

85TH GENERAL ASSEMBLY

REGULAR SESSION

June 21, 1988

PRESIDENT:

The hour of one-thirty having arrived, the Senate will please come to order. Will the members be at their desks. Will our guests in the gallery please rise. Prayer this afternoon by the Reverend Mike Roberts, First Baptist Church of Fairmount, Fairmount, Illinois. Reverend.

REVEREND MIKE ROBERTS:

(Prayer given by Reverend Roberts)

PRESIDENT:

(Machine cutoff)...you, Reverend. Reading of the Journal, Madam Secretary.

SECRETARY:

Senate Journals of Tuesday, June 7; Wednesday, June 8; Thursday, June 9 and Friday, June 10, 1988.

PRESIDENT:

Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. I move that the Journals just read by the Secretary be approved unless some Senator has additions or corrections to offer.

PRESIDENT:

You've heard the motion as placed by Senator 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's so ordered. (Machine cutoff)...Vadalabene.

SENATOR VADALABENE:

Thank you, Mr. President. I move that reading and approval of the Journals of Tuesday, June 14th; Wednesday, June 15th and Thursday, June 16th and Friday, June 17th, in the year 1988, be postponed pending arrival of the printed Journals.

PRESIDENT:

You've heard the motion as placed by Senator Vadalabene.

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

SENATOR SEVERNS:

Thank you, Mr. President. I rise for a point of personal privilege.

PRESIDENT:

State your point.

SENATOR SEVERNS:

I'm honored today to have in the visitors' gallery the Midwest Regional Championship synchronized jump rope team from the Double Dutch Division. They're from Decatur, they've been waiting patiently today and we're just honored to have them here, and they're great performers and we plan to have them performing in the Rotunda. I'd like the Senate to join me in welcoming them.

PRESIDENT:

Will our guests please rise and be recognized. Welcome and congratulations. We are also joined, obviously, by a number of special guests and the Chair will yield to Senator Carl Hawkinson for introduction. Senator.

SENATOR HAWKINSON:

Thank you, Mr. President. It's my honor and privilege today to introduce a...a group of young men and a young lady from Galesburg, Illinois. This is the baseball team from Galesburg High School, the Silver Streaks, who a week ago won the Class AA Championship by defeating the Barrington Broncos in the final game 21 to 4. I've watched many of these young men and this young lady grow up and they're fine individuals as well as outstanding ballplayers, and I'd like you to join me in welcoming the Galesburg Silver Streaks. I'd like to introduce Coach Gary Bruington of the Silver Streaks who will say a few words about the team and introduce the individual

players to you. Coach.

COACH GARY BRUINGTON:

(Remarks given by Coach Bruington)

SENATOR HAWKINSON:

Coach, I'd like to present each of your players and the coaches with a copy of the Senate Resolution 1222 honoring your team and noting the eighteen tournament records that were set or tied by this fine Silver Streak team. Congratulations.

PRESIDENT:

(Machine cutoff)...Hawkinson, thank you. While we're on the order of special guests, if there is such an order, we do have another special guest, a smaller one but no less special. The Chair will yield to Senator Margaret Smith.

SENATOR SMITH:

(Machine cutoff)...you, Mr. President, Ladies and Gentlemen of the Senate. I'm honored this morning to present to this august Body a young lady who has attained great wealth here in the Springfield area and she did this for one of our Greek letter organizations, Sigma Gamma Rho, of which I'm a part of...a membership of, but her parents entered her into a contest and she won. And we are honored this morning to present to this...her to you with a citation of resolution...state resolution from our Senate, No. 1112. Her parents are here with her and I want...where...oh, bless you, my darling. May I read this for your hearing. This Senate Resolution No. 1112...may I have your attention, please, just for a few minutes. Just for a few minutes, please...is offered by Senator Smith, Senator Rock and all the membership of the Illinois General Assembly.

(Senator Smith reads SR 1112)

Miss Jasima...you want to say something to them.

MISS JASMINE BLAND:

(Remarks given by Jasmine Bland)

SENATOR SMITH:

(Machine cutoff)...very kindly.

PRESIDENT:

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

SENATOR DAVIDSON:

Mr. President, I...I had information, laid it on everybody's desk. Since they were all joint sponsors of Senate Resolution 909, I thought they would like to know that by the action taken by Congress that the Internal Revenue Service has withdrawn that idiotic idea of taxing your deferred payment, not only for us but for state employees or municipal employees and that has been removed and this is for their information. Thank you.

PRESIDENT:

Senator Dudycz, for what purpose do you arise?

SENATOR DUDYCYZ:

A point of personal privilege, Mr. President.

PRESIDENT:

State your point.

SENATOR DUDYCYZ:

Ladies and gentlemen, we have a special guest on the Senate Floor with us this morning...or this afternoon. We have the former alderman from the 10th Ward and a former chairman of a political party in Cook County, a friend of ours. I'd like to welcome Mr. Ed Vrdolyak.

PRESIDENT:

Ed, welcome to Springfield. Messages from the House.

SECRETARY:

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

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

1413 2569  
2nd reading

House Joint Resolution 160, it is substantive.

PRESIDENT:

Executive.

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

Senate Bill 1616 with House Amendment 1.

I have a like Message on Senate Bill 1701 with House Amendment 3.

Senate Bill 1719 with House Amendments 1 and 2.

Senate Bill 1871 with House Amendment 1.

Senate Bill 1913 with House Amendments 1 and 2.

Senate Bill 1954 with House Amendments 1, 2, 3 and 4.

And Senate Bill 1955 with House Amendment 1.

PRESIDENT:

Resolutions.

SECRETARY:

Senate Resolution 1234 offered by Senator Severns.

Senate Resolution 1235 offered by Senators Weaver...pardon me, Philip, Weaver, Schaffer, DeAngelis and Davidson.

They're both congratulatory.

PRESIDENT:

Consent Calendar. We'll begin on the Order of House Bills 2nd Reading. We are getting a rather late start, so we'll plan on being here till about six. We'll go to House bills 2nd reading and go...attempt at least to go through the entire Calendar. Tomorrow is the deadline for passage of appropriation bills. The Order of House Bills 2nd Reading is House Bill 253, Senator Jones. 2569, Senator Netsch. On the

Order of House Bills 2nd Reading is House Bill 2569. Read the bill, Madam Secretary, please.

SECRETARY:

House Bill 2569.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Are there amendments from the Floor?

SECRETARY:

Senator Netsch offers Amendment No. 1.

PRESIDENT:

Senator Netsch on Amendment No. 1.

SENATOR NETSCH:

Thank you, Mr. President. This amendment was worked out as a result of discussions among a large number of the state agencies and the outside groups who are interested in the Freedom of Information Act, and as I am informed at the moment, it solves the concerns that were raised by the Department of Public Aid and the Department of Corrections and I believe now puts the...will put the bill in a form where there is no disagreement at all about its terms. Basically, the amendment does two things. It provides further protection, if you will, for correctional records and it also deals with the amount of fee to be paid when documents that are requested are in the public interest. It defines that much more explicitly and sets some standards. I think it covers that problem very nicely. I would move the adoption of Amendment No. 1 to House Bill 2569.

PRESIDENT:

Senator Netsch has moved the adoption of Amendment No. 1 to House Bill 2569. Discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

HB 2993  
2nd Reading

No further amendments.

PRESIDENT:

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

SECRETARY:

House Bill 2993.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

Senator Jacobs offers Amendment No. 1.

PRESIDENT:

Senator Jacobs on Amendment No. 1.

SENATOR JACOBS:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Amendment No. 1 is a technical amendment changing Aledo to read Aledo-Mercer and ask for its adoption.

PRESIDENT:

Senator Jacobs has moved the adoption of Amendment No. 1 to House Bill 2993. Discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

Senator Zito offers Amendment No. 2.

PRESIDENT:

Senator Zito on Amendment No. 2.

SENATOR ZITO:

Thank you, Mr. President and members. On your desk before you is Amendment No. 2 to House Bill 2993 which I strongly believe is a viable alternative to every other tax spending plan to keep the Chicago White Sox in Illinois. It's a plan derived specifically from the overwhelming cor-

respondence, telephone calls and informal conversations I have had with hundreds of...constituents who have said loud and clear to us all, keep the Chicago White Sox in Illinois but don't use our hard-earned tax dollar to do it. Amendment No. 2 is the answer I have offered to those who are concerned, and you know from your own office records, the numbers of those people concerned are many. I went home to my district service office this weekend like most of you did and my letters and messages from people for and against the Chicago White Sox proposal numbered four to one over every other important issue facing this Session of the General Assembly, four to one. I can't explain it, it is incomprehensible to me. Incomprehensible to think that...

PRESIDENT:

Senator Marovitz, can you take that off the Floor, please.

SENATOR ZITO:

Thank you, Mr. President...

PRESIDENT:

...Senator Severns, can we do that a little later. Senator...Senator Zito.

SENATOR ZITO:

Thank you, Mr. President. As I had said, my mail, and I'm sure yours as well, is running four to one over every other important issue that this Body has to consider in this legislative Session. That is incomprehensible to me to think that we, as Illinoisans, appear to be more concerned about keeping a baseball team than anything else we're debating here today. I presented this plan with a degree of reluctance, not because I don't think the plan will work, it will, it will keep the Sox in Illinois and not commit one more thin dime of taxpayers' money to accomplish it, a degree of reluctance today because I would hope that we would all come to our senses and reprioritize our commitments and



responsibilities to the people of this state. But as an effort to keep those Sox and to have Illinois share in a major league baseball team and not spend any more tax money to do it, I've offered this amendment. Let me explain what Amendment No. 2 to House Bill 2993 does and I want to make this very clear, it does not commit any tax dollars to keeping the team here. Number two, it does not mandate that the State of Illinois purchase the Chicago White Sox, that is not my intent for the State of Illinois and Illinois Government to own the club. What we're asking to do by Amendment No. 2 is to sell shares to the public and allow the public to own the Chicago White Sox like the Green Bay Packers are owned by the City of Green Bay and the people and like the Pittsburg Pirates are owned by the people of Pittsburg. This amendment authorizes the Department of Commerce and Community Affairs to make an offer of up to sixty million dollars to the Chicago White Sox owners for purchase of the team. Now, we can do it one of two ways. We can...and the best way, I think, in talking to financiers is to offer them a ten-year period by which we would pay six million dollars a year for the next ten years, immediately start selling shares of stock to the public at ten dollars per share. That would generate...our figures project that that would generate at least six million dollars a year to pay off the purchase price and not spend another tax dime toward that price. If you have had an opportunity, as we on the Democratic side did and I think the Republicans as well, had an opportunity to hear their sport's facility authority talk about their new plan for the Chicago White Sox, it would commit over one hundred and fifty million dollars of bond indebtedness which is backed by taxpayers' money to build a single-purpose stadium to keep the White Sox here in Illinois. It also has provisions to pay five...five million dollars a year from the state's side, five million dollars a year from the City of

Chicago's side and an additional 2.5 million to buy three hundred thousand tickets a year if, in fact, they don't make their...their gate. I think that's ridiculous for twelve...for half of that price and public money, we could own and operate the ball club. The parking concessions which are not a part of the new Sox deal would be benefits of the publicly owned Illinois White Sox. The...all the concessions, all of the gate revenue would be...we would figure into that purchase price. I think this is a viable alternative. It will allow us as politicians and as representatives of our districts to provide the public that we've heard from loud and clear to own a piece of the Sox and to mandate that they stay in Illinois. I'd be happy to answer any questions and I would move for the adoption of the amendment.

PRESIDENT:

All right. Senator Zito has moved the adoption of Amendment No. 2 to House Bill 2993. Discussion? Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President. I don't have a copy of the amendment but, Senator Zito, that does not exempt everything after the enacting clause, does it?

PRESIDENT:

Senator Zito.

SENATOR ZITO:

No, it's my understanding, it does not.

PRESIDENT:

Further discussion? Further discussion? If not, all in favor of the adoption of Amendment No. 2 indicate by saying Aye. All opposed. The Ayes have it. The amendment is...the amendment is adopted. Are there further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. 3116, Senator Degnan. On the Order of

House Bills 2nd Reading is House Bill 3116. Read the bill,  
Madam Secretary.

SECRETARY:

House Bill 3116.

(Secretary reads title of bill)

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

PRESIDENT:

Senator Carroll on...on Amendment No. 1.

SENATOR CARROLL:

(Machine cutoff)...you, Mr. President and Ladies and  
Gentlemen of the Senate. Committee Amendment No. 1 is the  
restoration of funds for the two special elections that  
appear that the State Board will have to conduct, that which  
is in the 21st Congressional District and that which is in  
the City of Chicago, and also for the additional printing of  
pamphlets and books consistent with changes in law. I'd move  
adoption of Committee Amendment No. 1.

PRESIDENT:

Senator Carroll has moved the adoption of Committee  
Amendment No. 1 to House Bill 3116. Discussion? Senator  
Watson.

SENATOR WATSON:

Thank you. Question of the sponsor.

PRESIDENT:

Sponsor...sponsor of the amendment, I presume. Sponsor  
indicates he'll yield.

SENATOR WATSON:

Thank you. The fifty some thousand that you mentioned  
for the 21st Congressional District, what actually does that  
revenue go for and who gets that? Is that payment to the  
counties or is that just strictly to the State Board or just  
who's going to get that dollar?

PRESIDENT:

Senator Carroll.

SENATOR CARROLL:

This is the state stipend for the judges of election necessary for conducting the election. It is not for the payment that is normally absorbed by the county, they would still have to pay their own.

PRESIDENT:

(Machine cutoff)...Watson.

SENATOR WATSON:

I...I beg your pardon, I didn't hear your last final words there, and that was to me the most important.

PRESIDENT:

Senator Carroll.

SENATOR CARROLL:

The local election authorities would still have to pay what a local election authority would have to pay in any other election. This does not...supplant that payment, that we are not picking up the tab as a state.

PRESIDENT:

Senator Etheredge.

SENATOR ETHEREDGE:

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

PRESIDENT:

Indicates he will yield, Senator Etheredge.

SENATOR ETHEREDGE:

Senator, I...would just like to clarify that point. This...what this amendment does is to remove from this appropriation bill stipends for the election judges that will be required in the special election this fall. Is that...is that the way you read this amendment also?

PRESIDENT:

Senator Carroll.

SENATOR CARROLL:

No, I think the opposite is true. This is the funding

for those special election judges, the state portion. It doesn't remove it, it adds.

PRESIDENT:

Further discussion? Further discussion? If not, Senator Carroll has moved the adoption of Amendment No. 1 to House Bill 3116. All in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Senator Dunn, for what purpose do you arise?

SENATOR RALPH DUNN:

Thank you, Mr. President. A matter of personal privilege.

PRESIDENT:

State your point, sir.

SENATOR RALPH DUNN:

I...I'd like to introduce up in the gallery behind me here two friends of mine from Columbia, Illinois, Armand and Violet Stump. They're celebrating their forty-second wedding anniversary. Their son, Jim Stump, is the legislative liaison for Public Aid. So let's give them a hand if you please.

PRESIDENT:

Will our guest please rise and be recognized. Welcome to Springfield. Happy anniversary. Senator Madigan, for what purpose do you arise?

SENATOR MADIGAN:

Point of personal privilege, Mr. President.

PRESIDENT:

State your point, sir.

SENATOR MADIGAN:

Visiting with us in the President's gallery, members of the DeWitt County Farm Bureau and the president, Mr. Ralph

King, and on the Floor with me are two of Ralph's daughters, Miss Tonya King and Miss Dawn King, and I'd like to welcome them to the Senate.

PRESIDENT:

Will our guests please rise and be recognized. Welcome to Springfield. While I have your attention, WAND-TV Channel 17 has requested permission to shoot some film. Without objection, leave is granted. Are there amendments from the Floor?

SECRETARY:

Senator Carroll offers Amendment No. 2.

PRESIDENT:

Senator DeAngelis. Senator DeAngelis. Senator DeAngelis. Senator Carroll on Amendment No. 2.

SENATOR CARROLL:

Why, thank you, Mr. President, Ladies and Gentlemen of the Senate. Amendment No. 2 is a reallocation as requested by the department...by the agency of two positions...two EDP positions phased in, and it's adjusted by transfer from an excess that would have been in the compensation of Election of Judges line. I would move adoption of Amendment No. 2.

PRESIDENT:

Senator Carroll has moved the adoption of Amendment No. 2 to House Bill 3116. Discussion? If not, all in...Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President. Now...now, I think I'm on track here. This is the amendment which takes money from the line from which we pay stipends to election judges. I understand that the establishment of these two new positions that you're trying to do here via this amendment has been requested by the director. However, I would suggest that we know that a special election must be conducted and I would further suggest that paying stipends to election judges is a

higher priority for us at this time and, therefore, I would stand opposed to this amendment.

PRESIDENT:

All right. Further discussion? Further discussion? Senator Carroll, you wish to close?

SENATOR CARROLL:

Merely by saying, again, this was a request that came forward from the board. That line for stipend for judges is about a million three. This takes forty-eight thousand out of it. They suggested that that's where they had the room to transfer rather than asking for additional general revenue funds to operate their agency. I would assume they would know out of a million three if they would normally lapse forty-eight thousand. I would move adoption of Amendment No. 2.

PRESIDENT:

Senator Carroll has moved the adoption of Amendment No. 2 to House Bill 3116. Those in favor of the amendment will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 29 Ayes and 29 Nays. The amendment fails. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. 3150, Senator Carroll. On the Order of House Bills 2nd Reading is House Bill 3150. Read the bill.

SECRETARY:

House Bill 3150.

(Secretary reads title of bill)

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

PRESIDENT:

Senator Carroll on Amendment No. 1.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Committee Amendment No. 1 is to reduce the reappropriation to the June 30th spending...June 3rd spending level and to make various transfers as requested within the various projects that have been requested by members to whom those...in whose districts those projects had originally been awarded in the Build Illinois funding of last year. I'd move adoption of Amendment No. 1.

PRESIDENT:

All right. Senator Carroll has moved the adoption of Amendment No. 1 to House Bill 3150. Discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Amendments from the Floor?

SECRETARY:

Senator Schaffer offers Amendment No. 2.

PRESIDENT:

Senator Schaffer on Amendment No. 2.

SENATOR SCHAFFER:

Mr. President and members of the Senate, this is a technical amendment which changes some language in the program...there's no dollar change.

PRESIDENT:

Senator Schaffer has moved the adoption of Amendment No. 2 to House Bill 3150. Discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:



Senator Luft offers Amendment No. 3.

PRESIDENT:

Senator Luft on Amendment No. 3.

SENATOR LUFT:

Mr. President, can I please withdraw that amendment?

PRESIDENT:

Amendment has been withdrawn. Further amendments?

SECRETARY:

Amendment No. 3 offered by Senators Jacobs and Carroll.

PRESIDENT:

Senator...Senator Jacobs, I'm sorry.

SENATOR JACOBS:

Thank you, Mr. President. Amendment No. 3 strictly makes some...three technical changes. Changes in FY '87 reappropriation from EPA to DCCA and two reappropriations are...are changed so that Bardolph and Johnston City are spelled correctly and ask for its approval.

PRESIDENT:

Senator Jacobs moves the adoption of Amendment No. 3 to House Bill 3150. Discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. (Machine cutoff)...3162. On the Order of House Bills 3rd Reading is House Bill 3162. Read the bill, Madam Secretary.

SECRETARY:

House Bill 3162.

(Secretary reads title of bill)

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

PRESIDENT:

Senator Carroll on Committee Amendment No. 1.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. As a result of our discussions with the Supreme Court and as a result of the actions of the committee, this would reduce their pay raises to the five percent we've offered other agencies of state government. We have also added back the portion for this mandatory arbitration start-up in Cook County of two million of the three million they had originally requested. This is a new program the court has come up with in Cook and other counties in an attempt to get rid of the six-, seven- and eight-year backlogs in small personal injury cases. It also breaks out the appropriation for the appellate districts. I would move adoption of Amendment No. 1.

PRESIDENT:

All right. Senator Carroll has moved the adoption of Amendment No. 1 to House Bill 3162. Any discussion? Senator Fawell.

SENATOR FAWELL:

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

PRESIDENT:

He indicates he'll yield.

SENATOR FAWELL:

Senator Carroll, we're not changing the appellate districts at all, are we?...we're...we're just got...subdistricts, okay.

PRESIDENT:

All right. Senator Carroll has moved the adoption of Amendment No. 1 to House Bill 3162. Discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 3179, Senator Macdonald. 3199, Senator Etheredge. On the Order of House Bills 2nd Reading is House Bill 3199. Read the bill, Madam Secretary.

SECRETARY:

House Bill 3199.

(Secretary reads title of bill)

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

PRESIDENT:

Senator Carroll on Committee Amendment No. 1.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Committee Amendment No. 1 would be to adjust the guidelines consistent with Senate action on Senate bills by bringing the spending down to the '88 level, adding back, however, some of the necessary travel for field staff and reducing a like amount in the director's office. I would move adoption of Amendment No. 1.

PRESIDENT:

Senator Carroll has moved the adoption of Amendment No. 1 to House Bill 3199. Discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

The Committee on Appropriations I offers Committee Amendment No. 2.

PRESIDENT:

Senator Carroll on Amendment No. 2.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Committee Amendment No. 2 would be an appropriation for funding of the Comprehensive Health Insurance Plan. This appropriation is based on an August 1st start-up as suggested in the Governor's amendatory veto of...of the original April date, that it be an August date. This is eleven-twelfths of what is now the suggested appropriation level at its...very honestly, at its minimal level as suggested by the CHIPS board. This would be eleven-twelfths of that figure, some twelve million dollars, so that the Comprehensive Health Insurance Plan can, in fact, start August 1st. I would move adoption of Committee Amendment No. 2.

PRESIDENT:

All right. Senator Carroll has moved the adoption of Committee Amendment No. 2 to House Bill 3199. Discussion? Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I just want to point out that one of the words that Senator Carroll used was minimum, and I would suggest that this is...this suggested level of funding of twelve million dollars is a...the very minimum figure, that in reality...even though we may only be talking about eleven months out of a twelve-month fiscal year, that in reality, we're probably talking about a total requirement closer to twenty-eight million dollars, General Revenue Fund money.

PRESIDENT:

Further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Well, thank...thank you, Mr. President. We're really caught on the horns of a dilemma with this one, because on one hand we have approved the...a program for people who need the CHIPS program in Illinois, and on the other hand, we

don't know exactly what it's going to cost. But one of the dangers we face here, I think, is that if we provide a minimal amount of funding in order to get the program started, we may wind up at the end of the year with a lot of additional cost which we must pay and for which there may be no money. A question of the sponsor, if I may, Mr. President.

PRESIDENT:

He indicates he'll yield, Senator Schuneman.

SENATOR SCHUNEMAN:

Senator, the last firm figure that I remember from the CHIPS Board meeting was the actuarial estimate that the first year loss would approximate twenty-eight million dollars. Has there been another...has there been a revision in that by the actuaries of the CHIPS Board?

PRESIDENT:

Senator Carroll.

SENATOR CARROLL:

Yes, Senator Schuneman, I think, if you'll recall and maybe it was...you know, we were all at so many meetings, we may have been at different meetings when the...numbers were discussed. The number we had heard was thirteen million on the low side estimate of a fifty to seventy-five percent probability for a twelve-month period up to a high of twenty-eight million on a twelve-month period based on a much higher rate of people who sign in to the program. As I indicated in my opening comments, because it appears now based on more recent discussions that there may be fewer people availing themselves of the program during the first fiscal year because of fear that the program may not, in fact, continue on or until we know what the federal government which is currently, as you know, reviewing the national CHIPS concept which would then say all employers would pick up the deficit in the state, there seemed to be a number of potentially eligible people who have some type of preexisting condition or

handicap who are currently paying higher rates who might decide to stay with those higher rates the first year. So the thirteen million dollar figure actuarially was the low side, that was a twelve-month figure, although as we know...an August 1st start-up would be an eleven-month funding, so, as I said at the beginning, it's eleven-twelfths of that lower figure.

PRESIDENT:

Senator Schuneman.

SENATOR SCHUNEMAN:

Well...yes, thank you. Well, I guess, it...it should be said that we don't know what this program is going to start...what it's going to cost. If we start it, then we must pay the losses for those people who have medical expenses that they submit. So I don't know that there's any reason to oppose this appropriation at this time, but I would ask you and plead with you that before we get out of here this spring that we take a careful look at the benefits program under the CHIPS legislation and do something about reducing it to a size where we can afford to pay for it.

PRESIDENT:

All right. Senator Carroll has moved the adoption of Amendment No. 2 to House Bill 3199. Discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 3200, Senator Philip. On the Order of House Bills 2nd Reading is House Bill 3200<sup>f</sup>. Read the bill,

Madam Secretary.

SECRETARY:

House Bill 3200.

(Secretary reads title of bill)

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

PRESIDENT:

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This would impose the turnover in hiring lag that the deputy chief of staff as spokesperson for the Governor's Office indicated that he thought was in the bill to begin with. It'll be a two percent turnover in hiring lag and reducing the special...research lines. I would move adoption of Committee Amendment No. 1.

PRESIDENT:

Senator Carroll has moved the adoption of Committee Amendment No. 1 to House Bill 3200. Discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 3201, Senator Weaver. On the Order of House Bills 2nd Reading is House Bill 3201. Read the bill, Madam Secretary.

SECRETARY:

House Bill 3201. ✓

(Secretary reads title of bill)

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

PRESIDENT:

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Committee Amendment No. 1 basically applies to the Department of State Police the Senate guidelines in...in requiring that the compensation be at the five percent increase level, brings the other lines down to basically last year's spending with some additional monies allocated, that I will go through if there's any questions, and then takes most of those savings and...and an additional half million dollars and...and allows for by lease purchase an additional one hundred fifty-five cars to be put on the highway so that state troopers will be in safer vehicles. I would move adoption of Amendment No. 1.

PRESIDENT:

All right. Senator Carroll has moved the adoption of Amendment No. 1 to House Bill 3201. Discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

Senator Carroll offers Amendment No. 2.

PRESIDENT:

Senator Carroll on Amendment No. 2.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Amendment No. 2 is a technical language clarification amendment as requested by the Comptroller. I would



move its adoption.

PRESIDENT:

Senator Carroll has moved the adoption of Amendment No. 2 to House Bill 3201. Discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

Amendment No. 3 offered by Senator Etheredge.

PRESIDENT:

Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Amendment No. 3 does three principal things. I should say at the outset that the total impact of the acceptance of this amendment is to reduce the appropriation to the Department of State Police by nine hundred and ninety-seven thousand six hundred and twenty dollars. Now, those...those...that reduction is arrived at...in the following ways. First of all, there are cuts in the overtime requested by the department; the total cut is about twenty percent in terms of dollars, that's seven hundred and twenty-four thousand dollars approximately. I want to emphasize that even with this cut, the department will still be receiving almost four hundred and sixty-seven thousand dollars more...more for overtime in FY '89 than they have in this year's budget. The second thing the amendment does is to cut out-of-state travel by thirty percent below the introduced amount; the total reduction is thirty-seven thousand five hundred dollars. I should...just to give you some perspective on this, the total request for out-of-state travel was in excess of half a million dollars. The third thing is to reduce the money allocated for the operation of...automobile equipment by nine...one hundred and ninety-four thousand dollars, and that reduction is predi-

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cated on the...on another part of the budget which we will be providing funds for the lease purchase of a hundred and...fifty-five new cars for the Department of State Police. We feel that with that number of new automobiles that there should be some concomitant savings in the cost of maintenance and repair. I would ask for the acceptance of this motion, Mr. President.

PRESIDENT:

Senator Etheredge has moved the adoption of Amendment No. 3 to House Bill 3201. Discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. 3202, Senator Geo-Karis. On the Order of House Bills 3rd Reading, middle of page 15, House Bill 3202. Read the bill.

SECRETARY:

House Bill 3202.

(Secretary reads title of bill)

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

PRESIDENT:

Senator Carroll on Committee...Amendment No. 1.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Committee Amendment No. 1 would phase in the new positions that were added over the authorized headcount of the Governor that were added by the House. Committee Amendment No. 1 phases those in in the fiscal year under the normal phasing process. I would move its adoption.

PRESIDENT:

Senator Carroll has moved the adoption of Amendment No. 1

to House Bill 3202. Discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

Senator Etheredge offers Amendment No. 2.

PRESIDENT:

Senator Etheredge on Amendment No. 2.

SENATOR ETHEREDGE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This amendment cuts two hundred and thirty-two thousand dollars out of the department of this...out of the budget of this department, and it does so by...eliminating seventeen new...positions that were added by House amendment. I would...should point out that these positions were not requested by the department. I would further point out that we are not establishing other new positions in other departments funded by GRF, and I would...ask for the approval of this motion.

PRESIDENT:

All right. Senator Etheredge moves the adoption of Amendment No. 2 to House Bill 3202. Discussion? Senator Brookins.

SENATOR BROOKINS:

(Machine cutoff)...you. Senator,...will the the Senator yield for...

PRESIDENT:

Indicates he will yield, Senator Brookins.

SENATOR BROOKINS:

Senator Etheredge, what...what...what agency is this?

PRESIDENT:

Senator Etheredge.

SENATOR ETHEREDGE:

This is the Department of Human Rights, Senator.

PRESIDENT:

Senator Brookins.

SENATOR BROOKINS:

Senator Etheredge, is this the department that is overworked and their caseload is so high that they can't seem to perform their duties because they have no investigations or...or what have you?

PRESIDENT:

Senator Etheredge.

SENATOR ETHEREDGE:

Senator, I think you described just about every department in state government when you say it's...it's overworked. I would suggest to you that this department is no more overworked than, let's say, the Department of Children and Family Services or Mental Health and Developmental Disabilities, et cetera, et cetera, et cetera.

PRESIDENT:

Further discussion? Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President. I rise in opposition to the amendment. Although, normally, we don't accept those type of add-ons that had not been approved by the Governor, I think a clear case has been made that the delays caused when citizens come in with complaints about violation of human rights have been caused by the absence of sufficient number of investigators and this would go a long way towards curing that defect and I think we should be supportive.

PRESIDENT:

All right. Senator Etheredge, you wish to close?

SENATOR ETHEREDGE:

I would suggest that there are many areas of need in many

departments that are equal to and greater than in this one, and since we're not adding GRF funded positions in other departments, I would ask for the approval of this motion.

PRESIDENT:

All right. Senator Etheredge has moved the adoption of Amendment No. 2 to House Bill 3202. Those in favor will vote Aye. Opposed vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 32 Ayes, 19 Nays, none voting Present. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. 3203, Senator Kustra. I see he and the others have...probably left for the summit. With leave of the Body, we'll get back to all of those and let...we'll...we'll wait till they get back. I don't know what they want to do with these, Stanley. 3204, Senator Mahar. On the Order of House Bills 2nd Reading is House Bill 3204. Read the bill.

SECRETARY:

House Bill 3204.

(Secretary reads title of bill)

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

PRESIDENT:

Senator Carroll on Committee Amendment No. 1.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Committee Amendment No. 1 is the guidelines type amendment. It takes the Nonpersonal Services GRF lines down to the '88 spending level including Travel. It takes long-term vacancies at three-month level and initiatives elimi-

nated except for the group insurance cost containment programs and the funding necessary for the start-up of the new telecommunications building. I would move its adoption.

PRESIDENT:

(Machine cutoff)...Carroll has moved the adoption of Amendment...Committee Amendment No. 1 to House Bill 3204. Discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

Senator Etheredge offers Amendment No. 2.

PRESIDENT:

Senator Etheredge on Amendment No. 2.

SENATOR ETHEREDGE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This amendment adds back approximately one million...one...one hundred thousand dollars cut by the...the prior amendment and let me...let me explain some of these add-backs. First of all, the...the amendment that...that we just approved reduces the Personnel Services line items in CMS below...well below FY '88's estimated expenditures and will result...if this amendment is not improved...approved, it will result in personnel layoffs. What this amendment does is bring...add enough money back into the budget to bring it back to the FY '88 level and then adds an additional small sum for COLA and step salary increases, that's...one part. The second part adds approximately a hundred and seventy-three thousand dollars back into the Capital Improvement line item. This money is urgently needed in order to make some capital repairs to some CMS owned buildings. If we

don't make these repairs in this year, then we're going to be faced with...significantly greater expenditures in...at some future point. What this add-back does is simply bring the budget back to the requested level for this year. In addition, the amendment adds four hundred thousand one hundred dollars for the intergraded communications network so that the CMS can acquire the expertise that they need to move forward with the proposed proposal for the state telecommunications network which is designed to save a significant amount of money in...in future. And then the last part adds eighteen thousand five hundred dollars for some additional staffing to handle Deferred Compensation Fund work which has grown significantly. I would ask for the approval of this amendment, Mr. President.

PRESIDENT:

All right. Senator Etheredge has moved the adoption of Amendment No. 2 to House Bill 3204. Discussion? Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I do rise in opposition to this amendment and I think Senator Etheredge may have misinformation. The department has said in the past every time there's been any adjustment to their budget, it'll cost twenty...twenty, twenty-five, thirty layoffs. That's what they said last year that it would cost twenty layoffs; in fact, they hired sixty-two people. So instead of twenty layoffs under that budget, they hired sixty-two, a net increase by simple math of forty-two people. The House did not take any additional bodies. They did take forty-five of the hundred and twenty vacancies, that's all they did. We added back a little over that in Amendment No. 1. For them to say that vacancies are people who are onboard doesn't make sense, they're not. And, therefore, all that this is in an effort to do unlike the other

Republican amendments, this is just an add-back to expand the bureaucracy at Central Management Services well beyond the guidelines and well beyond the need. I think it is silly to do this add-back at this time. As to the issue of the communications, we're still not sure where that's at. The proposal presented indicated that the net impact on the revolving fund if they award the contract would be a savings of two to three million dollars. I, therefore, can't understand why we'd have to add a half a million dollars to that line if, in fact, based on the budgets as presented by the various agencies we were going to end up saving two and a half million under the budget as now exists. So it seems totally illogical to be adding money in order to save money when they've said they're going to save money and to add back ghost positions is just illogical. I would urge...I would...urge the opposition of Amendment No. 2.

PRESIDENT:

All right. Senator Etheredge has moved the adoption of Amendment No. 2 to House Bill 3204. Those in favor will vote Aye. Opposed vote Nay. The voting is open. (Machine cutoff)...voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record.

On that question, there are 27 Ayes, 29 Nays, none voting Present. Amendment No. 2 fails. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. 3205, Senator Dunn. I beg your pardon, Senator Davidson, for what purpose are you waving?

SENATOR DAVIDSON:

Personal privilege which I spoke to you about.

PRESIDENT:

Yes, indeed, I'm sorry. Senator Davidson on a point of personal privilege.



SENATOR DAVIDSON:

Mr...Mr. President and members of the Senate, I'd like to take this opportunity to present to you a group of unique young people. In the gallery to my left are nineteen students...high school students from throughout Illinois who are paying their own way on a people-to-people exchange program with Russia. We have the same number of Russian students here in Illinois this summer. This has been going on several times, and for those who may be interested, there's a Clarence Darrow who happens to be the son of our former member who is now...Judge Darrow, who's one of the seventeen. Would they please rise and be...

PRESIDENT:

Will our guests please rise and be recognized. Welcome to Springfield and good luck. Senator Dunn on 3205. On the Order of House Bills 2nd Reading is House Bill 3205. Read the bill.

SECRETARY:

House Bill 3205.

(Secretary reads title of bill)

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

PRESIDENT:

Senator Hall on Committee Amendment No. 1.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Amendment No. 1 adds for...hundred and eighteen parole officers. It creates new Personal Service lines for correctional parole agents, in community services a juvenile field services agent. It restores what...the money that was...House cut for the reopening of the Hardin County work camp. I move for the adoption of this amendment.

PRESIDENT:

Senator Hall has moved the adoption of Committee Amend-

ment No. 1 to House Bill 3205. Discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

Senators Thomas Dunn and Carroll offer Amendment No. 2.

PRESIDENT:

Senator Dunn.

SENATOR THOMAS DUNN:

Thank you, Mr. President. This restores 2.6 million in Contractual Services and Commodities lines to allow increases in utilities, medical services and food and clothing. It does not include a memory course for Director Lane.

PRESIDENT:

Discussion? Discussion? If not, all in favor...of the adoption of Amendment No. 2 indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

Amendment No. 3 offered by Senator Watson.

PRESIDENT:

Senator Watson on Amendment No. 3.

SENATOR WATSON:

Thank you, Mr. President. Amendment No. 3 restores...or adds five hundred and seventy-five thousand six hundred dollars to the budget to reopen the Vandalia work camp. The Vandalia work camp was closed last year during the budget crunch and put some twenty-five correctional officers out of work in a county in which has an unemployment rate of some seventeen percent, and those of you who believe in rehabilitation, the work camp is an area which has been very effec-

tive. Those inmates who go through that particular program will go back into society and hold a job and are able to...to function as citizens of this state, and the work camps are something that I feel very strongly about. Also, they did a lot of community work in the area and, unfortunately, now that the...the camp is closed, that...that community work is...is not going. So I would appreciate and support this particular amendment. Move for its adoption.

PRESIDENT:

All right. Senator Watson has moved the adoption of Amendment No. 3 to House Bill 3205. Discussion? Senator Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senator Watson is correct. I reluctantly oppose this because it's a tax increase...it's in the Governor's tax increase budget, it's not to be in this, and that was the reason why I would say at this time that we could not agree to accept this. I reluctantly have to do this.

PRESIDENT:

All right. Senator Watson has moved the adoption of Amendment No. 3 to House Bill 3205. Those in favor will vote Aye. Opposed vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 37 Ayes, 18 Nays, none voting Present. Amendment No. 3 is adopted. Further amendments?

SECRETARY:

Amendment No. 4 offered by Senator Ralph Dunn.

PRESIDENT:

Senator Dunn.

SENATOR RALPH DUNN:

Thank you, Mr. President, members of the Senate. This amendment...would appropriate two million dollars or as much

as needed thereof for the construction, planning and building of a...of a work camp at the DuQuoin State Fairgrounds. I'd be glad to answer any questions and move for its adoption.

PRESIDENT:

All right. Senator Dunn has moved the adoption of Amendment No. 4 to House Bill 3205. Discussion? Senator Hall.

SENATOR HALL:

Thank you, Mr. President. This is an unbudgeted item. It's not asked by the department and, at this time...the condition of the state without the tax increase is that at this time we must ask that you oppose this particular amendment.

PRESIDENT:

All right. Senator Dunn has moved the adoption of Amendment No. 4 to House Bill 3205. Those in favor will vote Aye. Opposed vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 31 Ayes, 25 Nays, none voting Present. Amendment No. 4 is adopted. Further amendments?

SECRETARY:

Amendment No. 5 offered by Senator Maitland.

PRESIDENT:

Senator Maitland on Amendment No. 5.

SENATOR MAITLAND:

Thank you, Mr. President, members of the Senate. Amendment No. 5 appropriates twenty-five thousand dollars for funding for drug...funding for drug testing of new employees with the Department of Corrections.

PRESIDENT:

All right. Senator Maitland has moved the adoption of Amendment No. 5 to House Bill 3205. Discussion? Senator Hall.

SENATOR HALL:

Will the maker yield for a question?

PRESIDENT:

Indicates he'll yield, Senator...

SENATOR HALL:

Senator Maitland, is this in the Governor's budget plan?

PRESIDENT:

Senator Maitland.

SENATOR MAITLAND:

Yes, it is.

PRESIDENT:

Senator Hall.

SENATOR HALL:

...can you point it out to tell us where it is?

PRESIDENT:

Senator Maitland.

SENATOR MAITLAND:

Yes, it's in Central Office Contractual Services, Senator.

PRESIDENT:

Senator Hall.

SENATOR HALL:

I understand now it is in there. So, therefore,...

PRESIDENT:

All right. The question is the adoption of Amendment No. 5 to House Bill 3205. Senator Maitland has moved its adoption. All in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. 3207, Senator Etheredge. On the Order of House Bills 2nd Reading is House Bill 3207. Read the bill, Madam Secretary, please.

SECRETARY:

House Bill 3207.

(Secretary reads title of bill)

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

PRESIDENT:

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Committee Amendment No. 1 would be a one-time emergency operating assistance grant, and I would move its adoption.

PRESIDENT:

Senator Carroll has moved the adoption of Committee Amendment No. 1 to House Bill 3207. Discussion? If not, all in favor indicate by saying Aye. Opposed...I beg your pardon. Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President. As...as I understand, and I would respectfully request a response from the sponsor, but as I understand what we're doing here, we're making a grant award, and in...and...and in doing that, we are circumventing the grant review process of this agency, that they, in fact, have applied for a grant and they have been turned down and what we're saying is...what...they're going to get it anyway. My understanding is that the center applied for a forty-five thousand dollar grant and that this was denied...by the council because it did not fit in to any of their grant programs. So, my question, Senator, is why does the...why does the center need an emergency grant at this time?

PRESIDENT:

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President. Senator Etheredge, this was an

appropriation, as you'll recall, for the Catherine Dunham Arts Operating Assistance Grant in the East St. Louis area and the monies were to be expended in the next fiscal year for that purpose. She was, as you so well know, an anthropologist, choreographer and dancer and this was the request in that community for an Arts Council grant, and I would again urge its adoption.

PRESIDENT:

Further discussion? Senator Hall.

SENATOR HALL:

Senator Etheredge,...I'm certainly that your secretary gave you the message that we attempted to contact you this morning to have that meeting. I promised you at the time that I would have them here and I will assure you that before we get final action, I will have been able to meet...you had not arrived, and that's the thing that we agreed on that day, you understand?

PRESIDENT:

Further discussion? Senator Etheredge.

SENATOR ETHEREDGE:

Thank...thank...Senator Hall, I did indeed get that message. I know that you were trying to reach me but that's when I was tied up in a caucus, but I do appreciate the effort and I do look forward to discussing this with you further if this amendment goes on. I...my...I have received some disturbing information in regard to the fiscal situation of...of this center and I certainly want to have the opportunity to get some of the questions that I have resolved and...that's enough.

PRESIDENT:

Senator Hall.

SENATOR HALL:

Well, I'll be more than happy to supply that with you. I know that...you must understand at this particular time this

is international. This is a group that has traveled all over the world, she's going to receive awards from all over Europe and everywhere else. We're only asking fifty thousand dollars. The City of East St. Louis which, as you know, is on the brink of going...they have...assessed valuation has dropped from three hundred and eighty million to thirty-eight million dollars, a city that's not able to really take care of itself now. As a requesting they were supposed to supply this money, we're asking for a one-time...and I assure you that we would do irreparable harm if we were to lose this to some other state and that's the reason I ask that we adopt this amendment.

PRESIDENT:

All right. Senator Carroll has moved the adoption of Committee Amendment No. 1 to House Bill 3207. Further discussion? A roll call has been requested. Those in favor of the amendment will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 23 Ayes, 32 Nays, none voting Present and the amendment fails. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. (Machine cutoff)...Schaffer, I think, is also in the education summit. Senator Dudycz, for what purpose do you arise, sir?

SENATOR DUDYCZ:

For a point of personal privilege, Mr. President.

PRESIDENT:

State your point, please.

SENATOR DUDYCZ:

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



Senate, with us this afternoon we have some special guests in the gallery behind us on both sides of the aisle. I would like to introduce some senior citizens from my district in Chicago and I'd like for them to please rise and be recognized by the Senate.

PRESIDENT:

Will our guests please stand and be recognized. Welcome to Springfield. (Machine cutoff)...with leave of the Body, Senator Etheredge will handle that bill for Senator Schaffer. So we're on 3208, Madam Secretary. On the Order of House Bills 2nd Reading is House Bill 3208. Read the bill.

SECRETARY:

House Bill 3208.

(Secretary reads title of bill)

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

PRESIDENT:

Senator Carroll on Committee Amendment No. 1.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. The Committee Amendment No. 1 would add back the clerk typist for the Blind Commission...that the House took out. I would move its adoption.

PRESIDENT:

Senator Carroll has moved the adoption of Committee Amendment No. 1 to House Bill 3208. Discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. Senator Karpel on 3209. On the Order of House Bills 2nd Reading is House Bill 3209. Read the bill, Madam Secretary.

SECRETARY:

House Bill 3209.

(Secretary reads title of bill)

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

PRESIDENT:

Senator Carroll on Committee Amendment No. 1.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Committee Amendment No. 1 is the guidelines amendment to give them the five percent for merit comp. people. The step increases are adjusted to the BOB...guidelines, et cetera. We have added the monies for the Real Estate Contractual line consistent with Doctor Bob's letter. I would move its adoption.

PRESIDENT:

All right. Senator Carroll has moved the adoption of Committee Amendment No. 1 to House Bill 3209. Discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 3210, Senator Donahue. On the Order of House Bills 2nd Reading, bottom of page 15, is House Bill

3210. Read the bill, Madam Secretary.

SECRETARY:

House Bill 3210.

(Secretary reads title of bill)

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

PRESIDENT:

Senator Carroll on Committee Amendment No. 1.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Committee Amendment No. 1 is reducing the appropriation to the FY '88 spending level and removing monies for an unknown site. We have since gotten further information which we will add back by a Floor amendment. We have restored the funds for the two phased-in Oil and Gas Division personnel. I would move its adoption.

PRESIDENT:

Senator Carroll has moved the adoption of Committee Amendment No. 1 to House Bill 3210. Discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

Senators Carroll and O'Daniel offer Amendment No. 2.

PRESIDENT:

Amendment No. 2, Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. As I had indicated, this is the funding for the office space. I would move its adoption.

PRESIDENT:

Senator Carroll has moved the adoption of Amendment No. 2 to House Bill 3210. Discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Page 16, 3211, Senator Maitland. House bills 2nd reading is House Bill 3211, Madam Secretary.

SECRETARY:

House Bill 3211.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Appropriations II offer Committee Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Amendment No. 1 makes no dollar change. It reallocates the GRF from Administer Division to Foster Care line. It makes no cut in regions' follow-up work or protective investigations. I move for the adoption of Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll...I'm sorry, Senator Hall has moved the adoption of Committee Amendment No. 1 to House Bill 3211. 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 Dudycz offers Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dudycz.

SENATOR DUDYCYZ:

Thank you, Mr. President. I'd like to withdraw Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Dudycz seeks leave to withdraw Amendment No. 2. Leave is granted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senator Geo-Karis.

SENATOR GEO-KARIS:

Floor amendment, 3211, that was filed for me.

SECRETARY:

Senator Dudycz...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dudycz has sought leave to...withdraw it. It's been withdrawn.

SENATOR GEO-KARIS:

...not his, I have one too.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis, why don't...let's...let's move it to 3rd and work it out with the...staff. All right. 3rd reading. 3212, Senator Maitland. On the Order of House Bills 2nd Reading is House Bill 3212, Madam Secretary.

SECRETARY:

House Bill 3212.

(Secretary reads title of bill)

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

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PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall.

END OF REEL

REEL #2

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Amendment No. 1, the vacancies that reallocated to prevent layoffs, ...mandatory rent restored, refund payments restored, there's seven new positions for AIDS division restored. There are four phased in reapportionment cuts to May 31st, the spending level and House add-ons for organ transplants. And there's money for rape prevention have been reduced, organ transplant debt has made vendors specific which is reduced from House level. I move for the adoption of Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall has moved the adoption of Committee Amendment No. 1 to House Bill 3212. 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 Carroll offers Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Consistent with the Dr. Bob letter we've received and, and some federal funds that have come in, this is three hundred thousand for family planning services for AIDS edu-

cation and two hundred thousand for maternal, child and health block grants for immunization of children, federal funds that have come in under a Dr. Bob request. I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll moves the adoption of Amendment No. 2 to House Bill 3212. 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...I'm sorry, Amendment No. 2 is adopted. Further amendments?

SECRETARY:

Amendment No. 3 offered by Senator Poshard.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Poshard.

SENATOR POSHARD:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This amendment is for two hundred thousand dollars to fund the Rural Health Care Services Improvement Act which is on 3rd reading in the House now. Various studies by the National Rural Health Care Association, SIU School of Medicine, University of Illinois has shown that a significant portion of rural Illinois is medically underserved. The studies further indicate that rural areas of Illinois have health manpower shortages. What we're trying to do with this Act in those rural areas is to get the county ambulance systems to cooperate with each other in forming regional ambulance systems where they would choose to do that for a more cost-effective, efficient operation. And this would put two hundred thousand dollars into the Department of Public Health to make grants to those regional ambulance systems so that they can form and create a more efficient operation than they are presently able to do because of the lack of local property tax base that they have to support them. So I would



move for the adoption of the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Poshard has moved adoption of Amendment No. 3.  
Discussion? Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President, members of the Senate. Only to rise and indicate that I, along with fifty-seven other members of this Body, did support that substantive language when it left this Chamber. It's a good bill, it's something that has to be done. I only...only say to you that...that is a drain this year and something we have to be concerned about.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Poshard has moved the adoption of Amendment No. 3 to House Bill 3212. Those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 3 is adopted. Further amendments?

ACTING SECRETARY: (MR. HARRY)

Amendment No. 4 offered by Senator Ralph Dunn.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Ralph Dunn.

SENATOR RALPH DUNN:

Thank you, Mr. President, members of the Senate. This amendment adds a million dollars for grants to local health departments and an additional two hundred thousand dollars for grants to local health departments for vision and hearing screening tests for preschool and school age children. I urge your support in adoption of Amendment No. 4.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Ralph Dunn has moved the adoption of Amendment No. 4 to House Bill 3212. Is there discussion? Senator Hall.

SENATOR HALL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I rise in opposition to this. This is a million two

hundred thousand dollars that we don't see any way that we have the funds to do it. So I'd move that this would be rejected.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Carroll.

SENATOR CARROLL:

Thank you, just to amplify. The department, in fact, has opposed this amendment. The department has indicated to us that they are now currently funding at...on the mandated standards program, the thirty-nine health departments in cooperation with the Illinois Association of Public Health Administrators, they have a formula based on a per capita assessed valuation. They have made those grants consistent with that. Every health department has been able to meet the mandated standards. There are no health departments requesting funds that are not receiving funds and therefore has opposed this amendment. Maybe it's because I was in the Republican Caucus last week that I learned that the department opposed it. And I will join them in opposing this amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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

SENATOR RALPH DUNN:

...thank you, Mr. President. This amendment was given to me by the public health administrators...local administrators, I guess. And they say that their expenses have increased for the mandates that has been put on them and they asked me to introduce this. You might remember at the hearing of the committee...hearing that was held on this Floor, the...the administrators testified against the public health bill at that time because it didn't contain this amendment and they asked me to introduce it. So I'd urge its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Ralph Dunn has moved the adoption of Amendment No. 4 to House Bill 3212. Those in favor will indicate by saying Aye. Opposed Nay. Opinion of the Chair, the Nays have it. Motion fails. Senator...Senator Ralph Dunn. Senator Dunn.

SENATOR RALPH DUNN:

I...I...I'd like a roll call, please.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...Senator Ralph Dunn. Senator Dunn.

SENATOR RALPH DUNN:

...withdraw my request.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further...Amendment No. 4 fails. Further...further amendments?

ACTING SECRETARY: (MR. HARRY)

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. House Bill 3224, Senator Raica. House bills 2nd reading is House Bill 3224...Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 3224.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll.

SENATOR CARROLL:

Why, thank you, Mr. President, Ladies and Gentlemen of the Senate. Committee Amendment No. 1 is adding funds for the one vacant position that had already been filled since the bill left the House. It reduces the reappropriation to the May 31st payout level. I would move its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Carroll moves the adoption of Amendment No. 1 to House Bill 3224. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

ACTING SECRETARY: (MR. HARRY)

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. HARRY)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 3225, Senator Karpel. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 3225.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Committee Amendment No. 1 would be an addition of ten thousand six hundred for...I'm sorry, Committee Amendment No. 1 is for the regulation of racing, personal services conform with the House-Senate guidelines. I would move its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Carroll moves the adoption of Amendment No. 1 to House Bill 3225. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

ACTING SECRETARY: (MR. HARRY)

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. HARRY)

Amendment No. 2 offered by Senator Carroll.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is the one that adds ten thousand six hundred for increase in the data base usage in data processing. I would move its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Carroll moves the adoption of Amendment No. 2 to House Bill 3225. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

ACTING SECRETARY: (MR. HARRY)

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 3226, Senator Mahar. House Bill 3227, Senator Watson. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 3227.

(Secretary reads title of bill)

The Committee on Appropriations I offers two amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Committee Amendment No. 1 eliminates House add-ons for the local share of water resources projects, reduces the county highway EDP purchases to first year needs, restores the traffic safety office and puts in the general guidelines. There were some, for example, where equipment cars would not

have met any of their three. Additionally, we have provided for add-in projects and I would...consistent with the Senate approach, I would move adoption of Amendment No. 1 and answer questions.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Carroll moves the adoption of Amendment No. 1 to House Bill 3227. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

ACTING SECRETARY: (MR. HARRY)

Committee Amendment No. 2.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Committee Amendment No. 2 adds the funds necessary for the NIPC storm water management plan. I would move its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is...Senator Carroll moves the adoption of Amendment No. 2 to House Bill 3227. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

ACTING SECRETARY: (MR. HARRY)

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. HARRY)

Amendment No. 3 offered by Senator Vadalabene.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President, members of the Senate.

Adds a hundred and sixty-three thousand GRF for a grant to the Bistate Development Agency for state operating assistance funds at the department agency refunded to GRF in Fiscal '84. There is an additional a hundred and forty-some thousand dollars that is presently in IDOT's budget, they are going to refund. This has the...the approval of IDOT and I move for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Etheredge.

SENATOR ETHEREDGE:

Will the sponsor yield?

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will.

SENATOR ETHEREDGE:

Senator, I...I note that the appropriation for this group is up almost ten percent over last year even before this additional money is...is added in. Further, I...I understand that you're trying to correct a problem that goes back three or four or five years. I guess my question to you is, why are we...trying to solve the problem this year with an additional expenditure of...of GRF? Why not let this go another year or two when additional monies might be available to resolve the issue?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Vadalabene.

SENATOR VADALABENE:

This money is...due to the Bistate Transportation Fund. What happened...the...the Department of Transportation transferred to the GRF and the remaining money to...still with IDOT and I think if it's...the money is due to Bistate, let's give it to them, it's Bistate's money and we should get on with the show. Senator Etheredge, what we're doing is, we're paying them back what we own them. It's not...it's not the state's money, it's Bistate's money.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Etheredge.

SENATOR ETHEREDGE:

I...I understand what you're doing here, Senator. May I ask, does the Department of Transportation support this amendment?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Vadalabene.

SENATOR VADALABENE:

Yes, they not only support it, they're also going to give them back the hundred and forty-six thousand that they still have of their money.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Further discussion? Senator Hall.

SENATOR HALL:

That's okay, Senator Vadalabene explained to him where that money was.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Watson.

SENATOR WATSON:

Thank you, I'd just like to rise in support of...from what I understand this money is in the Bistate Public Transportation Fund right now, and it's just simply a matter of us appropriating that money to Bistate. It's money that already should be theirs. So I would support the amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Vadalabene moves the adoption of Amendment No. 3 to House Bill 3227. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 3 is adopted. Further amendments?

ACTING SECRETARY: (MR. HARRY)

Amendment No. 4 offered by Senator Brookins.

PRESIDING OFFICER: (SENATOR SAVICKAS)



Senator Brookins.

SENATOR BROOKINS:

Thank you, Mr. President. This amendment will correct a defect in the Calumet Expressway at Ninety-fifth and Stoney Island. So, we're asking for a total of 9.3 million dollars for the highway program.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Brookins moves the adoption of Amendment No. 4 to House Bill 3227. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 4 is adopted. Further amendments?

ACTING SECRETARY: (MR. HARRY)

Amendment No. 5 offered by Senator Etheredge.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Amendment No. 5 deletes some of the add-on projects that were added back in Amendment No. 1 and Amendment No. 4. And I...I think we understand those amendments really represent smoke and mirrors anyway, that it does not really impact the allocation of money for...for various projects and we only put them in for the purpose of issuing news releases. And I...I just don't think we ought to be involved in that business. I would ask for favorable consideration of Amendment No. 5.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Carroll.

SENATOR CARROLL:

Why, thank you, Mr. President, Ladies and Gentlemen of the Senate. If Senator Etheredge were correct, then the amendment should be defeated. He is incorrect and I believe the amendment should still be defeated. If it were merely for press release purposes, what's the big deal? What I

think is happening, however,...and these are not, as he points out,...the...the allocations made in the prior amendments are not additional revenue, they are legislative pronouncements of how monies within the districts should be spent, a legislative set of priorities recommended, true, recommended to the Department and the Governor who are not of the same party as the majority party of the General Assembly. Very often we find seventy-five percent of the department's request in Republican districts, we're not saying that something is unusual in that, kind of funny but not necessarily unusual when you consider it's a Republican administration and they take care of their own. This says the General Assembly would like to see some of those monies spent a little more fairly, never near fifty-fifty, just a little bit more fairly. And it's directive, not mandatory. And we say, by way of legislative pronouncement, that there are some crying needs that members of the General Assembly know best as the most locally elected officials. We've allowed the same allocation to our Republican colleagues because we believe within the amounts available to a district the locally elected people generally know best. And I think this amendment defeats that whole concept of the members of the General Assembly suggesting which are the best projects for their area. I would urge its defeat.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Etheredge moves the adoption of Amendment No. 5 to House Bill 3227. Those in favor indicate by saying Aye. Those opposed. The Nays have it. Amendment No. 5 fails. Further amendments?

ACTING SECRETARY: (MR. HARRY)

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. With leave of the Body, we'll go back to House Bill 3226, Senator Mahar. Read the bill, Mr. Secre-

tary.

ACTING SECRETARY: (MR. HARRY)

House Bill 3226.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is an add-back of funding for the three positions that are not vacant in Contractual Services. I would move its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Carroll moves the adoption of Amendment No. 1 to House Bill 3226. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

ACTING SECRETARY: (MR. HARRY)

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. HARRY)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 3228, Senator Mahar. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 3228.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Committee Amendment No. 1 reduces the TIF back to the statutory level of ten million dollars and takes Personal Services down to the level to reflect the actual hiring lag in Fiscal '88 and the other guidelines. I would move its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Carroll moves the adoption of Amendment No. 1 to House Bill 3228. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

ACTING SECRETARY: (MR. HARRY)

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. HARRY)

Amendment No. 2 offered by Senator Carroll.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Amendment No. 2 corrects a defect inadvertently deleted the retirement in...of temporary personnel in Amendment No. 1. Amendment No. 2 adds that back to correct that defect. I would move its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Carroll moves the adoption of Amendment No. 2 to House Bill 3228. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

ACTING SECRETARY: (MR. HARRY)

Amendment No. 3 offered by Senator Etheredge.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This amendment adds back nine hundred and seventy-four thousand six hundred dollars and it's necessary that we add this money back into the Department of Revenue. This is money which was taken out by the...the first amendment. What the amendment does is to put a half a million dollars back into the Postage line item. If we don't put this money back, what it means is that the Department of Revenue is not going to be able to mail out its forms and do the other work that it...it must do on behalf of the State of Illinois. The...the amount of postage that is now provided for does not recognize the three-cent increase in first class postage rate that recently took place. In addition, the...we also add back some money to...for the administration of the Pharmaceutical Assistance Program, an...program that's very important to a number of our constituents and also some money for cigarette stamps, tax...printing of tax returns and auditors' travel in the enforcement division. I would ask for favorable consideration of this amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question...the question is, shall Amendment No. 3 be adopted. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 3 is adopted. Further amendments?

ACTING SECRETARY: (MR. HARRY)

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 3229, Senator Maitland. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 3229.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hall.

SENATOR HALL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Amendment No. 2 reduces from the Older American Fund in Personal Services and related line items by eliminating four new positions no longer receiving federal allocations and eliminating merit comp. I move for the adoption of the amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Hall moves the adoption of Amendment No. 1 to House Bill 3229. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

ACTING SECRETARY: (MR. HARRY)

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. HARRY)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 3230, Senator Dudycz. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 3230.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. HARRY)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 3231, Senator Watson. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 3231.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Committee Amendment No. 1 is to reduce the reappropriation down to the May 31st spending level and restore the add-in projects that were inadvertently deleted in the typing of the bill as it was submitted. I move its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Carroll moves the adoption of Amendment No. 1 to House Bill 3231. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

ACTING SECRETARY: (MR. HARRY)

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. HARRY)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 3232, Senator Geo-Karis. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 3232.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. HARRY)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 3233, Senator Hawkinson. Senator Hawkinson? Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 3233.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hall.

SENATOR HALL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Amendment No. 1 makes no dollar change and reallocates GRF funds from Personal Services, Equipment and Travel to Hospital Reimbursement lines. I would move for the adoption of Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Mr. President. I don't oppose the amendment because we need to keep the bill moving towards the conference committee; however, as stated, I'd just like to remind the committee members that the Hospital line will need some adjustment due to the changes that the board has recommended which throws this dollar amount off.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Hall moves the adoption of Amendment No. 1 to House Bill 3233. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Further amendments?



ACTING SECRETARY: (MR. HARRY)

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. HARRY)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 3234, Senator Davidson. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 3234. ✓

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Committee Amendment No. 1 adds funds to more accurately reflect the guidelines taking into account funding for two phased long-term vacancies and reappropriates the monies at the May 31st spending level. I would move its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Carroll moves the adoption of Amendment No. 1 to House Bill 3234. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

ACTING SECRETARY: (MR. HARRY)

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. HARRY)

Amendment No. 2 offered by Senator Carroll.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll.

SENATOR CARROLL:

Why, thank you, Mr. President, Ladies and Gentlemen of the Senate. Committee...Floor Amendment No. 2 would break out the operational expenses for the new projects at Bishop Hills in Cahokia, I would...Cahokia Mounds. I would move adoption of Amendment No. 2. There is no dollar impact.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Carroll moves the adoption of Amendment No. 2 to House Bill 3234. Those in favor indicate by saying Aye. Oops, I'm sorry, Senator Schuneman. I was right, no...no opposition. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

ACTING SECRETARY: (MR. HARRY)

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 3235, Senator Raica. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 3235.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Committee Amendment No. 1 creates the new underground storage division breaking out the lump sum request adding the necessary investigators pursuant to a Dr. Bob. An Executive III position is added and reimbursement to local fire departments is increased to the statutory fifty percent. I would move its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Carroll moves the adoption of Amendment No. 1 to House Bill 3235. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

ACTING SECRETARY: (MR. HARRY)

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. HARRY)

Amendment No. 2 offered by Senator Carroll.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Floor Amendment No. 2 breaks out the Refund lines, ten thousand is also added in federal funds for the Fire Prevention Volunteer Program. This is consistent with the Dr. Bob received. I would move its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Carroll moves the adoption of Amendment No. 2 to House Bill 3235. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

ACTING SECRETARY: (MR. HARRY)

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 3236, Senator Schaffer. House...Senator Etheredge, what purpose do you arise? Senator Schaffer seeks leave of the Body to handle the bill for Senator Schaffer. Is...is leave granted? Is that...a roll call vote was requested. Senator Etheredge on House Bill 3236. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 3236.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Committee Amendment No. 1 would add thirty thousand dollars to the Personal Services line and ten thousand to Contractual...excuse me...to more accurately reflect the guidelines and allow the legal fees necessary for indigent clients. I would move its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Carroll moves the adoption of Amendment No. 1 to House Bill 3236. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

ACTING SECRETARY: (MR. HARRY)

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. HARRY)

Amendment No. 2 offered by Senator Schaffer.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, very much, Mr. President, Ladies and Gentlemen of the Senate. This amendment merges the appropriation authority of the local...labor relations board with that of the State Labor Relations Board. And it does incorporate the Committee Amendment No. 1 in the local...with the...that we put on the local labor relations board appropriations.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Etheredge moves the adoption of Amendment No. 2 to House Bill 3236. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

ACTING SECRETARY: (MR. HARRY)

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 3237, Senator Weaver. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 3237.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Committee Amendment No. 1 reduces the reappropriation to the May 31st spending level and...and takes the turnover hiring lag computed at two percent putting in the five percent salary increases for the survey staff. I would move its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Carroll moves the adoption of Amendment No. 1 to House Bill 3237. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

ACTING SECRETARY: (MR. HARRY)

Committee Amendment No. 2.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll.

SENATOR CARROLL:

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

Senate. Committee Amendment No. 2 adds funds for Spertus College and the Expressway's Museum out of general revenue and 2.4 million out of the Coal Bond Development Fund for a demonstration project. I would move its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Carroll moves the adoption of Amendment No. 2 to House Bill 3237. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

ACTING SECRETARY: (MR. HARRY)

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. HARRY)

Amendment No. 3 offered by Senator D'Arco.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. This is a hundred thousand dollar appropriation for the task force that is going to determine how we're going to fund IRAP and look into IHEAP funds and other energy related purposes. And the money for this appropriation comes out of the Exxon Oil overcharge refund money. And I would move for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Etheredge.

SENATOR ETHEREDGE:

Will the sponsor yield?

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will.

SENATOR ETHEREDGE:

Senator, I must tell you, I'm not familiar with this task force. Is this a task force which we have established legislatively?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator D'Arco.

SENATOR D'ARCO:

No, hopefully...the resolution to create the Senate joint task force is in Exec. and it will be voted on Thursday and...and moved to the Senate Floor and, hopefully, we will create this task force. It's my understanding that in the House, I think Senator Maitland would be interested in this, they did it...adopted an amendment to 1626 that says that when the Exxon money runs out, the program will be terminated. So that was a point of contention that is no longer a point of contention. And it seems like the utilities and the consumers and everybody is on line right now. And...and the purpose of this hundred thousand dollars is to create this task force to look into this problem.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Etheredge.

SENATOR ETHEREDGE:

Well, Senator, since this task force is still under discussion, we still don't know what action Senate Exec. is going to take on this matter. I would suggest that...that we hold this and we can deal with it in conference committee next week if Exec. does look favorably on the proposal.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator D'Arco.

SENATOR D'ARCO:

No, I just thought I explained that. I...I was trying to be nice. You...you didn't get that one, huh? You didn't get my trying to be nice out of that explanation? No, I have no doubt that the Executive Committee will adopt the resolution that creates the task force to look into this problem. And it would just be dilatory to not adopt this amendment at this time.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator D'Arco moves the adoption of Amendment No. 3 to House Bill 3237. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 3 is adopted. Further amendments?

ACTING SECRETARY: (MR. HARRY)

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 3238, Senator Karpel. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 3238.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. HARRY)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 3239, Senator Topinka. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 3239.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. HARRY)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 3240, Senator Etheredge. Senator Etheredge, 3240. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 3240.



(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. While the amendment starts out by deleting everything after the enacting clause, it adds back the bill consistent with House-Senate guidelines as drafted by the...the agency had...had misdrafted it when they were attempting to do the amendment in the House; this corrects that and creates the guidelines. I would move its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Carroll moves the adoption of Amendment No. 1 to House Bill 3240. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

ACTING SECRETARY: (MR. HARRY)

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. HARRY)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 3241, Senator Etheredge. Senator Etheredge, 3241? Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 3241.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President. Having voted on the prevailing side, I would move to Table Committee Amendment No. 1. This might as well sit pure and pristine, it's going to end up being a Republican vehicle.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, you've heard the motion of Senator Carroll having voted on prevailing side to Table Committee Amendment No. 1. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is Tabled. Further amendments?

ACTING SECRETARY: (MR. HARRY)

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. HARRY)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 3242, Senator Dudycz. Senator Dudycz, 3242. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 3242.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Committee Amendment No. 1 adds a hundred thousand dollars for the Cook-DuPage County audits, a hundred thousand added for reimbursement to local government to bring the training grants up to the fifty percent reimbursement level. I would move its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Carroll moves the adoption of Amendment No. 1 to House Bill 3242. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

ACTING SECRETARY: (MR. HARRY)

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. HARRY)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 3243, Senator Dudycz. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 3243.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. HARRY)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 3244, Senator Philip, Etheredge-Philip. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 3244.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. HARRY)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

HB 3280  
2nd Reading

3rd reading. House Bill 3264, Senator Berman. House Bill 3280, Senator Rock. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 3280.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Committee...Committee Amendment No. 1 was offered at my request. It appropriates an additional three hundred and sixty-one thousand dollars to the Deaf-Blind Center. It is money that was turned back to the state by the previous administrative agent who was in charge of the operation of that school. The check was received by the state on May 15th. The money is due and owing to the...to the school and we are just facilitating its return. And I would know of no objection. Would move the adoption of Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Rock moves the adoption of Amendment No. 1 to House Bill 3280. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

ACTING SECRETARY: (MR. HARRY)

Committee Amendment No. 2.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President. This merely adds one dollar so that we can be assured that the House will take us to a conference committee. And I would move the adoption of Amendment No. 2.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Rock moves the adoption of Amendment No. 2 to House Bill 3280. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

ACTING SECRETARY: (MR. HARRY)

Committee Amendment No. 3.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President. This was a duplication. Amendment No. 3 deletes a fifteen million dollar item for gifted and remedial summer school. A...a bill is already approaching the Governor's Desk which he has indicated to all concerned that he will sign, so this is simply unnecessary. And I would move the adoption of Amendment No. 3.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Rock moves the adoption of Amendment No. 3 to House Bill 3280. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 3 is adopted. Further amendments?

ACTING SECRETARY: (MR. HARRY)

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. HARRY)

Amendment No. 4 offered by Senator Zito.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Zito. Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This would be the funds for Youth in Government as we have done in prior years. It's for their usage of the...oh, he's back, okay. I'll yield back to Senator Zito.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Zito.

SENATOR ZITO:

Yes, thank you, Mr. President and members. Senator Carroll is absolutely correct, this is the fifty thousand dollars for the high school students throughout the state that participate in Youth in Government. We have appropriated this money in the past, and I would move for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Zito moves the adoption of Amendment No. 4 to House Bill 3280. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 4 is adopted. Further amendments?

ACTING SECRETARY: (MR. HARRY)

Amendment No. 5 offered by Senator Rock.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Amendment No. 5 deletes the effective date. This sends an unmistakable signal to our somewhat less than bright House colleagues that we want this bill back. And I would move its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Rock moves the...adoption of Amendment No. 5 to House Bill 3280. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 5 is adopted. Further amendments?

ACTING SECRETARY: (MR. HARRY)

Amendment No. 6 offered by Senator Maitland.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President, members of the Senate. The effect of Amendment No. 6 to House Bill 3280 is to increase by forty-eight million seven hundred and seventy-six thousand dollars...the appropriation and does effectively a number of things, and I want you to be very attentive as I mention this to you. We have been, as you know, continually harassed by our constituents, and rightfully and justifiably so, for our unwillingness in the past to...to funding fully the categoricals that we are mandated by law to do. The effect here will be to assure one hundred percent funding for special education categoricals, regular and vocational, transportation and free lunch, breakfast programs. It does provide for twenty-five percent increase in transitional bilingual education programs and increases the funding level of reform that we passed in 1985, again, another area where we have been sharply criticized for. And then does leave all other grant line items at the FY '88 level.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I have no quarrel with the amendment, my question would be twofold. One, does this now bring us to the Governor's tax increase recommended level of some two hundred and forty-seven million dollars above his original recommendation?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR MAITLAND:

No, it does not.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Well, then I missed...I missed something in the explana-

tion, because the Governor said quite plainly in his...both his press release and his message that by virtue of that proposed tax increase, which I favor, by the way, he wants to increase the appropriation for elementary and secondary education by four hundred and thirty-seven million dollars, two hundred and thirty-seven million dollars of which would go into this bill which would then fully fund all the categoricals. Does this amendment given what the House has already done and what the Senate committee has already done fully fund all the categoricals?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR MAITLAND:

Senator Rock, let me perhaps explain a bit more in detail what we are about with...with this amendment. First of all, there will be an amendment that follows that does take some...some money out. But the...but let...let me answer...let me answer. We know, we've been told, and those of us who are on Economic and Fiscal know that there is additional revenue that's going to be available to us even if we don't have a tax increase. Things look better now than they did early in the year. This is our attempt...this is our attempt to reallocate the new and available revenue that we have. You and I both, as supporter of additional revenue, know that that hasn't happened yet. This is our...attempt to put the available revenue that we'll have for FY '89 in the areas where we think it can best serve elementary and secondary students in the state.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

I...I listened to that kind of rhetoric all morning. We are...literally walking around the corner and not saying anything. The amendment that follows is not to this bill; the



amendment that follows is to the distributive aid formula. So what you are saying, in effect, is we'll take a hundred million out of the formula and lay in some here. Is that...is that where we're getting this money?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR MAITLAND:

We will leave eventually the formula at basically the FY '88 level.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

The answer to the question was, yes. We're taking a hundred million out of the formula by virtue of...of an amendment to Senator Berman's bill, which we'll get to at some point, and putting it in here. Now, you know, just so long as nobody misunderstands, there's...there's a little bit of smoke and mirrors going on here. And...and I don't think anybody can quarrel with nor should they, I'm ready to accept this amendment because it now funds...fully funds the categoricals at a hundred percent. It's ducky. The Governor says that costs us two hundred and thirty-seven million additional dollars over what he recommended. So now we are saying that's what we want to do but in order to pay for it we're going to take it out of the formula. I don't know that that's quite fair and I'm certainly not going to speak for Senator Berman. I will stand in favor of fully funding the categoricals, yes. But I will also not say to anybody including those who will benefit from this bill, whether it's special ed. or transportation or bilingual or anybody, I'm not fooling anybody. I'll fully fund it if the revenue is available. This doesn't make the revenue available.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Maitland moves the

adoption of Amendment No. 6 to House Bill 3280. Those in favor indicate by saying Aye. Those opposed. Senator Maitland, you wish to withdraw the amendment? Senator Maitland. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 6 is adopted. Further amendments?

ACTING SECRETARY: (MR. HARRY)

Amendment No. 7 offered by Senator Maitland.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President, members of the Senate. This amendment simply makes some change that had been suggested by the state board. It does in additional...with respect to some federal dollars. And it does take twelve thousand dollars out of GRF as well.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Maitland moves the adoption of Amendment No. 7 to House Bill 3280. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 7 is adopted. Further amendments?

ACTING SECRETARY: (MR. HARRY)

Amendment No. 8 offered by Senator Maitland.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President, members of the Senate. Amendment No. 8 to House Bill 3280 will increase this line item back to two million dollars where it was when it arrived in the House. The House saw fit to reduce that line item to seven hundred and fifty thousand. This is the Ag. in the Classroom Program that passed this Body two years ago unanimously due to the reduction around the state in vocational agriculture. It's a program that's been put together, was

heartily and strongly endorsed by this Body. We funded it last year, as I recall, at forty-six thousand dollars. The committee is in place...the state board. We have schools that are...that are urging the funding for this program. It's not a mandate upon any school district. They...simply can access the program if they choose. And I would move for the adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Rock.

SENATOR ROCK:

Well, again, just so there's no misunderstanding, and I'm perfectly willing to accept this amendment, I think, frankly, they can't spend this much even if we give it to them. You don't take a program that spends forty-six thousand dollars, assuming they spend it all this fiscal year, and all of a sudden pump in another two million. It's just...they...they just can't handle it. The fact of the matter is, I'm told there was testimony in the House and that's why the House left it at seven-fifty. You know, sure, I suppose we all want five or ten or twenty million, so...but the point is, this is a dramatic increase over last year's spending level. And I guess my question again is, where do we get the money?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Maitland moves the adoption of Amendment No. 8 to House Bill 3280. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 8 is adopted. Further amendments?

ACTING SECRETARY: (MR. HARRY)

Amendment No. 9 offered by Senator Barkhausen.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President, I'd ask that we withdraw Amendment No. 9.

There's an Amendment No. 10 that should be offered instead.

PRESIDING OFFICER: (SENATOR SAVICKAS)

You've heard the motion. Leave is granted...further amendments?

ACTING SECRETARY: (MR. HARRY)

Amendment No. 9 offered by Senator Barkhausen.

SENATOR BARKHAUSEN:

A little confused, was the...did the Secretary say Amendment No. 9 the last time around also?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Well, he...you withdrew Amendment No. 9, the next amendment now is No. 9.

SENATOR BARKHAUSEN:

Very well...

PRESIDING OFFICER: (SENATOR SAVICKAS)

So Amendment No. 10 is now No. 9.

SENATOR BARKHAUSEN:

Thank you. Mr. President and members, Amendment No. 9 to House Bill 3280 involves a...a loan similar to one previously granted by the General Assembly to the Warren Township High School District in my district in and around Gurnee, Illinois, which, if you'll remember, burned to the ground two or three years ago. As part of an effort to help them out, we had earlier given them a similar loan of a million dollars which they are presently repaying and it also authorized them or a school district in their circumstances...in their very special circumstances to impose a nickel levy to help raise the funds to...to repay this loan. This is an amendment that was put on in the House and...and was mistakenly, I am told, taken off. The...other proponents of this issue have spoken both to Senators Berman and Carroll about it. And...and I would appreciate a favorable vote on the amendment at this stage in our proceedings.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Rock.

SENATOR ROCK:

Question of the sponsor, if he'll yield.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will.

SENATOR ROCK:

Will you refresh our recollection as to the history of this? It seems to me last year we put some money in for a loan and the Governor vetoed it out. Is that correct?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Yes, that is correct, Senator Rock.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

And the year before, how much did we afford...or appropriate to this school district for this purpose?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Barkhausen.

SENATOR BARKHAUSEN:

A...a million dollars on...on the same basis. It's a...it's a no...what it is is a no interest loan, so it will be paid back but without interest.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Except that the FY '87 expenditure was only three seventy-five. I...that's why I'm asking for just, you know...why are we doing this? We gave them a million dollars in FY '87, they only spent three seventy-five; in '88 they didn't get anything, and now we're back at it. What...what is going on is, I guess, my question?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Senator Rock, in some ways, you may have more information than I have. I'll take your word for it if you're saying they only spent three hundred and seventy-five thousand dollars. I...I haven't been told that.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

I'm not getting any secret information, this is a printout from the State Board of Education which shows FY '87, '88 and...and recommended levels for '89 that I'm sure is available to everybody. And I guess my question is, why are we doing this?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Well, the...the information I have is that the district has been...has been struggling to try to meet the expenditures...incurred as a result of this campus burning to the ground, of having to lease an adjacent campus for two whole years, and...and this is helping them meet the expenditures that...that have been incurred as a result of these circumstances. It does not...it does not contribute to the additional expenditures that they have experienced as a result of having to...to rebuild an entire campus but it is trying to...to help them with those leasing expenses that they've had over this two-year period.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Well, I...I don't want to sound like a purist, Mr. President and Ladies and Gentlemen of the Senate, but I can recall vividly, painfully sitting for the better part of two hours

and listening to House Bill 3280 and its companion 3281 and there was not word one about this line item...or proposed line item. I don't know that the board has proposed it, or if they did, perhaps the House cut it out. But we never heard about it. I mean, it just seems to me a little...when you sit there for two hours and go through the whole drill, all of a sudden here we are on Amendment No. 9 and we need a million dollars. For what?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Senator Rock, it was certainly not my intent to approach the Body only at this time on 2nd reading on the Floor with this amendment. I...I don't know whether former Representative Dan Pierce who is representing the high school is...has spoken to you or why he didn't attempt, if he didn't, to have this amendment offered in committee. He came to me on Friday with this language which I am now offering.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Barkhausen moves the adoption of Amendment No. 9 to House Bill 3280. Those in favor indicate by saying Aye. Those opposed. The Nays have it. Amendment No. 9 fails. Further amendments?

ACTING SECRETARY: (MR. HARRY)

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 3281, Senator Berman. House bill...for what purpose does Senator Hall arise? House Bill 3282, Senator Maitland. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 3282.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Bill 3282, it...it increases the retirement by one dollar. I move for the adoption of the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall has moved the adoption of Committee Amendment No. 1, House Bill 3282. Discussion? If not, those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Amendment No. 2 offered by President Rock.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

This is again...Amendment No. 2 is a deletion of the effective date. As you know, the Governor has called for...if, indeed, his tax proposal meets with approval, he has called for the expenditure of an additional hundred and twenty-six million dollars. All we want to do is tell the House to keep this one alive until we're finally ready to vote. I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock has moved the adoption of Amendment No. 2 to House Bill 3282. 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. 3318, Senator...Alexander. Senator Carroll seeks leave to handle that for Senator Alexander. Leave is granted. 3318, Madam Secretary.

SECRETARY:

House Bill 3318.

(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. 3403, Senator Davidson. House bills 2nd reading is House Bill 3403, Madam Secretary.

SECRETARY:

(Machine cutoff)...Bill 3403.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson. Senator Davidson. I'm sorry, Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Committee Amendment No. 1 adds an amount for personal services to more...adequately and equitably reflect the guidelines as established by the Senate and the House. It was believed that the House had cut too deep in that. We did, however, take out certain particular new initiatives suggested by the Secretary of State including funding for a new suburban facility. We will correct that in a later amendment. The Secretary has given us in writing a gener-

alized location of where he would like to find that. We have added the necessary funds for postage, electricity and equipment and deleted some of the Build Illinois funding as was reappropriated in House Bill 3150. I would move adoption of Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Carroll has moved the adoption of Committee Amendment No. 1 to House Bill 3403. Is there discussion? If not, those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Senator Carroll offers Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. The Secretary has now indicated where he would like this additional facility which is in suburban Cook County, if possible in the Hillside area near the merger of the various tollways and expressways. Therefore, with that information, I would move adoption of Committee Amendment No...or Floor Amendment No. 2 which would add back those funds for that office.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll has moved the adoption of Amendment No. 2 to House Bill 3403. Discussion? If not, those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

Amendment No. 3 offered by Senator Davidson.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

Mr. President and members of the Senate, this is for a hundred and ten thousand five hundred dollars. This restores the five positions at the Visitor's Center which we opened up which is now running on a temporary basis. This restores the positions needed to operate this facility.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson has moved the adoption of Amendment No. 3 to House Bill 3403. Discussion? Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. The Secretary had originally asked for something like eleven new positions for this facility, and it's truly not understood why these additional five are needed. The House had reduced it to a level of six to operate this new Visitor's Center. They've asked for two additional clerks over and above what was granted in the six new positions. What clerks are needed for a visitor's center, I cannot understand. In addition to the general people who will be around around the clock, they want four more security guards to handle two washrooms, three janitors to handle the two washrooms over and above that which has already been granted which is the six new positions and all the rest that is around the Capitol complex. These additional five just seem like an absolutely unneeded expense and I would urge opposition to Amendment No. 3.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Keats.

SENATOR KEATS:

Thank you, Mr. President, and...and to Senator Carroll, I've been voting with you on...on almost all the amendments,

both sides, not to be adding people, whatever. But I would like to rise in support of this. I'm on the Space Needs Commission and have been there while we've built the new Visitor's Center, et cetera. Number one, there are a great number of exhibits over there. I mean, if anyone ever wanted to do some vandalizing, that would be probably the best building around here to vandalize. It's the most, last, easiest to get at, et cetera. In addition, with all the parking spaces, picnic facilities, et cetera, you're going to have people there during various parts of the year till late...during the evening, et cetera so that the security is particularly important because I think the last thing we would want is something to happen to our tourists here at a facility we've built to give them a place to park, sit down and eat and go to the bathroom. But there are large numbers of exhibits inside, and, really, I wish you'd come over and look at it with us. It is absolutely full of exhibits. And as the chairman of the Space Needs Commission, Representative Farley, standing next to the President, can tell you, it's a facility that all of us in Illinois can be proud of and really does deserve this kind of support. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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

SENATOR DAVIDSON:

Well, Mr. President, members of the Senate, Senator Keats touched on most of it. But the biggest thing is, this has to be maintained security twenty-four hours a day, seven days a week. And, as it is, we don't...we cannot handle, without these additional people, the twenty-four hours for those with five days and et cetera. And the other part is the exhibits that's in it, and this is something that you, 'cause Legislative Space Needs is your instrument, you're the ones who created this, Cochairman Farley and Cochairman Senator

Philip. I brought this up at the last meeting, they were supposed to have contact with both sides of the aisle and both Houses in support of this to restore this necessary implementation of employees. And I'd move the adoption of this amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson has moved adoption of Amendment No. 3 to House Bill 3403. Those in favor will indicate by saying Aye. Opposed Nay. In the opinion of the Chair, the Ayes have it. Amendment No. 3 is adopted. Further amendments?

SECRETARY:

Amendment No. 4 offered by Senator Kustra.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there leave to have Senator Davidson to handle that amendment? All right. Leave is granted. Senator Davidson on Amendment No. 4.

SENATOR DAVIDSON:

...the amendment is pretty self-explanatory, it's at two hundred and fifty thousand dollars for the Illinois Humanities Council. The Secretary of State's people are neutral on this and I can't tell you any more than that. I do know that Senator Kustra is with Senator Berman and some other people, and if...if you wish, I'll do whatever you want, if you want to put it on, fine; if not, I'll move it back tomorrow and give him a chance at it when he's able to be back 'cause they are meeting on the educational...

PRESIDING OFFICER: (SENATOR DEMUZIO)

...Senator Carroll.

SENATOR CARROLL:

Yeah, I would suggest the latter course, because the Humanities Council has not been funded for awhile, we can't figure out why all of a sudden now. And I would suggest that it be pulled and if Senator Davidson extends that courtesy tomorrow, I think that would be better served.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Davidson...Senator Davidson.

SENATOR DAVIDSON:

With that understanding, if you'd withdraw his amendment and tomorrow I'll bring it back to give him his shot at it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Davidson seeks leave to withdraw Amendment No. 4. Is leave granted? Leave is granted. The amendment is withdrawn. Further amendments?

SECRETARY:

Amendment No. 4 offered by Senator Lechowicz.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Amendment No. 4 provides seventy-five thousand dollars for Monsignor Ignatius McDermott for the AA treatment. It's...the same type of money where you had in last year's appropriation. I move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll has moved...I'm sorry,...Senator Lechowicz has moved the adoption of Amendment No. 4 to House Bill 3403. Discussion? Senator Etheredge.

SENATOR ETHEREDGE:

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield. Senator Etheredge.

SENATOR ETHEREDGE:

Senator, I remember in committee the discussion on this amendment. There were some questions raised and we did not have the opportunity to pursue them. So, I would...I would like to get a better idea now what this...what does this amendment do?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz.

SENATOR LECHOWICZ:

It provides seventy-five thousand dollars to Monsignor Ignatius McDermott and the Catholic Council for the treatment of alcoholics in the City of Chicago, the County of Cook and the State of Illinois. Maybe you're not familiar with the work that Monsignor McDermott has been doing, but he has been nationally recognized as a leader in this type of rehabilitation services throughout the state and this nation. Last year we provided this type of money for his foundation as the supplement for...for...to meet his budgetary requirements.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge.

SENATOR ETHEREDGE:

My...my follow-up question, Senator, is why is this seventy-five thousand dollars in the Secretary of State's budget rather than in DASA's?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz.

SENATOR LECHOWICZ:

Because in discussion with the Secretary of State last year, he asked that...he accepted the amendment at that...at that time. As you know, an appropriation can be put in any section of any appropriation bill and we are doing the same thing we did last year to the Secretary of State's budget, with his approval.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Lechowicz has moved the adoption of Amendment No. 4 to House Bill 3403. 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. I inadvertently skipped over House 3349. With leave of the Body, we'll go back and...and pick that up. 3349, Madam Secretary. Senator Hall, this is your bill.

SECRETARY:

House Bill 3349.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 3463, Senator Carroll. House Bills 3rd reading is House...I'm sorry, House bills 2nd reading is House Bill 3463, Madam Secretary.

SECRETARY:

House Bill 3463.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is the Court of Claims awards bill. Committee Amendment No. 1 would add the most recent claims that have been signed off by the requisite number of judges as we have always done, and then as this bill moved through, we will attempt to add any more that are signed in conference so that all those who have been approved by a requisite number of the court could, in fact, be paid. I would move adoption of Committee Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll has moved the adoption of Committee



Amendment No. 1 to House Bill 3463. 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 Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Committee Amendment No. 2 is to appropriate funds for replacement of uncashed warrants for income tax refunds to two particular citizens. The warrants had apparently been lost at some point. This would appropriate the funds necessary to reissue those warrants. I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll has moved the adoption of Committee Amendment No. 2 to House Bill 3463. Is there discussion? If not, those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment...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 Carroll offers Amendment No. 3.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Committee Amendment No. 3 has no dollar impact. It is a technical change to correct a claims number. I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll moves the adoption of Amendment No. 3 to House Bill 3463. Is there discussion? If not, those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 3 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

I'm sorry. Senator Maitland. All right. 3rd reading. House Bill 3511. All right. Senator...Senator Maitland, for what purpose do you arise?

SENATOR MAITLAND:

Thank you, Mr. President. On a point of personal privilege, sir.

PRESIDING OFFICER: (SENATOR DEMUZIO)

State your point.

SENATOR MAITLAND:

In the gallery on the Democratic side are longtime neighbors of mine, Lawrence and Doris Kaufman, from rural Bloomington. I'd like for them to stand and be recognized. And they are also the grandparents of our Page...our Page...our...of...of Kevin Kane, who is working for us on this side of the...and we're delighted to have you here this afternoon.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Welcome to Springfield. House Bill 3511, Madam Secretary.

SECRETARY:

House Bill 3511.

(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, Ladies and Gentlemen of the Senate. It was our feeling that the House had cut too deep to this constitutional officer inasmuch as courtesies had just been extended to the Secretary of State and others. This would restore funding for about a third of the new positions, twelve of the new positions sought by the Treasurer and, in addition, allow the same type of services at the SOIC that is being allowed here in this building in terms of a bank teller service and allowing him to acquire a second car as the other constitutional officers have. I would move adoption of Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll has moved the adoption of Amendment No. 1 to House Bill 3511...discussion? Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President...Ladies and Gentlemen of the Senate. I rise in opposition to this amendment. I would refresh your memory just a bit. This is an amendment that was presented in committee but which failed on a Do Pass motion. I would also like to call your attention to the fact that what we're doing here is not funding one-third of the new positions requested, we are funding one hundred percent of the new positions requested. We're funding twelve new positions. Due to an error in reporting on the forms, the Treasurer did report his vacancies, twenty-four of them as new positions. But that...that was an error. What we're actually doing here is funding all twelve of the new positions requested by the Treasurer. I would suggest at a time when GRF is very limited that this is not the time to add a half a million dollars back into the Treasurer's salaries.

There are some other items here that, besides the twelve new positions, we're opening the new banking center in the State of Illinois Building and we're replacing some...some equipment. But most of this money goes into the...into the twelve new positions. I would ask that this amendment be defeated.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, Senator Carroll may close.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senator Etheredge, I think, again...unfortunately, I think you spoke in error and I did also. It was not a third, it's forty percent. Twenty-eight new positions were requested, twelve are being funded by this request. And it's not the vacancies, there were twenty-eight new. This is for the Office of the Treasurer which is, you know, well beyond just parking guards and janitors for open space. And I think, therefore, in an agency that has only some ninety-nine employees on board now, it is not unreasonable to allow him the twelve positions he has asked for that are essential for the operations of the constitutional Office of the Treasurer, especially in light of some of the attitudes we have had towards other constitutional officers in allowing them some of their increase including the very last one who received eleven new positions...eleven new positions to operate a parking lot and museum. This is twelve positions for the entire constitutional Office of the Treasurer. I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll has moved the adoption of Amendment No. 1 to House Bill 3511. Those in favor will indicate by saying Aye. Opposed Nay. Roll call has been requested. Senator Carroll moves the adoption of Amendment No. 1 to House Bill 3511. 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? (Machine cutoff)...all voted who wish? Take the record. On that question, the Ayes are 23, the Nays are 30, none voting Present. Amendment No. 1 fails. Further amendments?

SECRETARY:

Amendment No. 2 offered by Senator Carroll.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Moving right along, Amendment No. 2 is adding funding for the office move and nine thousand dollars in grants. This has a Dr. Bob. I would move adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll has moved the adoption of Amendment No. 2 to House Bill 3511. Discussion? Senator Etheredge.

SENATOR ETHEREDGE:

Will the sponsor yield?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Etheredge.

SENATOR ETHEREDGE:

Senator, you say there's a Dr. Bob letter on this amendment? I have not seen one.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

It is my understanding that the nine thousand dollar, as I indicated on the...particular on the grant, has a Dr. Bob.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge.

SENATOR ETHEREDGE:

Then...Mr. President, Ladies and Gentlemen of the Senate, I rise in opposition to this amendment. The Dr. Bob letter is on a nine thousand dollar appropriation which...which I believe is necessary and which will be offered in

free-standing form in a later amendment. The heart of this amendment are moving expenses into a new building. I...I would suggest to you that according to the information that I have, it's quite likely that it's not going to be possible for the department to move during this fiscal year in any way. I would suggest that we...that we defeat this amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, Senator Carroll may close.

SENATOR CARROLL:

Well, you know, again, it will be the will of the Body. The Secretary of State, I added back the money for a move that he wanted of one of his facilities, I may reconsider that. We've allowed Conservation to move, we've allowed DOT to move, we've allowed other constitutional officers to move. This has been an announced move of the office, the other space is just not suitable, everybody knows that. I would move adoption of Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll moves the adoption of Amendment No. 2 to House Bill 3511. Those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

Amendment No. 3 offered by Senator Etheredge.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge. All right. Senator Etheredge seeks leave to withdraw Amendment No. 3. Further amendments?

SECRETARY:

Amendment No. 3 offered by Senator Etheredge.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge.

SENATOR ETHEREDGE:

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

Senate. What this amendment does is to appropriate a hundred and eleven thousand dollars from the earnings of the public treasurer's investment pool for the salaries for three members of the treasurer's staff that are being transferred from his payroll to this investment pool. These are nonappropriated money...monies. What this amendment would do would be to appropriate that portion of this investment pool that would be utilized for the salaries of these individuals. Further, the amendment makes a corresponding reduction in the Personal Services line item of the treasurer's department since these three people are being moved off of his payroll into the other fund. I would just point out that without this amendment in place, it would give the treasurer three new additional positions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge has moved the adoption of Amendment No. 3. Senator Carroll.

END OF REEL

REEL #3

PRESIDING OFFICER: (SENATOR DEMUZIO)

(Machine cutoff)...Senator Carroll.

SENATOR CARROLL:

Well, the problem is, Senator Etheredge, and I know you're trying to eliminate the State Treasurer, and maybe you ought to put in a constitutional amendment, but this is not a...an appropriated fund. We don't have the authority to appropriate out of a fund that doesn't exist in the Comptroller's Office as an appropriated fund. So, I believe that the amendment...I'm not sure, Mr. President, if it would be a parliamentary inquiry that it is technically defective, it is constitutionally defective. There is no such account on which we appropriate funds, so I think either an inquiry as to whether the amendment is in order, which gives Darrell a lot of problems, and also urge the defeat of the amendment 'cause we just don't have the authority to appropriate out of this account. It is not within the Comptroller's jurisdiction. It is not an appropriated fund.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll, we approve...or adopt ineffective amendments around here all the time. I'm...I'm not sure either whether or not there's a public treasurer's investment pool such...as such an account, but if...if it is, in fact, adopted, then it becomes meaningless anyway...is that...in the opinion of the Chair.

Senator Carroll.

SENATOR CARROLL:

Well, I just think, Mr. President, that the...in...in the way of the inquiry, you know, we don't have the power to appropriate from Caterpillar or John Deere or anyone else or



from the counties treasurers' funds, we don't have the power to appropriate here. I would, therefore, suggest, Mr. President, by way of inquiry that the amendment is out of order and that there is no fund within the jurisdiction of this General Assembly that this is seeking to add to, subtract from or be neutral on, in this case, subtract from or add to. It just...an ineffective offer and, therefore, out of order.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge, is there such a fund as a public treasurer's investment pool?

SENATOR ETHEREDGE:

Yes, there is and these are public monies and the treasurer is proposing that he pay three of his employees out of this...out of this fund. I see...I see no difficulty in our adopting this amendment. I think what we're trying to do is establish some accountability for public monies.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Carroll, I'm getting prepared to rule.

SENATOR CARROLL:

On that point...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

...on that...(machine cutoff)...thank you, Mr. President. There are significant numbers of federal funds that we've attempted to appropriate in the past that are nonappropriatable accounts. When we've, in fact, passed substantive legislation attempting to get appropriation authority over them, the Governor has vetoed them and the overrides have generally failed. We even stopped trying after three of four years of us passing, the House passing, the Governor vetoing, us overriding and the House failing to on three or four occasions. There are significant nonappropriated

accounts that we've attempted to get under our control. We do not have the authority to appropriate from those federal pass-throughs anymore than we have the authority to appropriate from this county pass-through, and I would suggest to you very strongly, Mr. President, therefore, it would be out of order as it would be if we attempted to suggest our will on those accounts that the federal government passes through directly without the appropriation process.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll, your...your point may very well be taken. I...I don't have exposure with respect to the public treasurer's investment pool. Since this bill is going to committee anyway, you know, we...it's...it's going to conference perhaps. Senator Carroll, in the opinion of the Chair that the...the amendment is, in fact, in order and in the fact...Senator Etheredge, you may close.

SENATOR ETHEREDGE:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I was...I would ask for a favorable roll call on this amendment in order that we can establish some accountability for the expenditure of these public funds.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...Senator Etheredge has moved the adoption of...House...of Amendment No. 3 to House Bill 3511. 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? Take the record. On that question, the Ayes are 29, the Nays are 29, none voting Present. Amendment No. 3 fails. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. House Bill 3539, Senator Hall. House bills

HB 3615  
2nd Reading

2nd reading is House Bill 3539, Madam Secretary.

SECRETARY:

House Bill 3539.

(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. 3540, Senator Hall. On the Order of House Bills 3rd...2nd Reading is House Bill 3540, Madam Secretary.

SECRETARY:

House Bill 3540.

(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. 3542, Senator Carroll. House bills 2nd reading is House Bill 3542, Madam Secretary.

SECRETARY:

House Bill 3542.

(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. 3615, Senator Degan. House bills 2nd reading is House Bill 3615, Madam Secretary.

SECRETARY:

House Bill 3615.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Are there amendments from the Floor?

SECRETARY:

Senator Hawkinson offers Amendment No. 1.

PRESIDENT:

Senator Hawkinson on Amendment No. 1.

SENATOR HAWKINSON:

Thank you, Mr. President. House Bill 3615 creates increased penalties for aggravated battery against a senior citizen. The current aggravated battery bill treats senior citizens, teachers, park district workers, DCFS, public aid workers, most importantly, policemen and firemen, senior citizens, judges, handicapped individuals and children equally at the present time. This amendment would apply the same penalties for aggravated batteries involving disfigurement to police officers, young children, handicapped persons and the other categorically protected individuals equally with senior citizens and I would ask for its adoption.

PRESIDENT:

Any discussion? Senator Degnan.

SENATOR DEGNAN:

Question.

PRESIDENT:

Sponsor indicates he'll yield, Senator Degnan.

SENATOR DEGNAN:

Senator Hawkinson, you are adding ten categories to this bill which...which creates the Class 2 felony nonprobationable. Is that correct?

PRESIDENT:

Senator Hawkinson.

SENATOR HAWKINSON:

Yes, it treats all the protected categories equally.

PRESIDENT:

Senator Degnan.

SENATOR DEGNAN:

Among those in the protected categories are employees of DCFS, peace officers, firemen, judges, teachers, caseworkers, but also taxicab passengers, limousine passengers, persons on elevated platforms and bus stops. Is that correct?

PRESIDENT:

Senator Hawkinson.

SENATOR HAWKINSON:

Yes, that'd be category number six, drivers, operators, employee or passengers of transportation facilities. They're currently a protected category.

PRESIDENT:

Senator Degnan.

SENATOR DEGNAN:

Well, it looks like Senator Hawkinson and I have finally found something to disagree on involving crime and punishment. House Bill...3615 in its pristine form creates the offense of aggravated battery for senior citizens only. I believe the weight of this amendment might cause the bill to be killed in the House and would urge a No vote.

PRESIDENT:

All right, further discussion on Amendment No. 1? Senator Raica.

SENATOR RAICA:

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

PRESIDENT:

Sponsor of the amendment indicates he will yield, Senator Raica.

SENATOR RAICA:

Senator Hawkinson, under the title of firefighter, is it

legislative intent to also include paramedics and ambulance personnel under that?

PRESIDENT:

Senator Hawkinson.

SENATOR HAWKINSON:

It's...it's more than legislative intent, it...it includes them specifically under category five. It includes firemen, paramedic, ambulance drive or other medical assistance or...first aid personnel. It's the same language that currently exists in the aggravated battery section.

PRESIDENT:

All right, Senator Hawkinson has moved the adoption of Amendment No. 1 to House Bill 3615. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 38 Ayes, 12 Nays, none voting Present. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. Senator Newhouse, 3662. Senator Demuzio, 3663. On the Order of House Bills 2nd Reading, bottom of page 18, is House Bill 3663. Read the bill, Madam Secretary, please.

SECRETARY:

House Bill 3663.

(Secretary reads title of bill)

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

PRESIDENT:

Senator Carroll on Committee Amendment 1.

SENATOR CARROLL:

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

Senate. Committee Amendment No. 1 is to switch the source of funding and to comply with the two-thirds general revenue fund...one-third county funds for the rents of the various offices. I would move its adoption.

PRESIDENT:

Senator Carroll has moved the adoption of Amendment No. 1 to House Bill 3663. Discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. We skipped, inadvertently, 3543. With leave of the Body, we'll go back and pick that up. On the Order of House Bills 3rd Reading is House Bill 3543. Read the bill, Madam Secretary, please.

SECRETARY:

House Bill 3543.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. Top of page 19, ladies and gentlemen, on the Order of House Bills 2nd Reading, Senator Degnan, 3739. Top of page 19. 3846, Senator Carroll. On the Order of House Bills 2nd Reading is House Bill 3846. Read the bill.

SECRETARY:

House Bill 3846.

(Secretary reads title of bill)

2nd reading of the bill. Committee on Appropriations I offers Committee Amendment No. 1.

PRESIDENT:

Senator Carroll on Committee Amendment No. 1.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Committee Amendment No. 1 would do...bring the bond authorization bill down to a dollar over last year's level to keep the bill moving so that know what the bond authorization level needs will be as we get closer to June 30th or beyond. I would move its adoption.

PRESIDENT:

Senator Carroll has moved the adoption of Amendment No. 1 to House Bill 3846. Discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

3rd reading. 3931, Senator Maitland. On the Order of House Bills 2nd Reading is House Bill 3931. Read the bill, please,...

SECRETARY:

House Bill 3931.

(Secretary reads title of bill)

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

PRESIDENT:

Senator Maitland.

SENATOR MAITLAND:

Mr...Mr. President, move to Table Committee Amendment No. 1.

PRESIDENT:

All right, Senator Maitland has moved to Table Committee Amendment No. 1 to House Bill 3931. Discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have



it. Motion carries. Amendment No. 1 is Tabled. Further amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

Senators Maitland and President Rock offer Amendment No. 2.

PRESIDENT:

Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President and members of the Senate. Amendment No. 2 to House Bill 3931 represents an absolutely totally, I believe, agreed to amendment. You may recall that some weeks ago we passed from this Chamber Senate Bill 2201 which had a...an amendment that...that I think dramatically altered some of the administrative areas of the Nursing Home Care Reform Act of 1979. That bill met with some...I should strike that and say, much opposition in the House and further negotiation took place and I...I really applaud the efforts of just about every one of the advocacy groups on this issue...including Senator Smith and...and Senator Topinka and...and others who really worked hard in putting this together. And I believe, Mr. President, this represents a...an amendment that can be accepted by everyone and I would move for its adoption.

PRESIDENT:

All right, Senator Maitland has moved the adoption of Amendment No. 2 to House Bill 3931. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

Amendment No. 3 offered by Senator Maitland.

PRESIDENT:

Senator Maitland. Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President. Amendment No. 3 to House Bill 3931 is a technical amendment that...that removes the DPA's objection to the bill.

PRESIDENT:

All right, Senator Maitland has moved the adoption of Amendment No. 3 to House Bill 3931. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. 4024. On the Order of House Bills 2nd Reading is House Bill 4024. Read the bill, Madam Secretary.

SECRETARY:

House Bill 4024.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 4053, Senator Madigan. On the Order of House Bills 2nd Reading is House Bill 4053. Read the bill, Madam Secretary, please.

SECRETARY:

House Bill 4053.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

Senator Madigan offers Amendment No. 1.

PRESIDENT:

Senator Madigan on Amendment No. 1.

SENATOR MADIGAN:

Thank you, Mr. President. Amendment No. 1 to House Bill 4053 reinstates the word "for" which was inadvertently deleted in the amendment and I would ask for its adoption.

PRESIDENT:

Senator Madigan has moved the adoption of Amendment No. 1 to House Bill 4053. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. 3094, Senator Poshard. On the Order of House Bills 2nd Reading is House Bill 4094. 4-0-9-4. Read the bill, Madam Secretary.

SECRETARY:

House Bill 4094.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 4125. 4156, Senator Barkhausen. On the Order of House Bills 2nd Reading is House Bill 4156. Read the bill, Madam Secretary.

SECRETARY:

House Bill 4156.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 4256, Senator Netsch. On the Order of House Bills 2nd Reading is House Bill 4256. Read the bill, Madam Secretary.

SECRETARY:

House Bill 4256.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

PRESIDENT:

Senator Netsch offers Amendment No. 1.

PRESIDENT:

Senator Netsch on Amendment No. 1.

SENATOR NETSCH:

Thank you, Mr. President. Senate Amendment No. 1 is known as the utility tax on wellhead purchases of gas. It is not an inconsequential amendment. It was not offered in committee because it was not drafted at that time but it was made clear in committee that it would be offered as an amendment to this bill. Basically, what the amendment does is to restore a tax to gas which is purchased at the wellhead and transported by pipeline companies in their public utility capacity, a tax that has been escaping both state and local utility taxes since a fairly dramatic change in the federal regulation of pipelines in late 1985. The state has...the state does currently tax public utilities at...or gas sales,

I should say, at five percent of gross receipts. In addition, a number of municipalities throughout the state, in fact, two hundred and twenty-five of them, also have a utility tax which is authorized by Statute up to five percent of gross receipts except in Chicago where it is eight percent. In the past, pursuant to a 1955 Illinois Supreme Court decision, it was not possible to tax interstate purchases of...of natural gas. What happened was that in 1985, I think the exact date was in September, 1985, the...the federal government...the Federal Energy Regulatory Commission effectively deregulated interstate pipelines and the result of that was that it was for the first time possible for others to purchase gas in interstate commerce, that is, at the source, have it transported through the pipelines in their public utility capacity and then take title to it and use it in the State of Illinois. The nature of this transaction was such that the...both the state and the local taxes were not applied to the transaction. There is no question that there has been an enormous increase in the number of purchasers who have, in fact, taken their natural gas this way since 1985. I should note that there were some who did this before 1985 and mostly some fairly large industrial consumers. They had effectively built their own pipeline attachments to be able to take it directly from the interstate pipelines. The amendment grandfathers in those who already were taking their gas in that fashion and not paying the tax prior to 1985. That seemed like a fair accommodation. But what it does for all of the others, really, is to put everyone on the same basis. I really believe that this is a matter of fairness. There is a fair amount of...of revenue involved, both to the state government and to municipalities, that is correct. But it seems to me that the principal argument is that it is not fair for some consumers to be able to take their gas and avoid both state and local taxes while others have to pay it.

Typically it is larger users, industrial or commercial or other...or institutional, in some cases, who are able to take advantage of this loophole. That gives them an added advantage over the smaller concerns who often are not in a position to do the same thing. So, I really believe that this is a genuine leveling of the playing field, to use today's favorite expression. It does make it fairer for everyone involved. It is something...it is a matter of tax policy that I think ought to be put into place by the state and I would urge the adoption of Amendment No. 1 to House Bill 4256.

PRESIDENT:

All right, Senator Netsch has moved the adoption of Amendment No. 1 to House Bill 4256. Discussion? Senator Fawell.

SENATOR FAWELL:

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

PRESIDENT:

Indicates she will yield, Senator Fawell.

SENATOR FAWELL:

Senator Netsch, you...you make two exemptions in this...in this amendment, and one is to those who are of a religious organization according to the United States Internal Revenue Code. Is that right? I presume that includes the Archdiocese of Chicago and the Archdiocese of Joliet which is doing this?

PRESIDENT:

Senator Netsch.

SENATOR FAWELL:

And Rockford?

SENATOR NETSCH:

I would assume they would be within that definition.

PRESIDENT:

Senator Fawell.

SENATOR FAWELL:

Could you also tell me the...and the other one is a customer or user purchasing gas for use in manufacturing, refining or processing. Now, what about the hospitals and the universities?

PRESIDENT:

Senator Netsch.

SENATOR NETSCH:

They would not be covered by the exclusion, which is to say that they would be subject to tax under the bill. Let me...by the way, I should correct myself in one respect, in addition, the bill is structured...this is not easy to see in the language of the bill, but the bill is so structured that any business located in an enterprise zone also would not be subject to the tax. That is just the way all of the various laws work with one another. I should mention that.

PRESIDENT:

Senator Fawell.

SENATOR FAWELL:

For...for in other words, all the industries that have been around for awhile that have taken advantage of this will be exempt, in effect, but our nursing homes, our hospitals, our universities, et cetera will not be exempt nor will our new industries that are...are presently coming into the state or...or possibly might be interested in relocating somewhere in the state. Is that...is that true?

PRESIDENT:

Senator Netsch.

SENATOR NETSCH:

As...as I heard your question, the...I believe that is correct and I...let me just add a...an explanation of why that is so. Those who were purchasing prior to 1985, really were doing so pursuant to a court decree which made it clear

they could do it...to my knowledge, most, if not all of them, really built their own pipelines and their own interconnections so that they could be subject to taking directly from the pipeline and avoiding the tax. So, they had made an investment in that arrangement and it had been in effect for many of them for a long, long period of time. That is the reason for that cutoff of 1985.

PRESIDENT:

Further...Senator Fawell.

SENATOR FAWELL:

Well, to the bill. I happen to be the minority spokesman on this...this committee. This bill was brought to Local Government. The amendment was not seen by the committee. It was suggested to the sponsor that she hold this bill in a subcommittee until we get a chance to look at this amendment. She claims this is a...a fair amendment. I see nothing fair about it. It's just those that got it keep it, those that don't won't. I think that is...is very unfair for those who are interested in possibly moving into the State of Illinois and bringing their manufacturing plants with them. I think it's unfair to our universities. I think it's unfair to our other educational institutions that are doing this. It is not true that a lot of these manufacturers are...have built their own pipes. I have talked to the lobbyists...with the Northern Illinois Gas people and they have informed me they are using Northern Illinois Gas pipes and have since the beginning. I think this is a very bad amendment. I think if she really wanted to do this, it would be much more fair to take it to her own committee, in Revenue, rather than taking it to Local Government where we did not have the expertise, and I would suggest that we soundly defeat this amendment. Thank you.

PRESIDENT:

Further discussion on Amendment No. 1? Senator



DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. I am really shocked that Senator Netsch would offer this amendment, because as I have been in this Body, I have heard...heard countless diatribes about convoluting and corrupting the process. Senator Netsch, you are the chairman of the Revenue Committee, a committee that this bill had been heard on last year, a committee where this had been defeated. Now, I see you're bringing it up through Local Government, and had I not known any differently, I would have thought that perhaps you were doing this with good intention, but I can tell you right now that this thing is really lousy. You talk about unfairness, let me tell you, the utility tax is probably on its face the most unfair tax there is because it punishes those people who tend to use more energy, who create jobs by using that energy, who contribute to the revenue of the State of Illinois by using that product and now we're going to tax them because they're, in fact, using that product. It would be akin to taxing somebody in a particular industry on a particular item of raw material that they used. Energy is raw material to many manufacturers. In fact, in many industries, it is perhaps the second if not the first highest cost and you're, in fact, going to tax them. Illinois has been hard hit in terms of the loss of manufacturing jobs and I'll tell you, I think we're coming back to 1975 with this bill where we're going to send a message to the manufacturers of the State of Illinois, don't come into this state because we're going to put some taxes on you that you won't have to pay someplace else. Now, the other thing. In terms of the risk that is taken by those people who purchase at the wellhead, you...this tax is so fair that you've sought to exempt certain people out of it because you thought it would be unfair to impose that tax on those people. Well, the people who will, in fact, be pur-

chasing this in the future will be taking the very same risks that you indicate you ought to exempt people out of for having taken in the past. When you buy at the wellhead, you, in fact, buy that well. When you...yes, you do, Senator Netsch, you buy the well. Well, you ought to get a little more, you know, in tune with what the people that buy this product do, and, frankly, in the future, they'll be buying that well again. Now the people who don't do that buy directly from the utility company. They don't take the same risk. In fact, they don't make any commitment at all to use any part of it at all, whereas the person that buys at the wellhead has taken a risk that he's going...he or she is going to consume a certain amount of product. I just think this sends a lousy signal, and the other group that's going to be taxed on this is the people that we're, in fact, furnishing money to, which is the most ridiculous way in the world to tax because we're taxing the people that we, in fact, appropriate money to and then saying we're going to have to send them more money because we taxed them. I'll tell you, this is outrageous.

PRESIDENT:

Further discussion? Senator Collins.

SENATOR COLLINS:

Question of the sponsor.

PRESIDENT:

Sponsor indicates she...she will yield.

SENATOR COLLINS:

Senator Netsch, for the record, would you repeat again those groups who are exempted and give us your rationale about which they were selected to be exempt.

PRESIDENT:

Senator Netsch.

SENATOR NETSCH:

The principal group are those who had already been purchasing without paying the tax prior to the change in federal

regulatory policy in 1985. My understanding is that there were twenty-seven Illinois industrial companies who had...who had been purchasing in this fashion for a long period of time and who had, in fact, built their interconnections to the pipelines. Those are the ones who had never paid tax on their purchases who would be continued.

PRESIDENT:

Senator Collins.

SENATOR COLLINS:

Does that include Catholic Charities?

PRESIDENT:

Senator Netsch.

SENATOR NETSCH:

No, that's in the second part of the exemption...or...yeah, it's a separate part in any event, right.

PRESIDENT:

Senator Collins.

SENATOR COLLINS:

Did you exempt Catholic Charities?

PRESIDENT:

Senator Netsch.

SENATOR NETSCH:

...the exemption...the answer is not by name. The exemption is for consumer or a user that is a religious organization exempt from taxation under Section 501C3 of the United States Internal Revenue Code.

PRESIDENT:

Further discussion? Senator Watson.

SENATOR WATSON:

Yes, thank you, Mr. President. Senator Netsch, in one piece of legislation, you're trying to clarify the sales tax issue, at least that was your intent with what you did with the previous Senate bill, and in this particular piece of legislation, I think you're trying to muddy the waters or

trying to confuse it even further with all the exemptions that you're talking about; and we're also...a situation in which many industries here in Illinois, many manufacturers and others, are going to see possibly a ten percent increase in the tax on natural gas, a...a major increase in cost to doing business here in Illinois, and my concern is that I come from an area in which some of the eighty...1985 provisions will be of benefit but who's to say next year that we come in and decide we want to take that 1985 exemption out? I just have a lot of concerns with this and I think the proper vote on this particular legislation on this amendment is a No vote. Thank you.

PRESIDENT:

...further discussion? Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. I would rise in support of this piece of legislation. I sponsored this bill last year in the Revenue Committee and some of these things that have been said today by the opponents are right. Senator DeAngelis is right, the utility tax is unfair, but it's unfair to everyone, not just businesses who get this tax break, it's unfair to all of us. What this bill does is say that, all right, you large businesses have the ability to buy natural gas at the wellhead. We individual consumers, having only one pipe coming to our house, can't do that, we can't get the benefits, the economies of scale that you can get. That doesn't mean you should be exempt from taxation. You know, we're here in the next two weeks discussing an income tax increase and one of the major reasons for that tax increase is because we've given a billion dollars and more in tax breaks over the past ten years, and now what we're doing here today is trying to close down one little bitty, teeny-weeny loophole in all those tax breaks that have been granted over the past ten years. This bill may raise fifteen

million dollars at most and we're getting all this objection to closing one loophole and that's what seems unfair to me. It seems to me that people should be on an equivalent basis. Everybody should have to bear the burden of that tax. This isn't just a tax for the state though, it's also a municipal home rule tax. The City of Chicago will probably get ten to fifteen million dollars out of this tax. Projections have been that into the 1990's Chicago will lose more than one hundred million dollars in anticipated revenue if this bill does not pass, and the reason for that is, as more businesses and groups of people such as condominiums or high-rise apartment buildings are able to buy directly from the wellhead, they are going to be able to avoid the state tax. It isn't just business that's going to pay this tax, it's anybody in large apartment buildings, and Chicago is projected to lose all this money, so it would be foolish for those individuals to vote against this bill. The idea that business is going to not locate here, we here this every single time we try to pass a bill dealing with businesses that they haven't approved beforehand. We're ringing the bell once again and rounding up the usual arguments, usual arguments that are brought up that businesses are going to leave, they're not going to come in, we'll lose jobs. It's another false alarm that's being raised, because most of the businesses that are new and do come into the State of Illinois are encouraged by the state to locate in one of the sixty-five enterprise zones in the state. They are exempt from this tax by law. They will not have to pay this tax. If we create enterprise zones with the idea of encouraging businesses to locate there, this would seem to me to go along with that philosophy. This encourages you to locate in an enterprise zone. This isn't a departure from state philosophy, this goes hand in hand with existing philosophy about enterprise zones. It seems to me that at a time when we talk about raising revenue for edu-

cation and raising revenue for all types of other good projects, the first bill that comes along, the only bill that's come along that's going to raise revenue has created the most controversy and the most opposition, and I think it's unfair and I think that the unfairness is that people are able to avoid taxes because they're big, not because it's...they're more entitled. So, I would urge an Aye vote on this bill.

PRESIDENT:

Further discussion? Senator Joyce.

SENATOR JEROME JOYCE:

Thank you, Mr. President. I would rise in opposition to this amendment. I think that...I'm somewhat surprised by some of the arguments that are made here on...from both sides of the aisle. If...if we do this, the one thing that is competitive for business in this state is gas and in my part of the state, in northern Illinois, the rates of...that we pay for electricity are so high that it is the only thing that makes...that gives...an employer a chance is this...this cheaper gas. They can cogenerate using this and...and the...I guess the argument made from the other side of the aisle about the cost and so forth, we've had plenty of opportunities to do something with...with electric rates by...in fact, Senator Netsch's bill a...a couple of years ago by setting a cap on excess capacity; and then, Senator Welch, I hear you arguing about this but actually what you're doing is...is stopping wheeling of natural gas with this amendment. So, I...I don't think we can afford to do that either, so...I...I would suggest that...that we oppose this amendment because it is the one thing that employers in this state still have going for them and...and I don't think that I want to be part of taking that away.

PRESIDENT:

Further discussion? Senator Newhouse.

SENATOR NEWHOUSE:

Thank you, Mr. President and Senators. I rise in support of this...thank you, Mr. President. I rise in support of House Bill 4256. I rise in support of it on two issues. One is the fact that, of course, it...it has impact on the sources of revenue for the City of Chicago and that is extremely important. The other issue, of course, is the kinds of situation that we find ourselves in in Springfield today and that is looking for revenues for our...our educational system, for social services and elsewhere. It seems to me that to support a measure that would reduce the revenues to the City of Chicago, reduce the kind of revenues that are required for us to maintain a minimal level, a minimal level among our services would be a mistake, and in that respect, I would ask all our legislators to vote Yea on this bill and I will so do. Thank you, Mr. President.

PRESIDENT:

Further discussion? Senator Rigney.

SENATOR RIGNEY:

A question of the sponsor.

PRESIDENT:

Indicates she'll yield, Senator Rigney.

SENATOR RIGNEY:

Senator Netsch, are you aware of any restrictions that are placed on at the wellhead as to who can buy?

PRESIDENT:

Senator Netsch.

SENATOR NETSCH:

I think the...the answer to your...your question is, no, I am now aware. That doesn't mean there may not be any, Senator Rigney, I just don't know about it.

PRESIDENT:

Senator Rigney.

SENATOR RIGNEY:

I think probably Senator Welch kind of made an interesting point that looking on ahead of what might happen here, someday the condo associations will be buying, I can see maybe the downtown business groups banding together, I can see your farm co-ops getting into the act, and I just kind of wonder, you know, a few years down the road if anyone is going to be paying this tax and it seems to me the least painful time to cut it off would be right now and that being the case, I intend to support the amendment.

PRESIDENT:

Further discussion? Senator Holmberg.

SENATOR HOLMBERG:

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

PRESIDENT:

Indicates she will yield, Senator Holmberg.

SENATOR HOLMBERG:

Senator Netsch, I...I noticed within the bill that you have exempted religious organizations. Did you consider exempting school districts and educational institutions?

PRESIDENT:

Senator Netsch.

SENATOR NETSCH:

That suggestion has been made to me since the amendment was drafted and filed, and what I have said to those people was that I felt I had to go ahead with the amendment in the form in which it is. If it passes and goes back to the House and the House wants to think about that some more, that certainly is perfectly all right to me, but I just felt that I'd gone too far with it in this form. I'd circulated it to all the interested parties and I didn't want to start changing the amendment at that point.

PRESIDENT:

Further discussion? Senator Hall.



SENATOR HALL:

Will the sponsor yield for a question?

PRESIDENT:

Indicates she will yield, Senator Hall.

SENATOR HALL:

Senator, I see you changed it from five hundred thousand to counties of at least two hundred thousand which brings in my county along with a number of other counties. Now, tell me what effect is this going to have on the...the poor and the other people in these counties who have a terrific time now paying. I have one utility there that has both gas and electric. So, would you mind telling me?

PRESIDENT:

Senator Netsch.

SENATOR NETSCH:

No, that is...that was a different provision that dealt with an entirely different matter in the original bill. That is not...there is no population limit with respect to the amendment that we are now addressing. It is not there at all.

PRESIDENT:

Further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. Just...just a very brief comment. Most of us have a printout that is signed by a group of manufacturers for the most part and businesses in the state who ask us to oppose this bill. Looking at that list, I pick out some interesting names. Northwestern Steel and Wire Company about four years ago didn't have any employees for awhile. They're a steel company struggling for their existence. They've just now gotten back to the point where they have apparently developed a profit. They're beginning to show profits again. Is this a good time to impose a new tax on such industries? Caterpillar Tractor

Company had years of...of losses in Illinois, beginning to show a profit now, just coming out of that problem. Is this a time to impose a new tax on those industries? I can go down the list, Galva Foundry, a whole bunch of them. It's more important that we...that we give some incentives to these businesses now than to give them the wrong signal. I think this is a bad amendment.

PRESIDENT:

All right, question is the adoption of Amendment No. 1. Senator Netsch may close.

SENATOR NETSCH:

Thank you. Thank you. I would like to make a couple of points. First of all, to Senator Joyce in particular, I would like to point out that one of the major advantages, probably the major advantage, of purchasing at the wellhead is a discount price. In no way are we prohibiting any such purchases at the wellhead. It is only the tax we are talking about and it is either a five percent state tax and/or an up to five percent local tax depending on where you're located, so that the discount is still available and that is the major advantage. To Senator Schuneman, I would say that at least one of the...employers that you mentioned I know is in an enterprise zone and would not be affected by this at all; the other one, I do not know, although I think it is very possible that they may also be located in an enterprise zone. Finally, let me just make one point about this business of fairness. I...I realize that fairness is in the eyes of the beholder, but look at what this bill...or this amendment is doing. It really is putting everyone who is in the same position at the same time in exactly the same context and it seems to me that is fair. The pre-1985 purchasers never paid this tax, they built their own interconnections and they had simply never been subject to it at all. If we had...put them into the same position now of paying the tax, I think they

would have had a reasonable unfairness argument. The post-1985, those...whether they're institutional, industrial or whatever, had always been paying this tax. It is only because of the change in federal regulatory policy that they have been able to find a way to get out from under the tax. It seems to me that we ought to put them back in the position they were before this quirk of federal regulatory policy. That is exactly what the bill does. It is important revenue to the state and many cities, two hundred and twenty-five cities in this state. Most of all, it is fair to the taxpayers who are paying this tax. I urge its adoption.

PRESIDENT:

Question is the adoption of Amendment No. 1 to House Bill 4256. Those in favor of the amendment will vote Aye. Opposed will vote Nay and the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 15 Ayes, 39 Nays, none voting Present. Amendment No. 1 fails. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. 4269, Senator Lechowicz. On the Order of House Bills 2nd Reading, bottom of page 19, House Bill 4269. Read the bill, Madam Secretary.

SECRETARY:

House Bill 4269.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. If I can have your attention, ladies and gentlemen, the education summiteers are back with us and we missed a few bills of theirs while they were off the Floor. Let's just back up, Madam Secretary. 3662, Senator Newhouse. On the Order of House Bills 2nd Reading, at the bottom of page 18, is House Bill 3662. Read the bill, Madam Secretary.

SECRETARY:

House Bill 3662.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. Middle of page 18, 3489, Senator Schaffer. On the Order of House Bills 2nd Reading, Madam Secretary, we'll wait. We'll just page through and see if you've got an amendment. 3489. Read the bill, Madam Secretary.

PRESIDENT:

House Bill 3489.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

Senator Schaffer offers Amendment No. 1.

PRESIDENT:

Senator Schaffer on Amendment No. 1.

SENATOR SCHAFFER:

There are, I believe, two amendments up there. The first amendment, I think, is designed to put this bill in the identical shape of the bill that we earlier passed out of the Senate as per my agreement with the committee chairman.

PRESIDENT:

All right, Senator Schaffer has moved the adoption of Amendment No. 1 to House Bill 3489. Discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

Amendment No. 2 offered by Senator Schaffer.

PRESIDENT:

Senator Schaffer on Amendment No. 2.

SENATOR SCHAFFER:

We...we have not yet...agreement on this and in deference to the chairman, I'd like to withdraw that amendment until we do.

PRESIDENT:

Amendment No. 2 has been withdrawn. Are there further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. Bottom of page 17. Bottom of page 17, ladies and gentlemen, on the Order of House Bills 2nd Reading is House Bill 3281. 3281. Read the bill, Madam Secretary, please.

SECRETARY:

House Bill 3281.

(Secretary reads title of bill)

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

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

Thank you. Committee Amendment No. 1 just adds one dollar to the general State Aid Formula appropriation. Move the adoption of Committee Amendment No. 1.

PRESIDENT:

All right, Senator Berman has moved the adoption of Committee Amendment No. 1 to House Bill 3281. Discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

Senator Berman offers Amendment No. 2.

PRESIDENT:

Senator Berman on Amendment No. 2.

SENATOR BERMAN:

The...this...this amendment just deletes the effective date. The purpose of that is so that the bill if it went back to the House would not be concurred in, they would have to...amend it and keep it moving. So, I move the adoption of Amendment No. 2.

PRESIDENT:

All right, Senator Berman has moved the adoption of Amendment No. 2 to House Bill 3281. Discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

Amendment No. 3 offered by Senator Maitland.

PRESIDENT:

Senator Maitland on Amendment No. 3.

SENATOR MAITLAND:

Thank you, very much, Mr. President and members of the Senate. Amendment No. 3 to House Bill 3281 deletes ninety-nine million one hundred and four thousand dollars from general state aid and...and allows it to arrive at the

FY '88 level and adds back eight hundred and ninety-five thousand to fully fund the Special Education Summer School line item. I move for the adoption.

PRESIDENT:

Senator...Senator Maitland has moved the adoption of Amendment No. 3 to House Bill 3281. Discussion? Senator Berman.

SENATOR BERMAN:

Well, thank you, Mr. President. Like Everett Dirksen once said, "A hundred million up, a hundred million down and you start doing that enough and we get into...real money." I stand in opposition to Amendment No. 3. This amendment would cause virtually every school district to lose money when compared to the funding process. There would be less money in the general State Aid Formula than there was in the previous year. I don't think that's the way we want to vote a bill dealing with general state aid out of the Senate. I rise in opposition to Amendment No. 3.

PRESIDENT:

Further discussion on Amendment No. 3? Senator Maitland, you wish to close?

SENATOR MAITLAND:

...yes, Mr. President, just to say to, Senator Berman, while you were not here, we did...we did substantially increase the funding to the categoricals and...and what we are doing is simply taking the appropriation for the general distributive fund back to the FY '88 levels, but we have increased substantially, as a matter of fact, by about a hundred and twenty-four million dollars the...the money that...that now resides in...in the categoricals and in reform.

PRESIDENT:

Question is the adoption of Amendment No. 3 to House Bill 3281. Those in favor of the amendment will vote Aye.

Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 23 Ayes, 32 Nays, none voting Present. Amendment No. 3 fails. Further amendments?

SECRETARY:

Amendment No. 4 offered by Senator Maitland.

PRESIDENT:

Senator Maitland on Amendment No. 4.

SENATOR MAITLAND:

Thank you, very much, Mr. President and members of the Senate. Two years ago, this Body passed out Senate Bill 417 sponsored by Senator Degnan and that bill was the...the...had a...had an amendment on it that placed in...in...in motion a...a freeze on farmland assessment bill for one year. We also promised those school districts a hold harmless. We did not fund that last year. This is meeting that commitment and there are quite a number of...of counties that are affected, quite a number of school districts that are affected and I would move for its adoption.

PRESIDENT:

All right, Senator Maitland has moved the adoption of Amendment No. 4 to House Bill 3281. Discussion? Senator Berman.

SENATOR BERMAN:

Thank you. There are a lot of commitments that have been made in the process of funding of schools that we have not kept. Hopefully, between now and June 30th, from my point of view, there will be funds to address all of these commitments. I don't think this is the time for us to start taking care of one commitment and ignoring others. It may be very good but I'd like to address more than just the farmland question and, therefore, at this point, I would stand in opposition to Amendment No. 4.



PRESIDENT:

Further discussion? Senator Demuzio.

SENATOR DEMUZIO:

Well, I reluctantly arise to support Amendment No. 4. As I recall correctly, I think it was my amendment that was on the bill when it left here, as I recall, and I think we've already done this with respect to reimbursing cities and...and...and what we have left out is the school districts, as I recall correctly, and I'm just looking at this for the last few minutes, but I would rise in support of Amendment No. 4.

PRESIDENT:

Discussion? Further discussion? If not, Senator Maitland has moved the adoption of Amendment No. 4 to House Bill 3281. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

Amendment No. 5 offered by Senator Maitland.

PRESIDENT:

Senator Maitland on Amendment No. 5.

SENATOR MAITLAND:

Mr. President, I wish to withdraw that amendment, please.

PRESIDENT:

Gentleman wishes to withdraw. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. Senator Berman, 3264, just above it. On the Order of House Bills 2nd Reading is House Bill 3264. Read the bill.

SECRETARY:

House Bill 3264.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. Middle of page 15, Senator Kustra, we skipped your DORS bill. On...yes, Senator Berman, for purpose do you arise?

SENATOR BERMAN:

Thank you. I...I indicated I...I just want to make a statement. 3264, which we just moved, we're still working on an amendment and I committed to everybody that's been involved in the Social Workers Registration Act that it would come back when the amendment is prepared. So, I didn't want to just move it without making that statement. Thank you, Mr. President.

PRESIDENT:

Middle of page 15, ladies and gentlemen, on the Order of House Bills 2nd Reading is House Bill 3203. Read the bill.

SECRETARY:

House Bill 3203.

(Secretary reads title of bill)

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

PRESIDENT:

Senator Hall on Committee Amendment No. 1.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Committee Amendment No. 1 eliminates the merit compensation that's not taken out by the House amendments and cuts for the department's office relocation until a new one is actually found. I move for the adoption of the amendment.

PRESIDENT:

Senator Hall has moved the adoption of Committee Amendment No. 1 to House Bill 3203. Discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

Senators Carroll and Brookins offer Amendment No. 2.

PRESIDENT:

Senator Carroll on Amendment No. 2.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Consistent with the action we took in committee,...excuse me...this is an effort to raise the pay for those personal care attendants who are the three dollar and fifty cent an hour people who help the severely handicapped, wheelchaired and others get around and go about their daily chores, their work, their education. The federal government has allowed an eighteen cent increase. In committee, we were going to offer a twenty-five cent increase to that minimum wage. It was suggested to us by the department that that could jeopardize federal funding which we did not want to do. This is the amount that appears to be the approved amount which will not jeopardize any federal funds that flow into this program. So, this would allow an eighteen cent an hour increase to the three dollar and fifty cent an hour people who come into the homes with keys of people who cannot get out of their beds and help them get cleaned and dressed and get out to work or school or doctors or whatever. I would move adoption of Amendment No. 2.

PRESIDENT:

Senator Carroll has moved the adoption of Amendment No. 2

to House Bill 3203. Discussion? Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President and members of the Senate. This is an issue that we debated at length in committee and I...I guess there's real...really not any opposition to the concept of raising...of raising it from...by eighteen cents or twenty-five cents or whatever you want to raise it to, that's a decision that's going to have to be made one day, but the fact of the matter is, we put a number of situations in jeopardy here and I...I believe the department has told both sides of the aisle that's...that's a...that's a known fact. These...these workers have gone just recently to three-fifty an hour, April 1st, we approved that, but it has not yet been approved by the Health Care Finance Authority which has to approve those rate increases. Now, it's four months...will be four months probably before that's done and then we put in place yet another salary increase not knowing yet if the first one is going to be approved. You have to have it approved by the feds because we are speaking about Medicaid reimbursement, and what happens if we don't approve it...if they don't approve it, we stand to lose Medicaid reimbursement which then takes away from the clients that we have that are receiving these services the care that they need, up to possibly I believe the figure is as many as three hundred and fifty around this state. I don't think we want to do that. Again, we're not arguing the issue, but we're locked into some things that we have no control over. I think we ought to be careful about what we're doing.

PRESIDENT:

Further discussion? Senator Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Now, when you stop and think that we started out

with twenty-five cents, now we're down to eighteen cents and now we're down...my understanding was the same as Senator Carroll. He stated correctly. We said, no, we don't want to do anything to jeopardize things and...and, Senator Maitland, if you remember, you said, well, we don't usually get into a hassle here, let's wait till we get to the Floor. Now, we're at the Floor, but the point is, are we or are we not at this time going to increase eighteen cents an hour and...and it's unbelievable with the billions and billions of dollars we got down here and all of a sudden when it comes to the handicapped, the poor and all of this, we find so many problems. Senator Carroll is exactly right, we said, okay, we'll wait till we get here. Senator Brookins is the one that had that and I'm sure he wants to say something on this, so I will yield to Senator Brookins.

PRESIDENT:

Senator Brookins had not had his light on until you yielded to him. I wish you'd a...you know. Senator Brookins.

SENATOR BROOKINS:

Thank you, Mr. President, and thank you, Senator Hall. You're absolutely correct. These are the people that puts the handicapped in their wheelchairs and send them off to work so that they don't have to be on public aid, they don't...they are independent and this is why we are asking for this raise for them. This allows these...the personal care people to be able to catch a bus and go to work, that's what we're talking about. So, we'll ask for a favorable vote on this amendment.

PRESIDENT:

All right, further discussion? Senator Carroll, you wish to close...question is the adoption of Amendment No. 2.

SENATOR CARROLL:

Yes, Mr. President, just to answer a few comments as briefly as I can, which is not easy. One, Senator Maitland,

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when you made those arguments in committee that we would jeopardize federal funds at the twenty-five cent level, we withdrew the amendment, and the department has told us...the Governor has said, eighteen cents. Governor said it in his press release, he has said it in statements, eighteen cents is an allowable figure. Let's take one second though to reflect on what we're talking about. This is a handicapped person, bedridden, cannot get up and answer the door, has to hire somebody to whom they trust the keys to their home or apartment coming and get them, get them out of bed, clean them, dress them, put them in a wheelchair, get them to work, et cetera and we're going to be exorbitant and give them three dollars and sixty-eight cents an hour to do that. We ought to adopt this amendment.

PRESIDENT:

Question is the adoption of Amendment No. 2 to House Bill 3203. All in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. All right, ladies and gentlemen, we will now revert for the last hour to the Order of 3rd Reading. Senator Philip and I discussed earlier that Senator Degnan requested because of the presence of a large number of interested people that we begin with...or go out of order. We will begin where we left off, as we indicated, which is House Bill 3636, top of page 7. Leave is being sought to go first to the Order of House Bills 3rd for the purpose of hearing and discussing 1374. There are a large number of constituents...all right, with leave of the Body, Madam Secretary, on the Order of House Bills 3rd Reading is House Bill 1374. On the Order of House Bills 3rd Reading, top of page 3, ladies and gentlemen, is House Bill 1374. Read the bill,

Madam Secretary.

SECRETARY:

House Bill 1374.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Deganan.

SENATOR DEGNAN:

Thank you, Mr. President. House Bill 1374 relates to the MacBride Principles which are nine points designed to help reduce...employment discrimination in Northern Ireland. The bill requires the Economic and Fiscal Commission with the assistance of the Legislative Research Unit to study all public pension funds to determine the amount of assets invested in companies doing business in Northern Ireland and to determine whether those companies adhere to these principles. Further, the IEFC shall report its findings to this General Assembly by July 1st of '89. The bill does not contain any disinvestment provisions and does not mandate any public pension investment policy. Be happy to answer questions.

PRESIDENT:

Any discussion? Discussion? If not, the question is, shall House Bill 1374 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 53 Ayes, 2 Nays, 1 voting Present. House Bill 1374 having received the required constitutional majority is declared passed. All right, top of page 7, where we left off the other day, Senator Hawkinson, are you...on the Order of House Bills 3rd Reading, top of page 7, ladies and gentlemen, where we left off the other day, House Bill 3636. Read the bill, Madam Secretary.

SECRETARY:

House Bill 3636.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Mr. President. House Bill 3636 is the Secretary of State's library per capita grant bill. It has been decreased from the House level by Senate amendment to the introduced level for the purpose of sending this bill on to the conference committee process to await our appropriation situation and to match this bill to the available appropriation. I would ask for your favorable vote.

PRESIDENT:

Discussion? Any discussion? If not, the question is, shall House Bill 3636 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. House Bill 3636 having received the required constitutional majority is declared passed. 3653, Senator Etheredge. On the Order of House Bills 3rd Reading is House Bill 3653. Read the bill, Madam Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 3653.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This bill does several things. It extends the filing deadline for municipalities and their tax levy ordi-



nances from September and to December. There is also an amendment on here put on at the request of the Comptroller's Office which has to do with one of his advisory committees. There is a second amendment on here that deals with...lapse period spending for units of county government. I'll be happy to respond to any questions.

PRESIDENT:

Discussion? Any discussion? If not, the question is, shall House Bill 3653 pass. Those in favor vote Aye. Opposed vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Ayes, 3 Nays, none voting Present. House Bill 3653 having received the required constitutional majority is declared passed. Senator Degnan on 3661. Senator Mahar, 3666. On the Order of House Bills 3rd Reading is House Bill 3666. Read the bill.

ACTING SECRETARY: (MR. HARRY)

House Bill 3666.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Mahar.

SENATOR MAHAR:

Thank you, Mr. President. House Bill 3666 adds landfill waste to the definition of pollution control waste. By this action, landfill operators will better know by manifest the type of material which they will be receiving thereby better be able to handle this waste and I'll be able to...I'll be happy to answer any questions, if not...

PRESIDENT:

Discussion? Any discussion? Senator Hawkinson.

SENATOR HAWKINSON:

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

PRESIDENT:

Indicates he will yield, Senator Hawkinson.

SENATOR HAWKINSON:

Senator, what's the effect of Committee Amendment No. 1?

PRESIDENT:

Senator Mahar.

SENATOR MAHAR:

The effect...in effect, Committee Amendment No. 1 is the bill. It...it...it was...it was language that was recommended by the Illinois Pollution Control Board...the practicality is that it...it adds under this one specific section landfill waste which would be nonhazardous waste but waste...nonetheless may have a high concentration of such as PCB's.

PRESIDENT:

Further discussion? Further discussion? If not, the question is, shall House Bill 3666 pass. Those in favor vote Aye. Opposed vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, 1 voting Present. House Bill 3666 having received the required constitutional majority is declared passed. 3667, Senator Hudson. On the Order of House Bills 3rd Reading is House Bill 3667. Read the bill.

ACTING SECRETARY: (MR. HARRY)

House Bill 3667.

(Secretary reads title of bill)

3rd reading of the bill. Senator Hudson.

SENATOR HUDSON:

Thank you, Mr. President and members of the Senate. This bill does amend the Environmental Protection Act to provide that during operation of a regional pollution control facility, the operator shall comply with the safety standards relating to construction established pursuant to the Federal Occupational Safety and Health Act. This came out of the

House a 112 to zip. Came over here. Came out of committee on the agreed bill list or Consent Calendar or whatever, and unless there are questions, I would urge passage of the bill.

PRESIDENT:

Discussion? If not, the question is, shall House Bill 3667 pass. Those in favor vote Aye. Opposed vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Ayes, no Nays,...1 voting Present. House Bill 3667 having received the required constitutional majority is declared passed. On the Order of House Bills 3rd Reading is House Bill 3668. Read the bill...

ACTING SECRETARY: (MR. HARRY)

House Bill 3668.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Karpziel.

SENATOR KARPIEL:

Thank you, Mr. President. This...House Bill 3668 also amends the Environmental Protection Act, and as amended, it extends the postclosure monitoring requirements...the period for monitoring requirements for sanitary landfills from five...as it is now, five years to fifteen years, and that's all it does. I ask for your Aye vote.

PRESIDENT:

Discussion? Senator Keats.

SENATOR KEATS:

I don't have a conflict on this one because we have established twenty years as a period we work on, but I mention, since this is probably going to go to conference committee with the amendment, you have to be careful with that size 'cause the landfills you're most apt to have trouble with are the small ones. Because of the lack of cash

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flow, they were never built to a standard that would allow them to have long-term care. So, in some ways you may be causing problems by exempting the small landfills which are much more apt to leak than the large ones who had the cash flow to build to appropriate standards. I just throw that in as a thought...but I'll be voting Present.

PRESIDENT:

...question is, shall House Bill 3668 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 Ayes, no Nays, 1 voting Present. House Bill 3668 having received the required constitutional majority is declared passed. 3671...Senator Hudson, for what purpose do you arise, sir?

SENATOR HUDSON:

Point of personal privilege, Mr. President.

PRESIDENT:

State your point.

SENATOR HUDSON:

Back to...briefly to House Bill 3667, which I presented a moment or two ago. In the course of my impassioned plea for its passage, I forgot to vote, and would you please let the record show that I intended to vote Yes on my bill.

PRESIDENT:

The record will so reflect. 3671, Senator Mahar. On the Order of House Bills 3rd Reading is House Bill 3671. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 3671.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Mahar.

SENATOR MAHAR:

Thank you, Mr. President and members. This has two parts. In the first part, by the bill, a forest preserve district would be able to improve the time limits and accuracy of the budget process by adopting their budget and appropriation ordinance by or before the first quarter of the new fiscal year just as park district...park districts currently can do. This bill is permissive. The second part is an amendment that was added on and what it would allow would be a...a clubhouse...one of two clubhouses on a specific parcel of land which is a forest preserve...golf course in DuPage County. This clubhouse would be able to be sold to the Shriners.

PRESIDENT:

Discussion? Any discussion? If not, the question is, shall House Bill 3671 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. House Bill 3671 having received the required constitutional majority is declared passed. 3672, Senator Schaffer. On the Order of House Bills 3rd Reading is House Bill 3672. Read the bill.

ACTING SECRETARY: (MR. HARRY)

House Bill 3672.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Schaffer.

SENATOR SCHAFFER:

Mr. President and members of the Senate, this bill would allow firefighting units of the...obviously, firefighting companies downstate...fire protection districts to use red, white and blue oscillating and rotating lights. Right now,

they can use red or red and white. They would like to be able to use red, white and blue which a study has indicated is the safest combination. I would point out this is not...this is just for their vehicles, the firefighting vehicles, the fire trucks, the rescue squad trucks, not for the cars of the volunteers who use a blue light, that is not affected in any way, but since this appears to be the safest combination according to the experts and the insurance companies, they would like the ability to do it.

PRESIDENT:

Discussion? Senator Jacobs.

SENATOR JACOBS:

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

PRESIDENT:

Indicates he'll yield, Senator Jacobs.

SENATOR JACOBS:

This has nothing to do then with leading the parade on the Fourth of July, the red, white and blue?

PRESIDENT:

Senator Schaffer.

SENATOR SCHAFFER:

Well, I'm...I'm...I suspect that that might be a subagenda among some of the fire truck people, but this is really brought about by a study which indicates there will be less collisions, particularly rear end collisions if they have the blue light oscillating. I don't fully understand it, but the experts tell us it's true, so I guess it's true.

PRESIDENT:

Question is, shall House Bill 3672 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. House Bill 3672 having

HB 3685  
2nd Reading

received the required constitutional majority is declared passed. 3683, I understand, has been asked to be on the recall list. 3685, Senator Severns. On the Order of House Bills 3rd Reading, bottom of page 7, is House Bill 3685. Read the bill, Madam...Mr. Secretary.

END OF REEL

REEL #4

ACTING SECRETARY: (MR. HARRY)

House Bill 3685.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Severns.

SENATOR SEVERNS:

Thank you, Mr. President. House Bill 3685 amends the Public Utilities Act to provide that when the courts overturn or reverse a decision by the Illinois Commerce Commission that the ICC is then required to approve a new decision within six months. Current law does not impose such a deadline and there are some instances where remanded cases have taken years for a ruling. There was no opposition in committee, either in the House or the Senate, and I would be happy to try to answer any questions that you have and urge a favorable vote.

PRESIDENT:

Discussion? Discussion? Senator Hawkinson.

SENATOR HAWKINSON:

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

PRESIDENT:

Indicates she will yield, Senator Hawkinson.

SENATOR HAWKINSON:

Does this new deadline apply whether the hearing is reopened or not or is it only a mandate that there be a decision when there's no reopening of the evidence?

PRESIDENT:

Senator Severns.



HB 3695  
3rd Reading

SENATOR SEVERNS:

The latter.

PRESIDENT:

Further discussion? If not, the question is, shall House Bill 3685 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 Ayes, no Nays, none voting Present. House Bill 3685 having received the required constitutional majority is declared passed. 3695, Senator Topinka. Bottom of page 7, ladies and gentlemen, on the Order of House Bills 3rd Reading, House Bill 3695. Read the bill, please.

ACTING SECRETARY: (MR. HARRY)

House Bill 3695.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Topinka.

SENATOR TOPINKA:

Yes, Mr. President and Ladies and Gentlemen of the Senate, first of all, if I might, before we begin, put on Senator Jacobs as a hyphenated joint sponsor. He asked for that. The...the bill does exactly what it says it was. It would amend the Illinois Human Rights Act to provide that it is not discriminatory for a dentist to refer a person with an infectious disease to another dentist if it's done within ten working days, which is the...usual period that's done professionally, and the receiving dentist accepts the transferee and the receiving dentist has equal or better training and facilities. That is the extent of the bill and I would seek your support or answer any questions.

PRESIDENT:

Discussion? Senator Raica.

SENATOR RAICA:

Will the sponsor yield for a question?

PRESIDENT:

Indicates she'll yield, Senator Raica.

SENATOR RAICA:

Senator Topinka, according to this bill, if a patient has an infectious disease, the dentist will not...or has the option to refer that patient to another dentist within ten days. So, let's have a hypothetical situation here. My daughter goes into the dentist with measles. That dentist, under this piece of legislation, can now refer my daughter to another dentist. Is that correct?

PRESIDENT:

Senator Topinka.

SENATOR TOPINKA:

Your dentist, if there was a feeling that your child was in extreme difficulty or he could not...he or she could not handle the situation, would have the option to refer or very likely could suggest that you take your daughter to a hospital if, indeed, the case was...was very infectious or she was very sick. Usually...I don't think this will ever come up because measles in terms of infectiousness is only about a three-day run, so you, as a parent, would probably be wiser to bring your daughter back in two or three days, that's from Doctor Topinka.

PRESIDENT:

Senator Raica.

SENATOR RAICA:

If a senior citizen were to go into a dentist office and the senior citizen had a runny nose, how would that dentist differentiate between a cold and an allergy?

PRESIDENT:

Senator Topinka.

SENATOR TOPINKA:

I don't know that this necessarily takes care of allergies or runny noses unless it would be an infectious disease and there would have to be some discussion of that fact, probably with the patient announcing that there was something very seriously wrong in terms of the runny nose.

PRESIDENT:

Senator Raica.

SENATOR RAICA:

Mr. President, to the bill, please. This...this bill originally had included in this handicapped people. What we're saying with this particular piece of legislation is that a dentist can...can refer a patient to another dentist if that dentist feels that this patient has an infectious disease. The problem I have with this bill is that if it...if it..if this bill deals with AIDS, then say it deals with AIDS, 'cause I think that's what this piece of legislation does. I think it infringes upon the rights of a human going in to a dentist office and seeking treatment. I think if a person has a toothache...if my daughter had a toothache, went into a dentist office, I don't think she...should be put off up to ten days under this piece of legislation and referred to another dentist. And, secondly, I don't understand how a dentist can...how a person can come into that dentist office and a dentist arbitrarily make a decision that, yes, this patient...what if...I mean, the patient is going to rightfully come in and say, no, there's nothing wrong with me. How can that dentist dispute exactly what that patient is saying. I solicit a No vote on this piece of legislation.

PRESIDENT:

Further discussion? Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. I concur in the comments and the concerns that Senator Raica has raised. Let me add some further ones, because I think it is quite clear that the bill

was particularly aimed at people with AIDS and let me raise just a couple of questions about that. For one thing, it seems to me that with this as a matter of law that those patients who may have tested positive on HIV or, in fact, have AIDS are going to be less likely to tell their dentist about it, so that it is very possible that the very purpose of the bill will be thwarted by the fact that it is, in fact, law and it seems to me that that is a matter of considerable concern. I think another point, and this is just as true with someone who has AIDS or is tested positive as the incident that Senator Raica raised, what happens during that ten-day period that is available for referral, what if the patient, in fact, is in considerable difficulty or considerable pain? It...does that patient just float in limbo during that period of time? It seems to me that that also is a matter of considerable concern about the bill. Finally, it seems to me that this goes exactly contrary to what all of the public health...officials are telling us, including, indeed, the recommendations of President Reagan's AIDS Commission, and that is that if we are going to get a handle on AIDS, what we do not want to do is to erect discriminatory barriers that make it less likely that we will be able to get to the people who may, in fact, have tested positive or have active cases of AIDS. It is exactly contrary to what every public of...health official says. Finally, it seems to me that it really is contrary to the whole role of someone who is in the health care field, and a dentist, indeed, is a medical provider. Their role in life is to treat people who come to them and need help. They are not supposed to be in the position of declining or refusing to treat someone because that person may have, and I quote, "an infectious disease." That is contrary to their professional responsibilities and it seems to me that the bill itself is going to be self-defeating in...even in its original purpose. I would

strongly urge a No vote.

PRESIDENT:

Further discussion? Senator Hall.

SENATOR HALL:

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

PRESIDENT:

Indicates she will yield, Senator Hall.

SENATOR HALL:

Senator, who wants this bill?

PRESIDENT:

Senator Topinka.

SENATOR TOPINKA:

The...the House sponsor, I would assume.

PRESIDENT:

Senator Hall.

SENATOR HALL:

Well, when you look at it, is there any geographical provision in this? Say that a person in Cairo, Illinois, is need of a doctor and he makes it to a doctor in Chicago. It's...have you given thought to what you're really saying here in this thing?

PRESIDENT:

Senator Topinka.

SENATOR TOPINKA:

I...let's put it this way, referrals of any kind medically can be made within the State of Illinois, outside of state, nationally and internationally depending upon what kind of services are desired and where one can get the best and most competent service to...to take care of that. I don't think that this is all that unusual.

PRESIDENT:

Senator Hall.

SENATOR HALL:

Well, to the bill, Mr...this is a very bad bill. I agree with what Senator Raica and Senator Netsch has said. This is a bill that's aimed at discriminating against people and it's a very bad bill and I think that we ought to, at this time, vote such legislation down. This is just terrible.

PRESIDENT:

Further discussion? Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. In response to some of the questions, I guess, I guess as a individual who has jumped on this bill, I did so because I think it's a good bill from the standpoint of giving more qualified professional service. I think if there is...there are very few doctors in...in particular, probably very few dentists that are really involved with the immune system. Let's face it, they pull teeth, they do a lot of other things and they do that well, but when we get involved in the immune system, we are talking about something that's quite complicated, and also in regards to the ten days, my goodness, that's put in as a maximum. We're not talking about keeping people ten days, that's the outside effect. We're talking about immediacy and in most cases, that's what's going to happen and I think it's a good bill and ask for your support.

PRESIDENT:

Further discussion? Senator Watson.

SENATOR WATSON:

Yes, thank you. Question of the sponsor.

PRESIDENT:

Indicates she'll yield, Senator Watson.

SENATOR WATSON:

Does this mean the current law states that a dentist could not deny someone on the basis of an infectious disease? They couldn't...deny medical service?

PRESIDENT:

Senator Topinka.

SENATOR TOPINKA:

No, they could not deny medical service. This just gives them the opportunity, especially in a litigious society dealing with an area of infectious diseases, which, in many cases, is an unknown to the rank and file that have a...a competency on a day-to-day level, so that they can refer on and...and still have some feeling that they would be covered by the law and not necessarily be sued.

PRESIDENT:

Senator Watson.

SENATOR WATSON:

All right, maybe you missed my point. So...say I have an infectious disease and I go in to see a dentist currently...current law says he has to treat me?

PRESIDENT:

Senator Topinka.

SENATOR TOPINKA:

Current law says he does not have to treat you at all. He can refuse you totally.

PRESIDENT:

Senator Watson.

SENATOR WATSON:

Well, then, what are we doing?

PRESIDENT:

Senator Topinka.

SENATOR TOPINKA:

We are giving the option and calling to the attention to the...the dental profession and to the public at large that they have this option to go forward and be referred in the area of infectious diseases which is something that is very, very specific because of the immunological problems involved and it covers that particular area.

PRESIDENT:

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

SENATOR TOPINKA:

Yes, Mr. President. I think Senator Jacobs brings up one of the high points of this that if ten days is a problem, that is the outside number of days that we're talking about. The second thing is, let's talk about the patient who's involved here as well. Many times with infectious diseases you do wind up with an immunological problem. In terms of being upgraded into a better facility where...where...where conditions are much more sanitary than an average dentist office is, which is to not to say a dentist office is not sanitary, but...immune systems that are involved with infectious diseases sometimes require something that is supraimmune because anything can switch those on and off. This is a fair bill. It is something that is not precluded by either...any of the policies of the AMA or the ADA. I...it does exactly what it says it does and I would like your favorable vote.

PRESIDENT:

All right, with leave of the Body, we'll show that there's been leave requested to show Senator Jacobs as a co-sponsor. Leave is granted. Question is, shall House Bill 3695 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 44 Ayes, 10 Nays, 1 voting Present. House Bill 3695 having received the required constitutional majority is declared passed. Senator Savickas, 3705. On the Order of House Bills 3rd Reading, top of page 8, ladies and gentlemen, we have less than thirty minutes to go, is House Bill 3705. Read the bill.

ACTING SECRETARY: (MR. HARRY)



House Bill 3705.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Savickas.

SENATOR SAVICKAS:

Yes, Mr. President and members of the Senate, this bill was originally introduced at the request of the Cook County Treasurer and the Cook County State's Attorney, and it provides, really, six items. It reduces the interest owed by a county for a sale in error for one and a half percent per month to five percent per annum, prohibits any payment of interest on the property is tax exempt or the tax purchaser upon reasonable investigation could have discovered the grounds for the erroneous sale. Three, it eliminates the payment of any interest when a tax purchaser fails to apply for a declaration of sale in error within ninety days of receiving notice from a county that a tax sale should not have occurred. Four, it imposes in Cook County only a dollar fee for each item of land purchased at a tax sale and deposits such fees into a cost fund. Five, it broadens grounds on which a person seeking to redeem his tax delinquent property may defend against a petition for deed filed by a tax purchaser and, six, it allows the county treasurer to apply for a declaration that property has been sold in error.

PRESIDENT:

Discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Sponsor yield for a question?

PRESIDENT:

Indicates he will yield, Senator Geo-Karis.

SENATOR GEO-KARIS:

Senator...

PRESIDENT:

Senator Savickas. Indicates he will yield, Senator Geo-Karis.

SENATOR GEO-KARIS:

Does this bill apply only to Cook County did you say? Okay.

PRESIDENT:

Further discussion? If not, the question is, shall House Bill 3705 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. House Bill 3705 having received the required constitutional majority is declared passed. Senator Mahar, 3712. On the Order of House Bills 3rd Reading is House Bill 3712. Read the bill.

ACTING SECRETARY: (MR. HARRY)

House Bill 3712.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Mahar.

SENATOR MAHAR:

Thank you, Mr. President. This bill does three things. First of all, it deletes all reference to the Illinois Armory Board because they no longer have a function in the construction of armories, that is now done by the Capital Development Board. Secondly, it deletes...or takes the...takes naval out of the...the Department of...the Military and Naval Department and that's very simple. We can't find our navy, so there's no sense in having naval in there. We're changing it to the Department of Military Affairs. And, finally, there is a...an amendment that was offered by Senator Netsch which...puts into law the agreed upon language for the eventual conveyance of an armory to...for the purpose of the

HB 3714  
3rd Reading

Museum for Contemporary Art in Chicago.

PRESIDENT:

Question? If not, the question is, shall House Bill 3712 pass. Those in favor vote Aye. Opposed vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nay, none voting Present. House Bill 3712 having received the required constitutional majority is declared passed. 3714, Senator Netsch. On the Order of House Bills 3rd Reading is House Bill 3714. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 3714.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. House Bill 3714 is intended to provide some additional protections for unit owners in a condominium and it does several things. One, it allows the failure of the board of managers to comply with a provision of the Act to be raised as part of an affirmative defense in any action that might be filed by the board against the owner. Secondly, it prohibits the board from entering into contracts with current board members where there is an ownership of twenty-five percent or more interest, a form of self-dealing which is prohibited. Third, it requires the board to maintain for inspection the names, addresses and, if available, telephone numbers as well as the weighted vote of the owners to be provided within three working days of a request, again, to unit owners; and, finally, it does some strengthening of...and clarification of the remedies that are available to unit owners where there has been a refusal to

comply with reasonable requests that are provided for them under law. I would be happy to answer questions; otherwise, I would urge an Aye vote.

PRESIDENT:

Question? Senator Keats.

SENATOR KEATS:

A question of the sponsor.

PRESIDENT:

Indicates she will yield, Senator Keats.

SENATOR KEATS:

Senator Netsch, in terms of listing these phone numbers, now, if these are unlisted phone numbers, can these lists be used by virtually anyone and must they list unlisted phone numbers as a sort of an invasion of privacy or are there exemptions for this sort of thing?

PRESIDENT:

Senator Netsch.

SENATOR NETSCH:

The section specifically says that telephone numbers will be listed only if available, and so if there were an unlisted phone number, it would not not be available and would not be subject to this provision.

PRESIDENT:

Senator Keats.

SENATOR KEATS:

What...what...specific problems...caused this bill to be requested and was requested by whom? I know that one time we had...fairly significant condominium legislation of which Senator Marovitz and myself and a bunch of others were on the Condominium Laws Study Commission, and if you think today's appropriation stuff was boring, you should have tried those hearings. What was the specific thing involved here? I mean, in fact, Bill and I both fell asleep and missed three months worth of hearings, it was that bad. What I'm asking

you, in all sincerity, is what is the specific problem because we are making some extremely open things here. I mean, almost anybody can hold the board responsible for things that...you know, honest volunteers. I've been on a condominium board. I used to own a condominium. I mean, you're really saying to these board members, you are liable for just about everything, hey, and these are a bunch of unpaid volunteers, that's my question.

PRESIDENT:

Senator Netsch.

SENATOR NETSCH:

Well, to answer the first part of the question, I think the impetus for the bill grew specifically out of the difficulty that some of the residents at the Marina City condominium were having in getting access to records and other matters that they felt they had a right to as unit owners. I think that was what started this process. I think some of those who have worked on condominium legislation in the House, particularly, recognized that the time had come to provide some additional protections for unit owners, particularly where there are a lot of units that are not individually owned and the...the individual unit owners often have difficulty in making their voice heard. So, I think that it was found that this was something that was important for many unit owners that went beyond the Marina City ones, who were the ones, I think, who initially called this to the attention of the House sponsor.

PRESIDENT:

Further discussion? Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. This started out to be a good bill and that problem that Senator...Netsch indicated about Marina City was the impetus for this bill. There was a problem with certain of the board of managers entering into con-

tracts where they had a vested interest, and that language on page 6 deals with that specific problem, and it's my understanding that Representative White requested that language in the bill and that was the sum and substance of the bill. Then, Representative Levin decided that he was going to put all this additional language in the bill and the problem with all this language is that it can be raised as an affirmative defense in an action by the association against the unit owner. Now, ladies and gentlemen, it's hard enough to get people to serve on these boards and it's going to be a lot harder with all these requirements that are specified that the association has to comply with...any time that any unit owner makes a request. Specifically, I don't want somebody to know what my telephone number is. I don't think he has a right to ask anybody what my telephone number is and that's in this bill, and if he isn't paying his assessments, he shouldn't be able to raise the fact that he made a request for information from an association and was denied that request in an action before a court by the association to evict him for not paying his assessments. These are not issues that should ever have been brought up in this bill. If you want to address the conflict of interest provisions, which is originally what the intent of this bill is, then that idea should stand on its own merits, but these other provisions make it a bad bill.

PRESIDENT:

Further discussion? Senator Netsch, you wish to close?

SENATOR NETSCH:

Yes,...I think, Senator D'Arco, if you look at the original bill as it was introduced by Representative White at the particular request of the Marina City condominium people, you will see that actually there were a great many more provisions in it than there are right now. What happened in the House was it went through a variety of amendments. There

were some much more restrictive provisions added, most of them were removed before the bill was finally voted out, so that there really is very little but it's important that was added in terms of any obligations. One is the availability of the names and addresses of the board members and...and the weighted vote. That actually in a different form was in the original bill and that was certainly one of the major things that was requested. The other provision which has to do with remedies just simply is a...a...primarily a matter of clarification and, actually, there is not much else. The affirmative defense provision was added and the self-dealing provision was there in the first place. So, most of what is in here right now was in slightly different form in the original bill as it was introduced and, indeed, it has been somewhat modified and made considerably less burdensome in this final version. So, what is here is really very simple. It gives the unit owners just a couple of rights that they do not have spelled out right now, the right to access to the names and addresses of...and the weighted vote of the unit owners, telephone number only if available; if it's a listed number, it's going to be available to anyone anyway. It clarifies the remedies and...makes the affirmative defense provision part of the remedy, and that's really all it does, but it's very important to those individuals who are individual unit owners and who are having difficulty in getting access to that which they need in order to protect their own interests in the condominium association.

PRESIDENT:

Question is, shall House Bill 3714 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. All voted who wish? Have all voted who wish? All voted who wish? Take the record. On that question, there are 12 Ayes, 29 Nays, 7 voting Present. House Bill 3714 having failed to receive the required constitutional majority is declared

HB 3733  
3rd Reading

lost. 3730, Senator Madigan. On the Order of House Bills  
3rd Reading is House Bill 3730. Read the bill.

ACTING SECRETARY: (MR. HARRY)

House Bill 3730.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Madigan.

SENATOR MADIGAN:

Thank you, Mr. President. House Bill 3730 as amended  
allows a reserve account and a leasehold account for those  
leaseholders of concession leases with the Department of  
Conservation. Purpose of these accounts are to allow for  
timely repairs to...for...timely payments for repairs to  
those facilities. The bill...the amendment is actually  
mostly a rewrite of the amendment or...of House Bill 3730  
drafted at the request of the Legislative Audit Commission.  
I'd be glad to answer any questions and would ask for its  
adoption.

PRESIDENT:

Discussion? Any discussion? If not, the question is,  
shall House Bill 3730 pass. Those in favor will vote Aye.  
Opposed vote Nay. The voting is open. All voted who wish?  
Have all voted who wish? Have all voted who wish? Have all  
voted who wish? Take the record. On that question, there  
are 54 Ayes, 1 Nay, none voting Present. House Bill 3730  
having received the required constitutional majority is  
declared passed. 3733. On the Order of House Bills 3rd  
Reading is House Bill 3733. Read the bill.

ACTING SECRETARY: (MR. HARRY)

House Bill 3733.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:



Senator Severns.

SENATOR SEVERNS:

Thank you, Mr. President and members of the Senate. House Bill 3733 requires that the ICC rule on rate cases on complaints issued by consumers within the same time that they are required to rule on rate cases filed by utility companies. Currently there's a law on the book that says that they must...rule within a year on utility companies. This would give consumers the same...the same right. I know of no opposition to this bill and would be happy to answer any questions.

PRESIDENT:

Discussion? If not, the question is, shall House Bill 3733 pass. Those in favor vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. House Bill 3733 having received the required constitutional majority is declared passed. Ladies and gentlemen, that will conclude our roll calls for this afternoon. We have ten minutes of paper work and I promised Senator Philip and everybody we'd be out of here shortly before six. Resolutions, Mr. Secretary. Nine-thirty tomorrow morning. Nine-thirty tomorrow morning, we have a list of recalls that'd choke a horse. Nine-thirty tomorrow morning, we'll begin on recalls and, believe me, there are a lot of them. Resolutions.

ACTING SECRETARY: (MR. HARRY)

Senate Resolution 1236 offered by Senator Dudycz.

Senate Resolution 1237 offered by Senator O'Daniel.

Senate Resolution 1238 ✓ offered by Senator Keats.

They're all congratulatory.

PRESIDENT:

Consent Calendar. Senator Topinka, for what purpose do

you arise?

SENATOR TOPINKA:

Yes, Mr. President, if I may ask for a waiving of the posting requirements so that House Joint Resolution 160 might be heard in the Executive Committee this Thursday when it meets and...

PRESIDENT:

All right, the lady seeks...

SENATOR TOPINKA:

...the Senators involved said yes.

PRESIDENT:

...the lady seeks to...suspend the rules for the purpose of...waiving the...posting notice so that House Joint Resolution 160 can be heard Thursday morning at nine o'clock or whenever the committee gets to it. Without objection, so ordered. Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President, I have obtained the consent of the sponsor of 4125. I would like to be added as a hyphenated cosponsor to House Bill 4125.

PRESIDENT:

All right, the lady seeks leave to be added as a hyphenated cosponsor on House Bill 4125. Without objection, leave is granted. Senator Karpziel.

SENATOR KARPIEL:

Thank you, Mr. President. I'd like leave to be added as a cosponsor on...House Joint Resolution 160.

PRESIDENT:

Lady seeks leave to be added as a cosponsor on House...HJR, House Joint Resolution 160. Without objection, leave is granted. What...Resolutions.

ACTING SECRETARY: (MR. HARRY)

Senate Resolution 1239 offered by Senator del Valle. It's a...substantive.

PRESIDENT:

Executive.

ACTING SECRETARY: (MR. HARRY)

Senate Joint Resolution 146 offered by Senator Savickas. It's also substantive.

PRESIDENT:

Executive. Senator Smith, for what purpose do you arise?

SENATOR SMITH:

Thank you, Mr. President. I'd like leave of the Body and ask to be permitted on...hyphenated sponsor on 3739...House bill, at the...permission of the sponsor.

PRESIDENT:

Lady seeks leave to be added as the hyphenated cosponsor on 3739. Without objection, leave is granted. Senator Jones.

SENATOR JONES:

Thank you, Mr. President. I'd like leave to add Senator Severns as the hyphenated sponsor on House Bill 4125.

PRESIDENT:

4125, the gentleman seeks leave to add Senator Severns as the hyphenated cosponsor. Without objection, leave is granted. Message from the Governor.

ACTING SECRETARY: (MR. HARRY)

A Message from the Governor by Zack Stamp, director of Legislative Affairs.

Mr. President - The Governor directs me to lay before the Senate the following Message, I have nominated and appointed the following named persons to the offices enumerated below and respectfully ask concurrence in and confirmation of these appointments of your Honorable Body.

PRESIDENT:

Committee on Executive Appointments. Message from the House, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

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:

Senate Bill...1615 with House Amendments 1, 2, 5 and 6.

I have like Messages on Senate Bill 1870 with House Amendments 4 and 5.

Senate Bill 1926 with...House Amendments 1, 3, 4 and 5.

Senate Bill 1989 with House Amendment No. 2.

Senate Bill 1994 with House Amendments 1 and 2.

Senate Bill 2147 with House Amendments 1 and 4.

Senate Bill 2152 with House Amendment No. 1.

Senate Bill 2154 with House Amendment No. 1.

And Senate Bill 2258 with House Amendments 3 and 4.

PRESIDENT:

Secretary's Desk, Mr. Secretary. Any further business? Announcements? All motions will be put on the Calendar. We'll get to them in good time. Nine-thirty tomorrow morning and we will begin on the Order of Recalls. Nine-thirty tomorrow morning. Further business? Further announcements? On Thursday...further business? If not, Senator Demuzio moves that the Senate stand adjourned until Wednesday, June 22nd, tomorrow morning, at the hour of nine-thirty. Nine-thirty sharp.

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*Virginia*

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