Collins.

PRESIDING OFFICER: (SENATOR DEMUZIO)

She is sitting in her seat.

SENATOR MAROVITZ:

Senator Jacobs.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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

SENATOR MAROVITZ:

Senator Weaver.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Weaver is in his seat.

SENATOR MAROVITZ:

Senator Maitland.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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

SENATOR MAROVITZ:

Senator Ralph Dunn.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Ralph Dunn is by his seat.

SENATOR MAROVITZ:

Senator Emil Jones.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Emil Jones. No, it won't work. Senator Emil Jones on the Floor?

SENATOR MAROVITZ:

Few...in a few years.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Yeah, he's...

SENATOR MAROVITZ:

In a few years.

PRESIDING OFFICER: (SENATOR DEMUZIO)

He's sitting back in the back of the Chamber.

SENATOR MAROVITZ:

That's...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

...that's enough.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The Yeas are 26, the Nays are 27. Senator Barkhausen now seeks leave of the Body to...or seeks a verification of those who voted in the negative. Is that correct, Senator Barkhausen? All right. Madam Secretary, would you please read the names of those who voted in the negative.

SECRETARY:

The following members voted in the negative: Berman, Carroll, D'Arco, Degnan, del Valle, Demuzio, Donahue, Dudycz, Thomas Dunn, Geo-Karis, Hawkinson, Holmberg, Jeremiah Joyce, Jerome Joyce, Kustra, Lechowicz, Luft, Marovitz, Netsch, O'Daniel, Poshard, Raica, Severns, Smith, Vadalabene, Watson and Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen, do you question the presence of any

person voting in the negative? Senator Barkhausen.

SENATOR BARKHAUSEN:

Senator D'Arco.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator D'Arco on the Floor? Walking to his desk.

SENATOR BARKHAUSEN:

Senator Jeremiah Joyce.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jeremiah Joyce on the Floor? Senator Jeremiah Joyce on the Floor? Senator Jeremiah Joyce. Strike his name. Senator Barkhausen.

SENATOR BARKHAUSEN:

Senator Degnan.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Degnan is at the rear of the Chamber at Senator D'Arco's seat. (Machine cutoff)...Barkhausen.

SENATOR BARKHAUSEN:

I...I believe...I believe that's all.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Madam Clerk. On that question, the Yeas are...on that question, the Yeas are 26, the Nays are 26, none voting Present. Amendment No. 3 fails. Further amendments?

SECRETARY:

Senator Marovitz offers Amendment No. 4.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Thank...thank you, very much, Mr. President and members of the Senate. Amendment No. 4 is a technical amendment. It only changes the word "resident" to "residing." It's purely technical in nature and I ask for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Marovitz has moved the adoption of

Amendment No. 4 to House Bill 3338. Is there discussion? If not, those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 4 is adopted. Further amendments?

SECRETARY:

Amendment No. 5 offered by Senator Marovitz.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz. (Machine cutoff)...Marovitz.

SENATOR MAROVITZ:

Apparently, there has been a mistake in the numbering of the amendments and the amendment that we just adopted, No. 4, is an amendment that nobody to...to my knowledge has ever seen. It has my name on it. I will...having voted on the prevailing side, I'll move to reconsider the vote by which Amendment No. 4 was adopted.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Marovitz having voted on the prevailing side moves to reconsider the vote by which Amendment No. 4 was adopted. Those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. The...Amendment No. 4 vote is reconsidered. Senator Marovitz.

SENATOR MAROVITZ:

I move...now move to Table Amendment No. 4.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Why don't you just withdraw.

SENATOR MAROVITZ:

Withdraw Amendment No. 4.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator...Senator Marovitz...I'm sorry, Senator Marovitz, we have already voted on it. Senator Marovitz moves to Table Amendment No. 4 to House Bill 3338. Those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 4 is Tabled. Further amendments?

SECRETARY:



Amendment No. 5 offered by Senator Marovitz.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz. (Machine cutoff)...Marovitz.

SENATOR MAROVITZ:

Is Amendment No. 4 still filed?

PRESIDING OFFICER: (SENATOR DEMUZIO)

We've just adopted Amendment...

SENATOR MAROVITZ:

Is Amendment No. 4 still filed? Once again, I will move for the adoption of Amendment No. 4. Amendment No. 4 deals...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz, we have Tabled Amendment No. 4.

SENATOR MAROVITZ:

Okay, then how do I do it? Move to take it from the Table?

PRESIDING OFFICER: (SENATOR DEMUZIO)

My...my...my suggestion is...

SENATOR MAROVITZ:

All right. Fine...fine...fine.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is that you...is that you...

SENATOR MAROVITZ:

...all right. We'll...we'll do Amendment No. 5. Amendment No. 5 is a one-word amendment. It changes the word "resident" to "residing." This is Amendment No. 5, it changes one word, "resident" to "residing." I would ask for the adoption of Amendment No. 5.

PRESIDING OFFICER: (SENATOR DEMUZIO)

(Machine cutoff)...Marovitz has moved the adoption of Amendment No. 5 to House Bill 3338. Discussion? If not, those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 5 is adopted. Further amendments?

SECRETARY:

Amendment No. 6 offered by Senator Marovitz.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much. In...in the bill the...the substance of...of the bill allows for investment in futures, and that being a very risky investment, it was suggested by all members of the Judiciary Committee that that kind of an investment be removed from those which can be made, and so that is what Amendment No. 6 does. It takes out the risky investments in futures from the investment possibility and I would ask for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz has moved the adoption of Amendment No. 6 to House Bill 3338. Discussion? Senator Keats.

SENATOR KEATS:

Strictly a question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield. Senator Keats.

SENATOR KEATS:

We're not seeing these amendments, we're going forward and following them. If we're removing futures...get a little nervous about these investments, I mean, those are risky as heck. What are we considering nonrisky investments just so those of us who are following along know what it is we're allowing these funds to be invested in?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

It would be investments similar to other investments that you can invest your pension funds in, but it would...it would specifically delete any futures.

PRESIDING OFFICER: (SENATOR DEMUZIO)

*HB 3380  
2nd Reading*

All right. Further discussion? If not, the...Senator Marovitz has moved the adoption of Amendment No. 6 to House Bill 3338. Those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 6 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. We are really bogged down. 3345, Senator Macdonald. On the Order of House Bills 2nd Reading is House Bill 3345, Madam Secretary.

SECRETARY:

House Bill 3345.

(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. 3380, Senator Zito. House bills...Senator Zito. House bills 2nd reading is House Bill 3380, Madam Secretary.

SECRETARY:

House Bill 3380.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Senator Zito offers Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Zito.

SENATOR ZITO:

HB 3445  
2nd Reading

Yes, thank you, Mr. President and members. Amendment No. 1 to House Bill 3380 is a committee amendment. It reflects and clarifies that the annualized membership fee for a credit card may be disclosed on literature accompanying the periodic billing statement. There were some questions in committee and the committee suggested we offer this amendment. I would move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...Senator Zito has moved the adoption of Amendment No. 1 to House Bill 3380. 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:

Amendment No. 2 offered by Senator Zito.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Zito.

SENATOR ZITO:

Yes, thank you, again, Mr. President, members. Floor Amendment No. 2 to House Bill 3380 is in essence Senate Bill 1826 which we passed which would extend or postpone the enactment of the disclosure law here in Illinois from July 1, 1988 to January the 1st, 1989, and I would move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Zito has moved the adoption of Amendment No. 2 to House Bill 3380. 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. 3425, we've got a hold on. 3445, Senator Etheredge. On the Order of House Bills 2nd Reading, bottom of page 20, is House Bill 3445, Madam Secretary.

SECRETARY:

House Bill 3445.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Senator Carroll offers Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I thought, Senator Etheredge, you were going to hold this as I...I was told this morning you were from those who were...

PRESIDING OFFICER: (SENATOR DEMUZIO)

(Machine cutoff)...Etheredge.

SENATOR CARROLL:

Okay. The amendment is simple.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

The issue here is whether or not taxpayers are going to pay for higher construction costs by creating in effect a fund for the contractors to pay a fee to...to Capital Development Board, so the Capital Development Board would have its own source of funding for all of its employees, contracts, pencils, papers, cars, typewriters, et cetera. I don't think that's very logical. We believe that the Capital Development Board has done such a wonderful job keeping all construction costs in line to date that to give them the freedom of budgeting their own agency on a like manner would become very expensive to the people of Illinois. This amendment would say that if they want contractors to pay a fee,

those fees should be used for the state's lawsuits against contractors for faulty performance on construction of facilities. And, therefore, the amendment would strike other usages of the funds for other purposes like employees, typewriters, postage, et cetera and limit the use of the funds to the issue of the state's right to recover for bad, faulty or other problems of construction. In addition, I believe by this we are saying that...you know, ultimately, you're talking about people who bid on state work. The state pays for the cost of these new charges or fees that would have been assessed under the bill and, therefore, the suggestion is if these contractors are so willing to pay a fee, it should be a fee aimed at the right's recovery...the right of the state to recover from those who have been bad. It was my understanding this morning that what the contractors wanted were a few more engineers to get their bidding process through faster and they were in discussions with the House on that solution instead of this, but if it is the will of the sponsor to move ahead, then I think we should limit these fees to those necessary for the state to recover for faulty construction. I would move adoption of Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Etheredge.

SENATOR ETHEREDGE:

Will the sponsor of this amendment yield?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll indicates he will yield.

SENATOR ETHEREDGE:

Well,...Senator,...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge.

SENATOR ETHEREDGE:

...I just want to make sure that I understand the amendment because you have not spoken to me about this amendment.

I just want to make sure that I have a clear understanding of what you're saying. If I understand you correctly, you have said that the...your amendment, and I'm looking at the bill now, that the amendment would take away the authority to spend money from this revolving fund for commodities, printing, equipment, personal services, retirement, those things, and would leave in only legal services. Is that right? So that only legal services could be purchased with money from this...revolving fund. Is that the essence of your amendment?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Yes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge.

SENATOR ETHEREDGE:

Then, Mr. President, Ladies and Gentlemen of the Senate, I rise in strong opposition to the amendment. What the amendment does is to gut the bill, and remember now, that we are talking about the amendment itself. What the amendment does is to say that the Capital Development Board will not be able to buy a tablet and a pencil or a pen or paper or telephone call out of this revolving fund which is money contributed not out of taxpayers' pockets but by contractors, but that this money can only be spent for the purchase of legal services. What this amendment really is is a full employment bill for attorneys. I would ask that you reject this amendment...I would ask that you reject this amendment because it guts the bill. We will have the opportunity on 3rd reading to debate the...debate the merits of this revolving fund, and I ask that you extend the...the courtesy to the sponsor of the bill to have his bill rise or fall on its merits. I ask for your No votes on this amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, Senator Carroll may close.

SENATOR CARROLL:

No, it is not an employment bill for lawyers and you know better than that, Senator Etheredge. You also know the problems we have had with contractors doing business with the state, fifty percent overruns, and you're saying to us in the bill, which never got out in the Senate form out of Senate Rules correctly, that we should allow this agency its own fund to pay for all of its operations, and who are they going to assess? The taxpayers of Illinois because what does CDB do? Do they build your home...maybe your's they do but they're not supposed to. They build state property, so whatever we get from the contractors by way of any type of licensure...this isn't architects, this isn't doctors and dentists throughout Illinois, these are those who will do state business charging the state for what they will be paying into this revolving fund as an add-on to any contract they come in and bid on to the state. So we're taking from the taxpayers' money an extra amount to build a building with an agency whose credit in holding costs down isn't very great and I think that's silly. However, we have seen year in and year out out of this agency the necessity to sue, and often they use the Attorney General and that's fine, they can pay for that, the necessity to sue for faulty construction or untimely construction at a cost that has burdened the state. So that if we're going to say to contractors, pay a fee to a fund, that fee should go to protect the taxpayers of Illinois from faulty construction or bad contractors, and I would move the adoption of the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll has moved the adoption of Amendment No. 1 to House Bill 3445. Those in favor will indicate by saying Aye. Opposed Nay. In...in the opinion of the Chair, the



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Ayes have it. There's been a request for a roll call. Senator Topinka, did you make that request? All right. Senator Carroll has moved the adoption of Amendment No. 1 to House Bill 3445. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 19, the Nays are 36, none voting Present. Amendment No. 1 fails. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. All right. Senator Macdonald, 3425. I inadvertently had a wrong mark here. Senator Macdonald, do you wish to call that...all right. With leave of the Body, we will...we will return to House Bill 3425, Madam Secretary.

END OF REEL

REEL #2

SECRETARY:

House Bill 3425.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Senator J. J. Joyce offers Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEROME JOYCE:

Thank you, Mr. President. Amendment No. 1 requires a referendum to ratify a local governing board's approval of a landfill if the proposed site of the landfill is to be located in an area that has been annexed by the municipality in the preceding five years. It exempts garbage transfer stations, incinerators, associated ash, monofils, expansions of existing facility in a municipality with a population of over six thousand in home rule units. I'd ask for its adoption

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Joyce has moved adoption of Amendment No. 1 to House Bill 3425. Discussion? Senator Macdonald.

SENATOR MACDONALD:

Thank you, Mr. President. I rise in strong opposition to this amendment. Actually, the reason that there is...an...a following amendment that will come forward and the only reason that that amendment is being offered is that this amendment was offered in committee on another bill. The amendment that we'll speak to later is an amendment that was requested by Northwest Municipal Conference which is a...an

agency that represents thirty-one municipalities and townships, twenty-nine of which are very, very much involved in...critical issue of siting transfer stations. To put on a referendum demand of this sort would be absolutely impossible for us to...in...in that area of Illinois, which is the northwest suburban area, just would be absolutely impossible to deal with at this particular point, and I would ask for your rejection of this amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

I'm sorry, was that a question, Senator...Senator Macdonald, was that a question or was that a statement? I'm sorry, I was...all right, further discussion? Senator Welch.

SENATOR WELCH:

Thank you, Mr. Chairman. This amendment offered by Senator Joyce is nothing new to the committee or to the Senate itself; in fact, this Senate passed this amendment out on a bill to the House and over in the House they did not see fit to pass it along. What this amendment basically does is take care of a loophole in the siting bill, Senate Bill 172, from several years ago. This is a response to try to help small communities for being inundated with people seeking to locate landfills and I would urge strong support of this amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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

SENATOR NEWHOUSE:

Thank you, Mr. President. I rise reluctantly to...to oppose this amendment. This amendment...it's a landfill proposition and will prevent the City of...Chicago from disposing of much of its garbage. It'll practically double the price of the cost of disposal to the City of Chicago, and for that reason, I rise in opposition to it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, I have a conflict of interest on this one, but I'm going to vote my conscience.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President. I'd like to ask the sponsor if, in fact, this affects not only the City of Chicago but does it affect all of Cook County?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEROME JOYCE:

No, it doesn't. It doesn't affect the northwestern municipalities. All this affects are cities downstate that are under six thousand and other than home rules. So, it...you, know, I don't where all of that information is coming from 'cause it doesn't...it doesn't have any impact at all on the original bill. It just affects downstate towns where municipalities...where there is an...annexation taking place regarding a landfill. So, it doesn't...doesn't have anything to do with them.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Zito.

SENATOR ZITO:

Yes, thank you, Mr. President and members. As a representative of the suburban area, I can tell you that this idea was certainly in committee and I think it's a good one. What it'll say is that it will allow for local siting provisions to be stricter and allow for the entire area that's affected by a landfill to have some say in whether that landfill should be located in their area whether or not they're attached to the municipality in question. I think it's a good idea and would stand in strong support of Amendment No. 1 to House Bill 3425.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Further discussion? If not, Senator Joyce may close.

SENATOR JEROME JOYCE:

Well, thank you, Mr. President. I...I don't know where the City of Chicago is coming from. This...this doesn't have a thing in the world to do with the City of Chicago. It's a...it deals with siting landfills downstate. It's an attempt to circumvent the old 172 siting process. You know, I suppose if you took it all the way to the end, it might...it might have an affect somewhere if they didn't get a...a facility sited, but it just...on the surface of the bill, it doesn't have anything to do with that. It deals with siting landfills and it deals with...with where a landfill operator comes into a small community and says, I'll make you a deal you can't refuse, we'll...we'll...you have two hundred acres in your town, we'll go out here and we'll annex five, six thousand acres and we'll have a landfill. That's what it's dealing with. It's trying to keep those people from circumventing the...the siting process. It...it just seems ultimately fair that the...the people in those communities ought to vote on that and not leave it up to...could be as little as three board members make this decision and the whole community will have to bear this burden, and...and as we...we site one of these facilities next to a little town like that, if, indeed, in the next few years something comes along where we find better ways to treat our garbage, that facility is going to leave and then that community is going to be stuck with this...with a half full landfill, and I don't know, you know, how they're going to deal with that. I...I can just see someone in downstate...Fairview or...or Essex or Marseilles or wherever trying to find the owner of a landfill when he is gone. I mean, it'd be pretty tough for those people in that

little...those little communities. So, this is just giving them an opportunity to have a referendum on it and I...and I don't see how it affects all of these other things; in fact, it just doesn't, and I'd ask for the adoption of the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Joyce has moved the adoption of Amendment No. 1 to House Bill 3425. Those in favor of the amendment will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? 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 21, the Nays are 32, 3 voting Present. Amendment No. 1 fails. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Keats, for what purpose do you arise?

SENATOR KEATS:

I rise to say I may have a conflict of interest. I voted Present but since the sponsor gave no one the courtesy of showing them the amendment, I can't tell you if I had a conflict but I will say it just in case.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further amendments? Further amendments?

SECRETARY:

Amendment No. 2 offered by Senator Macdonald.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Macdonald.

SENATOR MACDONALD:

Thank you, Mr. President. This amendment is...the original House Bill 3179 as it appeared without the Joyce amendment in committee. The only change from the original bill

that this amendment makes is that...in...in regard to a transfer station located in industrial areas greater than ten contiguous areas that the...a specific situation that...that the landfill may not be located any closer than eight hundred feet from the nearest property zoned for residential uses. So, I move for the adoption of this amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Macdonald has moved adoption of Amendment No. 2 to House Bill 3425. Discussion? If not,...Senator...Senator Jerome Joyce.

SENATOR JEROME Joyce:

Yes, Senator Keats, we haven't seen this amendment either.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further...further discussion? If not, Senator Macdonald may close. Senator Macdonald.

SENATOR MACDONALD:

Yes, the amendment has been filed and...and I believe it has been distributed, Senator Joyce. Well, I would...I...I...the other amendment which we considered also had not been distributed and we had filed our amendment right after we came back into session. So, I would ask that...that you do consider this. This is a very critical and crucial bill to the Northwest Municipal Conference and to the siting of transfer stations in that area. It also has some other important language on it and I...I would just ask for your approval. It...the...the entire amendment is really a very, very important...amendment. It also regulates waste water from out-of-county developments and that...is very, very important, of course, and I would just ask that this bill, which is a key bill in this Session, be passed out of this Body...this amendment be passed so we can discuss this bill on 3rd reading.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Macdonald has moved the adoption of Amendment No. 2 to House Bill 3425. Those in favor will indicate by saying Aye. Opposed Nay. Ayes have it. Amendment No. 2 is adopted. Further...further amendments?

SECRETARY:

Amendment No. 3 offered by Senator Brookins.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Brookins.

SENATOR BROOKINS:

Thank you, Mr. President. Mr. President, I have a amendment to this bill and this amendment will require the disclosure so that the consumer can make informed decisions about the food and drugs and cosmetics they purchase in...in much as the same way that labeling the risk of association on smoking providing consumers with information. This amendment would...provide for consumers with needs of information and potential health risks in the items they purchase. Ten percent of the country has this type of disclosure. California recently adopted through a referendum Proposition 65 and is in the process of...implementing this disclosure provision. In the same way that the...consumer wants to know the nutrition contents of food they purchase, the consumer likewise want to know whether the products they purchase have been treated with substances known to cause cancer or other productive...toxins. The absence of adequate screening, testing by FDA...we need to know these disclosures. So, this bill is commonly called the Clean Water Act and I'd like a favorable vote on this.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Brookins has moved the adoption of Amendment No. 3. Discussion? Senator Macdonald.

SENATOR MACDONALD:

Yes, Mr. President, with all due respect to the sponsor, I would ask for the germaneness of this amendment. Does



it...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator, that's what we're discussing at the moment. Why don't we hear from another speaker and we'll come right back with a ruling. All right? All right. Further discussion? Senator Jerome Joyce.

SENATOR JEROME JOYCE:

Yes, how will this affect the city?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Brookins.

SENATOR BROOKINS:

Well, Senator, when the good farmers grow the food and spray it with all type of pesticides, all kinds of poisons and...and everything and then you bring it up to the southside of the City of Chicago where my district is and put it in all those nice produce things I have out there and my...my constituents go and buy it and eat them apples and them oranges and them grapes and that lettuce and all them good things you grow and then we catch cancer, that's how it affects the city.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Jerome Joyce.

SENATOR JEROME JOYCE:

Is that why there's...there's problems in the Chicago school system?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Brookins.

SENATOR BROOKINS:

Yes, Senator, I believe so. I think that what has happened is that you shipped all that poison that you have sprayed on those nice vegetables and those...those carrots and everything to the Chicago school system, and then my little kids eat it up there and when they go to school they can't...they fall asleep in school because of all the garbage

you dumped on the vegetables.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEROME JOYCE:

...definitely don't need a tax increase, all we have to do is get...make sure that stuff is clean and...and it'll take care of all the problems in the Chicago school system. Is that correct?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Brookins.

SENATOR BROOKINS:

Senator, you're absolutely correct. We will not pass a tax increase this time. I'm on record with you for voting against a tax increase so that when we go downstate on your farm and all them good things, there won't be any roads running.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Macdonald, with respect to your question, it appears from the amendment that both the amendment and the bill deal with...with toxic waste and my Parliamentarian indicates to me that, in fact, it is our decision that, in fact, it is germane to the...to the bill and...Senator Macdonald.

SENATOR MACDONALD:

...again, Mr. President, I...I have to say with...with the deepest respect for the sponsor, I...I really think that this is a...a most damaging amendment. I...I think the cost alone as was mentioned by another Senator and...and some of the aspects we've not had an opportunity to really thoroughly look over this amendment yet, and I...I would respectfully ask that we either withdraw this amendment or that we vote against it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Brookins may

close.

SENATOR BROOKINS:

Thank you, Mr. President. There was a considerable write-up did in the Chicago Sun-Times newspaper on Saturday, April the 30th, and it says, "Yes, Warnings to Consumer," and it speaks of the Illinois consumer would be foolish to assume that the government is protecting them from dangerous levels of chemicals and pesticides in the...domestic foods they eat. That's because it is...it isn't known how much of the toxic residue are on the food or what they do. So, I'm asking you, all of you, I think that we've all read this in the Sun-Times, we're all familiar with the subject and we know that we're eating foods that are...that we do not know what has been sprayed with...or what we're consuming. So, I ask for a favorable vote...

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator...all right, I beg your pardon, Senator Brookins. Have you concluded?

SENATOR BROOKINS:

Roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Okay. Senator Brookins has moved the adoption of Amendment No. 3 to House Bill 3425. Those in favor will...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? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 23, the Nays are 29, none voting Present. Amendment No. 3 fails. Senator Brookins, for what purpose do you arise?

SENATOR BROOKINS:

I should have stated I may have a...a conflict of interest...but I did vote my conscience.

PRESIDING OFFICER: (SENATOR DEMUZIO)

It's probably those vegetables from Senator Joyce's farm.  
All right, further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. All right, page 21. Now we're...we're really bogged down here. If we...going to be here forever. 3455, Senator Collins. House bills 2nd reading is House Bill 3455, Madam Secretary. Read the bill.

SECRETARY:

House Bill 3455.

(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. 3489, Senator Schaffer. House bills...3489. 3564, Senator Topinka. On the Order of House Bills 2nd Reading is House Bill 3564, Madam Secretary.

SECRETARY:

House Bill 3564.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Energy and Environment offers Committee Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...Senator Topinka.

SENATOR TOPINKA:

Yes, Mr. President, if I may at this time Table Committee Amendment No. 1 in anticipation of Floor Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...Senator Topinka has moved to Table Committee Amendment No. 1 to House Bill 3564. Those in favor will

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

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Amendments from the Floor?

SECRETARY:

Senator Topinka offers Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...Senator Topinka.

SENATOR TOPINKA:

Yes, Mr. President and Ladies and Gentlemen of the Senate, this amendment is a result of the negotiations that...well,...between the hotel/motel industry and the hearing impaired. The original bill called for one hearing impaired smoke detector per fifty rooms. This...amendment makes it one hearing impaired smoke detector per seventy-five rooms.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka has moved the adoption of Amendment No. 2 to House Bill 3564. 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. 3565, Senator Topinka. House bills 2nd reading is House Bill 3565, Madam Secretary.

SECRETARY:

House Bill 3565.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Energy and Environment offers Committee Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka.

SENATOR TOPINKA:

Yes, Mr. President, if I may, once again, Table Committee Amendment No. 1 in anticipation of Floor Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka has moved to Table Committee Amendment No. 1 to House Bill 3565. Is there...any...all right, those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is Tabled. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Amendments from the Floor?

SECRETARY:

Senator Topinka offers Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka.

SENATOR TOPINKA:

Yes, the original committee amendment was drafted improperly and things were winding up in all the wrong paragraphs, plus...that has been corrected, and also keeping with Representative Kubik's promise to Senator Welch, Section 13705 has been changed to remove the requirement that all phones be hearing aid compatible and to comply with the FCC regulations as well as provisions in the U. S. Senate Bill 314. So, everybody now should be content and I think all necessary changes have been made.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, discussion? Senator Topinka has moved the adoption of Amendment No. 2 to House Bill 3565. If not, those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further

amendments? Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 3570, Senator Smith. House bills 2nd reading is House Bill...I'm sorry, Senator Friedland, for what purpose do you arise? Senator Friedland, for what purpose do you arise? All right, Senator Smith. All right, House bills 2nd reading is House Bill 3570, Madam Secretary.

SECRETARY:

House Bill 3570.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Senators Marovitz, Poshard and Smith offer Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. Amendment No. 1 would say that in child abuse and neglect reports pertaining to the death or serious injury of a child, certain descriptive data cannot be deleted from the central registry unless it's specifically exempted by DCFS rules, and I would ask for adoption of Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz has moved the adoption of Amendment No. 1 to House Bill 3570. 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. 3615, Senator Degnan. Senator Degnan on the Floor? 3662, Senator Newhouse. Page 22. 3739, Senator Degnan. 3752, Senator Smith. House bills 2nd reading, top...top of page 22, is House Bill 3752, Madam Secretary. Read the bill.

SECRETARY:

House Bill 3752.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Senator Smith offers Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Smith.

SENATOR SMITH:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Amendment No. 1 to House Bill 3752 merely coordinates the services to the mentally disabled, deaf and hearing impaired persons and shall be established in the Department of...Mental Health and...Developmental Disabilities. Department shall give every consideration to quality deaf or hearing impaired applicants in the hiring process for the position. This amendment is in response to the problem presented to the House Appropriations No. II Committee and the...Subcommittee on Delivery of Care to the Mentally Disabled at joint hearings in February and March, 1988, on reform to the mental health system, and I ask for its adoption, please.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Smith has moved the adoption of Amendment No. 1 to House Bill 3752. Is there discussion? If not, those in favor will indicate by saying Aye. Opposed Nay. The Ayes



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2nd reading

have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 3799, Senator Jerome Joyce. House bills  
2nd reading is House Bill 3799, Madam Secretary.

SECRETARY:

House Bill 3799.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Energy and Environment offers Committee Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEROME JOYCE:

Yes, Committee...Amendment No. 1 extends the deadline for the Pollution Control Board to adopt rules for the shipment of nonhazardous and special waste from 12-1-89 to...from...to 12-1-89 from 1-1-86. I'd ask for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce has moved the adoption of Committee Amendment No. 1 to House Bill 3799. 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:

Committee Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEROME JOYCE:

Okay, it exempts persons applying general use pesticides to scrap tires for the control of mosquitoes from the licensing requirement.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Keats.

SENATOR KEATS:

Now what are you using in these tires and stuff? Maybe you can explain to us, is this some kind of hazardous waste or anything you're putting in there that will kill kids while you kill mosquitoes or anything?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jerome Joyce.

SENATOR JEROME JOYCE:

...well, they're spraying for the tiger mosquitoes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce has moved the adoption of Committee Amendment No. 2 to House Bill 3799. Those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. Committee...Committee Amendment No. 2 is adopted. Further committee amendments?

SECRETARY:

Committee Amendment No. 3.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEROME JOYCE:

Thank you, Mr. President. I would move to Table Committee Amendment No. 3.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...Senator Joyce has moved to Table Committee Amendment No. 3 to House Bill 3799. Those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 3 is Tabled...further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Senator Joyce...Jerome Joyce offers Amendment No. 4.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEROME JOYCE:

Yes, this deals with the...the problem in Committee Amendment No. 3. This specifies the agency which issues standards or levels in the definition of pesticide release and I'd ask for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce has moved the adoption of Amendment No. 4 to House Bill 3799. Discussion? If not, those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 4 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 3800, Senator Joyce. On the Order of House Bills 2nd Reading is House Bill 3800, Madam Secretary.

SECRETARY:

House Bill 3800.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Energy and Environment offers Committee Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEROME JOYCE:

Committee Amendment No. 1 still deals with the composting as...as was the genesis of House Bill 3800 but also deals with the...the use of biodegradable plastic bags in the bill that we passed from here, Senate Bill 1599. This deals with the problems that the owners and operators of the landfills had and I think that's basically it. It...it dealt with their problems and I would ask for the adoption of the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce has moved the adoption of Committee Amendment No. 1 to House Bill 3800. 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...Senators O'Daniel and Ralph Dunn offers...offer Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator O'Daniel.

SENATOR O'DANIEL:

Mr. President and members of the Senate, Floor Amendment No. 2 to House Bill 3800 permits manufacturing plants and other major coal users utilizing fluoridized bed combustion systems to dispose of fly ash, bottom ash and other such ash...residue from the combustion units at coal mine sites already permitted for the receipt and disposal of such materials. It'll avoid disruption of a program now working successfully in the eyes of the major Illinois coal users, the coal industry and...and state officials. What this amendment really does is just restoring a part of the bill that was mistakenly taken out in House Amendment No. 1 and I'd move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator O'Daniel has moved the adoption of Amendment No. 2. Is there discussion? Senator Ralph Dunn.

SENATOR RALPH DUNN:

Thank you, Mr. President. I join with Senator O'Daniel in urging that we restore this language. It's...it's sought by the coal industry and it was adopted by the EPA last year.

I think it was inadvertently taken out. We hope that was the intent...was inadvertent...but we'd urge it to restore this amendment to include the...permits the manufacturing plants and other coal users to include fluidized bed combustion systems to dispose of fly ash, bottom ash and any other such ash residue from the combustion units at the coal mine sites. So, I'd urge the adoption on Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator O'Daniel has moved the adoption of Amendment No. 2 to House Bill 3800. 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. 3840, Senator Hudson. House bills 2nd reading is House Bill 3840, Madam Secretary.

SECRETARY:

House Bill 3840.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Senators Hudson and Zito offer Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hudson.

SENATOR HUDSON:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Amendment No. 1 removes all reference to changing the fifteen thousand dollar threshold which defines the exemption from regulation under the Act for executive search firms and this should take care, totally, of the objections from the industry that we had relevant to the proposed raise.

HB 3857  
2nd reading

This brings it back to exactly where it was originally and I would urge adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Hudson has moved the adoption of Amendment No. 1 to House Bill 3840. 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)

(Machine cutoff)...amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, 3rd reading. 3857, Senator Schaffer. House bills 2nd reading is House Bill 3857, Madam Secretary.

SECRETARY:

House Bill 3857.

(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)

My Calendar indicates there's a Floor amendment.

SECRETARY:

Pardon me, there is a Floor amendment...Senator Topinka offers Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka.

SENATOR TOPINKA:

Yes, Floor Amendment No. 1 provides a...a entree level

type of criteria that would get these people involved in the system and also would allow the department to promulgate rules and regulations.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Topinka has moved the adoption of Amendment No. 1 to House Bill 3857. 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. 3858, Senator Netsch. Senator Netsch on the Floor? 3888, Senator Geo-Karis. House bills 2nd reading is House Bill 3888, Madam Secretary.

SECRETARY:

House Bill 3888.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...I'm sorry. Any amendments from the Floor?

SECRETARY:

Senator Geo-Karis offers Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Yes, Mr. President and Ladies and Gentlemen of the Senate, what we did is...this amendment makes it...has an exception for elected officials and replaces "shall" to "may" instead of..."may be satisfied by blanket bond or bonds" instead of "shall be satisfied by blanket bond or bonds," and I move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis has moved the adoption of Amendment No.

AB 3858  
2nd Reading

1 to House Bill 3888. Discussion? If not, those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments? Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. With leave of the Body, we'll go...return back to the Order of 3858, Madam Secretary. House bills 2nd reading is House Bill 3858.

SECRETARY:

House Bill 3858.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

(Machine cutoff)...amendments from the Floor?

SECRETARY:

Senator Demuzio offers Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

Well, thank you, Mr. President and Ladies and Gentlemen of the Senate. Amendment No. 1 is a...is a bill that will establish the Purchasing Act for the State of Illinois. As you know, this Act has been around the Legislature now for some time and has passed the House or...passed the House on occasion and has come over here and has...and has died. I would attempt to find my notes but they're not in front of me, but it is, in fact, the Purchasing Act for the State of Illinois that was...was developed by the...by the Legislative Audit Commission. It's rather lengthy and, of course, you know there's been some recent articles with respect to the way in which we purchase goods in the State of Illinois and this is certainly a fine time if we're talking about



increased revenues to talk about the Purchasing Act. I would move adoption of Amendment No. 1 to House Bill 3858.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. I don't find any copy of the amendment on my desk. Has the amendment been circulated, Senator Demuzio?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

Senator Weaver, it...it has...pardon me, Senator Weaver, the...the amendment has not. If the Clerk would hold up the amendment, it is several inches thick. It has been distributed on numerous occasions before this Body here in the Senate, not only in this Session but last year. It substantively hasn't...has not changed whatsoever and I suspect if you looked down on your desk you might find one of the old copies and it'll be just fine to...to read because it hasn't changed that much.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Weaver.

SENATOR WEAVER:

Well, Mr. President and members, I think this bill has been and probably still is in Executive Committee. I've not seen any motion to discharge. I just think this is a poor way to go and I would hope you'd withdraw the amendment until we had the chance to...to look at it or, if not, just defeat the amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

Well, Senator Weaver, I'm well aware of the points that you are raising and why you are raising them. Let me suggest

to you that I...I would have absolutely no quarrel in passing out this amendment but, you know, we are...you're here at five-thirty and I'd like very much to get this thing before the members so that an explanation of the amendment can, in fact, be passed out so that...it is an extraordinary...large and long and...and complex issue. So, I would have no question of...of...of proceeding. As a matter of fact, again, this bill was...as a bill, it was before the Legislature last Session and there is, I know, some opposition in certain quarters, but, again, it is...it's not substantive in its nature and I...and I think if we put it on today, I'd be glad to have not only the amendment distributed but also an explanation to the changes between existing Statute and what this bill would...would do with respect to the Purchasing and Procurement Code in Illinois.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Weaver.

SENATOR WEAVER:

Well, Senator, I...I think it'd be much easier if you'd just ask for permission for this bill to be brought back from 3rd...3rd reading, distribute the amendment, we'd have overnight to look at it, you could bring it back on recall tomorrow and then try to put your amendment on it and go from there.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

Well, Senator Weaver, I don't...I don't have any quarrel with that procedure but perhaps if we...we could just go ahead and put it on now and Senator Netsch, the sponsor, has indicated that she would bring it back if there are any additional amendments that you...you or anyone else would...would wish to offer. Perhaps as a matter of speeding up the paper work, we might be able to do that.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Weaver.

SENATOR WEAVER:

I'm not really worried about speeding up the paper work, Senator Demuzio. All you need is permission to recall tomorrow and distribute your amendment today so we have overnight to look at it and prepare for any suggestions we might have for further amendments tomorrow.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

Well, Senator Weaver, as I have contemplated what you have...what you have said, perhaps that is the best procedure...way to handle this. Your experience and knowledge that...that you have and you possess here in the Senate, perhaps that might, in fact, be something that we might be able to do today, but we'll...Mr. President, I...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator...Mr. Secretary, take it out of the record. With leave of the Body, we'll go back to House Bill 1254, Senator Fawell. Senator Demuzio, for what purpose do you arise?

SENATOR DEMUZIO:

I...I think the suggestion of Senator...Weaver was is that I would withdraw my amendment, Senator Netsch move her bill to the Order of 3rd Reading and I would file the amendment, have it passed out and we bring it back tomorrow on recall. So, I would withdraw my amendment so that we might proceed with that.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Okay, Madam Secretary, on the Order of House Bills 2nd Reading, we have House Bill 3858. Read the bill, Madam Secretary.

SECRETARY:

House Bill 3858.

(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. Now, Madam Secretary, with leave of the Body, we'll go back to House Bill 1254, Senator Fawell. Read the bill, Madam Secretary.

SECRETARY:

House Bill 1254.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Fawell.

SENATOR FAWELL:

Thank you, very much. This just validates a DuPage County Forest Preserve District problem and it's the appropriation ordinance and its normal levy. I'll be glad to answer any questions.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there...is there discussion? If not, Senator Fawell moves the adoption of Amendment No. 1 to House Bill 1254. 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)

Amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 3888, Senator Geo-Karis. Read the bill, Madam Secretary. (Machine cutoff)...correction, we are on...we had moved...already moved 3888. We are now on the Order of House Bills 2nd Reading, House Bill 3896, Senator Berman. Read the bill, Madam Secretary.

SECRETARY:

House Bill 3896.

(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. House Bill 3931, Senator Maitland. Senator Maitland. House Bill 3938, Senator Marovitz. House Bill 3968, Senator Kelly. Read the bill, Madam Secretary.

SECRETARY:

(Machine cutoff)...Bill 3968.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

Senator Kelly offers Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President and members of the Senate. Amendment...Floor Amendment No. 1 requires the community colleges to establish mailing lists for mailing copies of board agendas, budgets, audits and approved minutes. The community colleges withdrew their objections when we allowed them to

pass along the printing costs, and I move for the adoption of this amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not,...Senator Kustra...Senator Kustra.

SENATOR KUSTRA:

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

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR KUSTRA:

Senator Kelly, would you explain again what the objection of the community colleges was and when and why they withdrew it?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Kelly.

SENATOR KELLY:

Yeah, the...the Illinois Community College Trustees Association dropped its objections to the bill when provisions were included to allow the community college boards to change annual subscription fees approximating the cost of assembling, reproducing and mailing the materials.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Kustra.

SENATOR KUSTRA:

Well, I'm surprised that they have dropped their objection and that's just fine if people want to vote for it for that reason; but more importantly, there's an issue here that we have heard all year and most of last year and it has to do with mandates on locally elected units of government and as we all know, community colleges have their own locally elected boards and if they want to provide mailing lists like this, they can do so. Why we need to be directing them to do so and running up their cost is beyond me. If this is such a great idea, I have faith in our local people to make that

determination. I'd like to see your bill stay clean, Senator Kelly, and keep amendments like this off of it. I would say No on Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Weaver.

SENATOR WEAVER:

Question of the sponsor, Mr. President.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR WEAVER:

Senator Kelly, wasn't this bill held in committee?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Kelly.

SENATOR KELLY:

Yes, Senator, you're correct. This is a House bill...the concept was contained in House Bill 3321. It passed the House by a 111 to 2 vote and it was held in the...by the Senate, and that's correct and this amendment is being offered with this concept. It's up to you if you want to approve it or not, but it's an issue that passed the House by a very significant margin.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Kelly moves the adoption of Amendment No. 1 to House Bill 3968. Those in favor will indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

Amendment No. 2 offered by Senator Kelly.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Kelly.

SENATOR KELLY;

Thank you, Mr. President and members of the Senate. Amendment...Floor Amendment No. 2 requires community college boards to publish and distribute to the employee representa-

tives, teachers, a list categorizing the positions and also showing the seniority of each faculty member. This provision would merely codify the current practices in the community colleges and I move for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Kustra.

SENATOR KUSTRA:

Mr. President, my first question is whether or not this...amendment is in order considering that we just put the second amendment on. I'm not so sure that the language tracks.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Well, we'll take a look at it. Well, it's our understanding it does track and there shouldn't be a problem. Is there further discussion? If not, Senator Kelly moves the adoption of Amendment No. 2 to House Bill 3968. Those in favor will indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

Amendment No. 3 offered by Senator Kelly.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President and members of the Senate. This...this amendment...and I have to indicate to you in advance, this is identical to the concept in House Bill 3391 which was kept in the...in the Senate Rules Committee, but it passed the House by a vote of 110 to...to 0. It requires...hold on a second here, requires that regular and special meetings held by community college board, members of the public and employees of the community college district shall be afforded time subject to the reasonable constraints to comment and to ask questions of the board. I would request your support for the adoption of this amendment.



PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President. I...I suppose no one cares and we'll probably just go on mandating. I guess what's happened is that we have found all the mandate it's possible to find to put on high schools and elementary districts, so now we've decided to land on community college districts and this is just plain silly requiring community college districts to provide an opportunity for members of the public and employees to make comments or ask questions at board meetings. Like they don't do it to begin with, and if they don't do it and should, then the locally elected community college trustees ought to decide that. What are we doing taking up our time at this hour with silly mandates that make no sense and ought to be decided at the local level. I'd like a roll call on this one.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Roll call has been requested on the adoption of Amendment No. 3. Is there further discussion? If not, Senator Kelly may close.

SENATOR KELLY:

I...no, I...I would just ask for your favorable support. This measure passed the House by a 110 to 0 and I...I think it merits your support. Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

On the question of the adoption of Amendment No. 3 to House Bill 3968, those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 25, the Nays are 27, none voting Present. Amendment No. 3 having failed to receive the majority vote is declared lost...Senator Kelly seeks a verification of the negative vote. Senator Kelly has...seeking the verification

HB 3938  
2nd Reading

of the negative vote. Will all the members please be in their seats. Will the Secretary please call the roll.

SECRETARY:

The following members voted in the negative: Barkhausen, Davidson, DeAngelis, Donahue, Dudycz, Ralph Dunn, Etheredge, Fawell, Friedland, Geo-Karis, Hawkinson, Hudson, Karpel, Keats, Kustra, Macdonald, Madigan, Mahar, Philip, Raica, Rigney, Savickas, Schaffer, Schuneman, Watson, Weaver and Woodyard.

PRESIDING OFFICER: (SENATOR SAVICKAS)

(Machine cutoff)...question of any of the negative vote? Madam Secretary. On a verified roll, we have 25 Yeas, 27 Nays, none voting Present. The amendment having failed to receive the majority vote is declared lost. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill...Senator Marovitz has sought leave of the Body to return to 3938. Hearing no objections, on the Order of House Bills 2nd Reading, House Bill 3938. Read the bill, Madam Secretary.

SECRETARY:

House Bill 3938.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

Senator Barkhausen offers Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Barkhausen. Senator Barkhausen, Amendment No. 1 on House Bill 3938.

SENATOR BARKHAUSEN:

(Machine cutoff)...Mr. President and members, Amendment No. 1 on House Bill 3938 was, I believe, an agreed amendment in committee. It merely...changes the Statute of Limitations specified in the bill from five years down to two years for anyone who might bring a cause of action based on this legislation. Two years is the normal Statute of Limitations for tort actions and that is the reason for the amendment reducing the Statute of Limitations, and I would ask for the adoption of the amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Marovitz.

SENATOR MAROVITZ:

Well, I...I wouldn't say this is an agreed amendment, but I'm not going to stand up and object to it, so we'll just take a voice vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there...Senator Barkhausen moves the adoption of Amendment No. 1 to House Bill 3938. 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)

Any amendments from the Floor? 3rd reading. House Bill 4053, Senator Madigan. House Bill 4156, Senator Barkhausen. House Bill 4256, Senator Netsch. For what purpose Senator Jacobs seek recognition?

SENATOR JACOBS:

Thank you, Mr. President. I...I just want to...for the purpose of personal privilege for an announcement, if I might. The John Deere Quad-Cities Civic Center Authority is going to be held tonight at six-thirty to eight-thirty at Baur's and there were a number of Senators who were not notified because of the mix-up and I just wanted to make that

announcement. You're all welcome.

PRESIDING OFFICER: (SENATOR SAVICKAS)

On the Order of House Bills 2nd Reading, House Bill 4256, Senator Netsch. House Bill 4269, Senator Lechowicz. Senator Rock, for what purpose do you arise?

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I've asked the Secretary to have distributed the recall list and I'd ask the members to take a look at it. We will begin there at nine o'clock tomorrow morning when we reconvene. I think we've all had a long enough day and I suggest that we afford the Secretary the opportunity to run some paper through the mill and we can adjourn until nine o'clock tomorrow morning. Let me just say that Senator Philip and I have just returned from the Governor's Office having had an attempt at a summit meeting, and I think it was a successful exchange of information and we have agreed to meet again next Tuesday at eight-thirty with the Governor. So, I think...nothing definitive, obviously, was decided except that we have agreed to appoint a task force with respect to the question of Chicago school reform and we will be notifying the members who are involved in that effort. That task force will be chaired by Deputy Governor Jim Reilly.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch, for what purpose do you seek recognition?

SENATOR NETSCH:

Thank you, Mr. President. I would like to make one announcement just so that people will be apprised of it. Next Tuesday, the day that we come in, at eleven o'clock on the Senate Floor the Senate Revenue Committee will have a meeting at which all of the members are encouraged to attend. It will be for the purpose of explaining not only the administration's tax options but any others that members may

have. It is not intended to be a hearing at which those who want more money will...will testify because they have had other opportunities. The Calendar, I notice, says that no testimony will be taken. That is not accurate but it is devoted solely to an analysis and review so that the members will have some information about a whole variety of revenue options and tax relief proposals. That is the purpose of the meeting. It will be at eleven o'clock on the Senate Floor next Tuesday.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Watson.

SENATOR WATSON:

Yes, thank you, Mr. President. We've talked about having...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Watson.

SENATOR WATSON:

...okay. Thank you, Mr. President. We've talked about having softball practice tonight. We still would like to do that and those of you who are interested, we'll meet right here in the Well right after Session. Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

If there's no further business to come before the Senate...resolutions.

SECRETARY:

Senate Resolution 1221 offered by Senator O'Daniel.

Senate Resolution 1222 offered by Senator Hawkinson.

Senate Resolution 1223 offered by Senator Rigney.

They're all congratulatory.

Senate Resolution 1224 offered by Senator Lechowicz.

It's a death resolution.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Consent Calendar.

SECRETARY:

Senate Resolution 1224...pardon me, 1225 offered by Senators J. J. Joyce, Collins, del Valle, Marovitz, Netsch, Poshard and others.

Senate Resolution 1226 offered by Senator Jerome J. Joyce.

They're both substantive.

Senate Joint Resolution 143 offered by Senator Brookins. It is also substantive.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Executive. Is there further business to come before the Senate? Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much. Just ask leave to be added as a hyphenated principal sponsor to House Bill 737 and 741 and to have Senator Berman added as a hyphenated sponsor to House Bill 3338.

PRESIDING OFFICER: (SENATOR SAVICKAS)

You've heard the motion. Hearing no objection, leave is granted. Is there further business to come before the Senate? If not, Senator Rock moves that the Senate stand adjourned until Friday, June the 17th, 1988, at 9:00...a.m.

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