

85TH GENERAL ASSEMBLY

REGULAR SESSION

JUNE 23, 1987

PRESIDENT:

The hour of eleven-thirty having arrived, the Senate will please come to order. Will the members be at their desks and will our guests in the gallery please rise. Our prayer this morning by the Reverend Jerry Nichols, First United Methodist Church, Springfield, Illinois. Reverend.

REVEREND JERRY NICHOLS:

(Prayer given by Jerry Nichols)

PRESIDENT:

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

SENATOR HALL:

Thank you, Mr. President. I move that reading and approval of the Journals of Tuesday, June 9th; Wednesday, June 10th; Thursday, June 11th; Friday, June 12th; Tuesday, June 16th; Wednesday, June 17th; Thursday, June 18th; Friday, June 19th and Monday, June 22nd, in the year 1987, be postponed pending arrival of the printed Journals.

PRESIDENT:

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

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, on point of personal privilege.

PRESIDENT:

State your point, ma'am.

SENATOR GEO-KARIS:

I'm delighted to introduce to this Assembly two young people from my district, from Waukeegan, Illinois, an eminent trial lawyer, Tom Brisco, and his lovely wife, Cathy. They're sitting in the back here and I'd like you all to

welcome them here.

PRESIDENT:

Will our guests in the gallery please rise and be recognized. Welcome to Springfield. Resolutions, Madam Secretary.

SECRETARY:

Senate Resolution 432 offered by Senator Geo-Karis.

Senate Resolution 433 offered by Senator Jones.

Senate Resolution 434 offered by Senator Savickas.

And Senate Resolution 435 offered by Senator Ralph Dunn.

And they're all congratulatory.

PRESIDENT:

Consent Calendar. All right, ladies and gentlemen, we will begin on page 5 on the Calendar where we left off yesterday with House Bill 378 on the Order of House Bills 3rd Reading. That's Senators Brookins, O'Daniel, Maitland, Luft, Jones and Netsch, and while they're getting their files together, we'll begin on the recall list and see if we can accommodate some of the members who wish to call their bills back for amendment. 47, Senator Donahue. 100, Senator Marovitz. 113, Senator Raica. 316, Senator Friedland. Top of page 5, on the Order of House Bills 3rd Reading is House Bill 316, Madam Secretary. Senator Friedland seeks leave of the Body to return that bill to the Order of 2nd Reading for purpose of Tabling an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading is House Bill 316, Senator Friedland. Senator Mahar.

SENATOR MAHAR:

Thank you, Mr. President. Is there only one amendment on that bill?

PRESIDENT:

Madam Secretary.

SECRETARY:

Just one amendment.

PRESIDENT:

One amendment.

SENATOR MAHAR:

Okay, I...thank you, Mr. President and members. I put that amendment on earlier this week...or maybe it was last week, I don't recall now, it's no longer necessary and I would move to Table that amendment.

PRESIDENT:

All right, Senator Mahar has moved, having voted on the prevailing side, to reconsider the vote by which Amendment No. 1 to House Bill 316 was adopted. All in favor of the motion to reconsider indicate by saying Aye. All opposed. The Ayes have it. The vote is now reconsidered. Senator Mahar moves to Table Amendment No. 1 to House Bill 316. All in favor of the motion to Table indicate by saying Aye. All opposed. The Ayes have it. The motion carries. Amendment No. 1 is Tabled. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. 337, Senator Topinka. On the Order of House Bills 3rd Reading, top of page 5, is House Bill 337. Senator Topinka seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading, House Bill 337, Madam Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Topinka.

PRESIDENT:

Senator Topinka.

SENATOR TOPINKA:

Yes, the amendment, sir, would replace some lines that were removed when we had put on the committee amendment which limited designated blood to members of an immediate family

and we would like to put that back in; and if I might, sir, while I have the Floor, and so as to just tell you, I would not like to recall 2070 which is also on your list, so you can skip past me when you get to that, and I would also like to note that I have asked a Page to pass out some Bohemian Kolacky which are a fruit tart which I have brought back from the little Bohemian bakeries in my district because it's brain food for all of our Senators who are going to have a long and tiring day.

PRESIDENT:

And with all of that, Senator Topinka has moved the adoption of Amendment No. 2 to House Bill 337. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. Amendment No. 2 is adopted. Are there further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. 461, Senator Demuzio. 792, Senator Maitland. 1018, Senator Kustra. 1072, Senator Jacobs. 1680, Senator Holmberg. On the Order of House Bills 3rd Reading, bottom of page 21, is House Bill 1660. Senator Holmberg seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading is House Bill 1680, Madam Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Holmberg.

PRESIDENT:

Senator Holmberg.

SENATOR HOLMBERG:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. 1680 is the second of two vehicle bills of DCCA's Small Business Division and they are applying the results of

HB 1867  
Re called

the survey they did of small businesses this year as to what they would most like the state to help them with. This particular amendment offers assistance to the winners of Federal research programs. The Phase I winners who have received a Federal grant and are eligible to do innovative research here within Illinois, within their own businesses have the opportunity to move to Phase II but often do not...know how to go for the more complicated grant which can be up to, say, a half million dollars; and with this amendment, DCCA will give them assistance and help them reach for those Federal monies. I move its adoption.

PRESIDENT:

Senator Holmberg has moved the adoption of Amendment No. 1 to House Bill 1680. 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. 1867, Senator Savickas. Senator Savickas. On the Order of House Bills 3rd Reading is House Bill 1867. Senator Savickas seeks leave of the Body to return that bill to the Order of 2nd Reading for the purpose of Tabling an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading is House Bill 1867, Madam Secretary. Okay, Senator Savickas.

SENATOR SAVICKAS:

Yes, purpose for bringing back House Bill...1867 is to seek leave to reconsider the vote by which Amendment No. 2 was adopted and to Table Amendment No. 2. Evidently there...both EPA and JCAR aren't together on their concerns and want to Table the amendment and goes back to the House, they're going to, obviously, put it in a Conference Committee, so that is the purpose.

PRESIDENT:

All right, Senator Savickas having voted on the prevailing side moves to reconsider the vote by which Amendment No. 2 to House Bill 1867 was adopted. All in favor of the motion to reconsider indicate by saying Aye. All opposed. The Ayes have it. The vote is reconsidered. Senator Savickas now moves to Table Amendment No. 2 to House Bill 1867. All in favor of the motion to Table indicate by saying Aye. All opposed. The Ayes have it. The motion carries. Amendment No. 2 is Tabled. Further amendments, Madam Secretary?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. Top of page 26. On the Order of House Bills 3rd Reading is House Bill 2070. Senator Topinka seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading, House Bill 2070, Madam Secretary. Senator Topinka...there's an amendment laying here, isn't there? Madam Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Topinka.

PRESIDENT:

Senator Topinka.

SENATOR TOPINKA:

Okay, yes, if I may, Mr. President and Ladies and Gentlemen of the Senate, I would first of all like to Table the Committee Amendment and seek leave to do that.

PRESIDENT:

All right, Senator Topinka having voted on the prevailing side moves to reconsider the vote by which Amendment No. 1 to House Bill 2070 was adopted. All in favor of the motion to reconsider indicate by saying Aye. All opposed. The Ayes have it. The vote is reconsidered. Senator Topinka now

*AB 2106  
Recalled*

moves to Table Amendment No. 1 to House Bill 2070. All in favor of the motion to Table indicate by saying Aye. All opposed. The Ayes have it. The motion carries, Amendment No. 1 is Tabled. Further amendments, Madam Secretary?

SECRETARY:

Amendment No. 2 offered by Senator Topinka.

PRESIDENT:

Senator Topinka.

SENATOR TOPINKA:

Yes, Mr. President and Ladies and Gentlemen of the Senate, this amendment would pick up what had been in Amendment No. 1 and would also add another designee to the...the committee that is being put together to discuss this issue. This is at the request of one of our Democratic House members.

PRESIDENT:

Senator Topinka moves the adoption of Amendment No. 2 to House Bill 2070. 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. 2406, Senator Jacobs. On the Order of House Bills 3rd Reading, middle of page 29, is House Bill 2406. Senator Jacobs seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading, House Bill 2406, Madam Secretary.

SECRETARY:

Amendment No. 3 offered by Senator Schuneman.

PRESIDENT:

Senator Schuneman on Amendment No. 3.

SENATOR SCHUNEMAN:

HB 2591  
Revised

Thank you, Mr. President. Floor Amendment No. 2 which was adopted a few days ago is technically incorrect, so I think the proper procedure, Mr. President, would be for...having voted on the prevailing side, I move to reconsider the vote by which Floor Amendment No. 2 was adopted.

PRESIDENT:

All right, Senator Schuneman having voted on the prevailing side moves to reconsider the vote by which Amendment No. 2 to House Bill 2406 was adopted. All in favor of the motion to reconsider indicate by saying Aye. All opposed. The Ayes have it. The vote is reconsidered. Senator Schuneman now moves to Table Amendment No. 2 to House Bill 2406. All in favor of the motion to Table indicate by saying Aye. All opposed. The Ayes have it. The motion carries. Amendment No. 2 is Tabled. Further amendments?

SECRETARY:

Amendment No. 3 offered by Senator Schuneman.

PRESIDENT:

Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. Table...Floor Amendment No. 3 simply adopts in correct form what was intended to be adopted by the previous amendment. I move its adoption.

PRESIDENT:

Senator Schuneman moves the adoption of Amendment No. 3 to House Bill 2406. Discussion? If not all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. Senator Degnan, 2591. On the Order of House Bills 3rd Reading, bottom of page 30, is House Bill 2591. Senator Degnan seeks leave of the Body to return that bill to



the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading is House Bill 2591, Madam Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Degnan.

PRESIDENT:

Senator Degnan.

SENATOR DEGNAN:

Thank you, Mr. President. Amendment No. 1 to House Bill 2591 would expand the hearsay exception currently provided for in the Code of Criminal Procedure. It is the same as Senate Bill 1377 passed earlier this Session by Senator Marovitz. I move its adoption.

PRESIDENT:

Senator Degnan has moved the adoption of Amendment No. 1 to House Bill 2591. 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. 2821, Senator Friedland. Top of page 34. On the Order of House Bills 3rd Reading is House Bill 2821. Senator Friedland seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 3rd...2nd Reading is House Bill 2821, Madam Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Friedland.

PRESIDENT:

Senator Friedland.

SENATOR FRIEDLAND:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This amendment makes several technical changes and

it's been requested by the department. I'd urge its adoption.

PRESIDENT:

All right, Senator Friedland moves the adoption of Amendment No. 2 to House Bill 2821. 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. 2825, Senator Barkhausen. On the Order of House Bills 3rd Reading, top of page 34, is House Bill 2825. Senator Barkhausen seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading, House Bill 2825, Madam Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Barkhausen.

PRESIDENT:

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, Amendment No. 1 to House Bill 2825 is intended to fill a gap in a...a bad check law that we passed last year or the year before dealing with checks that are issued to satisfy a credit obligation. It had been the intention of the proponents of the legislation both to...have this bad check law apply to a portion of the Criminal Code and also to that portion that was recently enacted within the last few years imposing civil liability on those who write bad checks and fail to make them good after thirty day's notice, and this amendment is intended to cover the civil liability provisions as well as the...the...in addition to the present Statute which imposes potential criminal penalty, and I would move its adoption.

PRESIDENT:

Senator Barkhausen has moved the adoption of Amendment No. 1 to House Bill 2825. 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 Barkhausen.

PRESIDENT:

Senator Barkhausen, Amendment No. 2.

SENATOR BARKHAUSEN:

Amendment No. 2, Mr. President and members, is an attempt to modify the law that we passed a year or so ago wherein we prevented a bank which receives a bad check from imposing a charge on a...on a merchant who receives that bad check and in turn deposits it with a bank. This was an amendment that we had put on another bill, I forget which one, in our Senate Finance Committee, and for some reason that bill did...did not advance and so this bill would...would modify the existing law by permitting a...a bank which in turn receives a bad check from the, I guess you would call it the depository institution, the first bank which receives that bad check and then is called upon to make good that check in a...I guess what's called a...clearing capacity would allow them to impose a charge on the...on the first bank if the...if the check turns out to be bad, and that's the intention of the amendment and be happy to try to answer any questions and would otherwise ask for its...

PRESIDENT:

Discussion? Senator Netsch.

SENATOR NETSCH:

Thank you. A...a question to the sponsor, if he can hear...

PRESIDENT:

I'm not sure that's necessary anyway. Sponsor indicates

he'll yield.

SENATOR NETSCH:

Thank you, Mr. President. Senator Barkhausen, I believe that there is a part of this amendment that would revise what we did last Session having to do with the liability of...not the writer of the bad check but the receiver of it that would limit it only to commercial establishments and would leave individuals right back were we started and...and in the posture in which we were trying to correct it last Session. Is that correct?

PRESIDENT:

Senator Barkhausen.

SENATOR BARKHAUSEN:

When you say individuals, Senator Netsch, I'm not sure exactly what you mean. The law would...would continue to prohibit a bank from imposing a charge on the merchant who in most cases unknowingly receives a bad check and then deposits it. What this amendment would...would permit is a second bank in the chain, typically I...not being that familiar with the industry, what they call a clearing bank that receives a bad check to impose a charge on the...on the...on the first bank.

PRESIDENT:

Senator Netsch.

SENATOR NETSCH:

No...well, we're...we're on the same subject anyway but my...my concern is that we would...under your amendment, it would be possible for a fee to be imposed on the individual who is the...is an unwilling victim, if you will, of the insufficient fund charge. You are eliminating that fee only on commercial establishments. I'm not necessarily adverse to doing it that way, but it seems to me it ought to be the same. I...you oughtn't to subject individuals to a heavier burden than you do, for example, a retail establishment.

PRESIDENT:

Senator Barkhausen.

SENATOR BARKHAUSEN:

I...I...I guess I agree with you that we may not be on the...the way this amendment has been...has been explained to me, it would not permit a bank to impose a charge on an individual, it would only permit it to...a...a bank in the...in the second bank in the chain of command to impose a charge on another bank who theoretically ought to be more responsible than the second bank for determining whether a check is good or not. I...I...I honestly don't think it...permits a charge of any kind to be imposed on an individual.

PRESIDENT:

Senator Netsch.

SENATOR NETSCH:

Yes. I think you're incorrect, Senator Barkhausen, and...and this is a pretty important point. Our staff tells us that the way this is drafted, it would permit a fee to be imposed on an individual who deposits a check which is bad because of insufficient funds on the part of the drawer of the check, that is the person who wrote out the check, that it would permit that fee to be imposed on the individual who deposits it but not on a commercial establishment which receives and deposits the check; and, again, the point is that everyone ought to be in the same basket, what...whichever basket it's going to be and that is our staff's reading of the amendment which you are proposing. I wonder...maybe the thing to do, Mr. President, if Senator Barkhausen would be willing, would be to take this out of the record, let us get out staffs together to make sure they're reading the amendment the same and then get back to it at some point.

PRESIDENT:

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President, I think we should take this out of the record for the time being...this particular amendment...

PRESIDENT:

All right, take...

SENATOR BARKHAUSEN:

...withdraw the amendment if...if we could withdraw the amendment, I think...

PRESIDENT:

Withdraw the amendment, Madam Secretary.

SENATOR BARKHAUSEN:

...proper request.

PRESIDENT:

Further amendments?

SECRETARY:

Amendment No. 2 offered by Senator Berman.

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. This amendment was worked out between the retail merchants, Senator Barkhausen and myself. What it does...the...the existing law provides for seven days between the bouncing of the first check and redeposit and if that seven days goes by the...the issuer can be charged with a crime, and what this does is require a twenty-one day notice to the issuer of the check so that he can try to make it good. Without this amendment, the issuer may not even know that the check bounced. I move the adoption of Amendment No. 2.

PRESIDENT:

Senator Berman has moved the adoption of Amendment No. 2 to House Bill 2825. 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. 2843, Senator Schaffer. That's the bottom of page 34, on the Order of House Bills 3rd Reading is House Bill 2843. Senator Schaffer seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading, House bill 2843, Madam Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Schaffer.

PRESIDENT:

Senator Schaffer.

SENATOR SCHAFFER:

Mr. President and members of the Senate, House Bill 2843 requires the Department of Mental Health and Developmental Disabilities to establish case coordination...pilot project for the aging-out population. This amendment would require the State Board of Education to have a similar pilot project to identify aging-out students coming out of the special education program. I'm unaware of any opposition.

PRESIDENT:

Senator Schaffer has moved the adoption of Amendment No. 2 to House Bill 2843. 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. 2849, Senator Maitland indicated did not wish to pursue that at this moment. All right, ladies and gentlemen, before we move to the Order of House Bills 3rd Reading,...again, we will start on page 5. There's been a

request by the chairman of the Executive Appointments Committee to handle the committee report. Madam Secretary, committee reports. Committee reports.

SECRETARY:

Senator Savickas, chairman of the Committee on Executive Appointments, Administration and Veterans' Affairs, to which was referred the Governor's Messages of March 4, April 1, April 23rd, 1987, and the Comptroller's Messages of March 4 and April 13, 1987, and the Secretary of State's Message of February 2, 1987, reported the same back with the recommendations that the Senate advise and consent to the following appointments.

PRESIDENT:

Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. I move that the Senate resolve itself into Executive Session for the purpose of acting on the Governor's appointments set forth in his Message of March 4th, April 1st, April 23rd and the Comptroller's Message of March 4th, April 13th and the Secretary of State's Message of February 2nd, 1987.

PRESIDENT:

All right, before we put that motion, Channel 7 has requested leave to...shoot some film of the Senate today. Is leave granted? Leave is granted. Senator Lechowicz has moved that the Senate resolve itself into Executive Session for the purpose of considering nominees of the Governor and the Secretary of State and the Comptroller. All in favor of the motion indicate by saying Aye. All opposed. The Ayes have it. The Senate now resolves itself into Executive Session. Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. With respect to the Secretary of State's Message of February 2nd, 1987, I'll read the sal-



aried appointments to which the Senate Committee on Executive Appointments, Veterans' Affairs, Administration recommends that the Senate do advise and consent.

To be a member of the Merit Commission for the Office of Secretary of State for term expiring June 30th, 1989, Mary B. Price of Naperville.

Mr. President, having read the salaried appointment, will you put the question as required by our rules?

PRESIDENT:

Question is, does the Senate advise and consent to the nominations just made. Those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. Majority of the Senators elected concurring by record vote, the Senate does advise and consent to the nomination just made. Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. With respect to the Comptroller's Message of March 4th, 1987, I will read the salaried appointment to which the Senate Committee on Executive Appointments and Veterans' Affairs, Administration recommends that the Senate do advise and consent.

To be the director of personnel for the Office of Comptroller, May Alice Kirby of Springfield.

PRESIDENT:

Mr. President, having read the salaried appointment, will you put the question as required by our rules?

PRESIDENT:

Question is, does the Senate advise and consent to the nomination just made. Those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, 1 Nay, none

voting Present. Majority of the Senators elected concurring by record vote, the Senate does advise and consent to the nomination just made. Senator Lechowicz.

SENATOR LECHOWICZ:

Mr. President, with respect to the Comptroller's Message of April 13th, 1987, I'll read the unsalaried appointment to which the Senate Committee on Executive Appointments, Veterans' Affairs, Administration recommends that the Senate do advise and consent.

To be a member of the Merit Commission for...of the Office of Comptroller for term expiring January 20th, 1992....Hamilton B. Talbert.

Mr. President, having read the unsalaried appointment...put the question required by our rules?

PRESIDENT:

Question is, does the Senate advise and consent to the nomination just made. Those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. A majority of the Senators elected concurring by record vote, the Senate does advise and consent to the nomination just made. Senator Lechowicz.

SENATOR LECHOWICZ:

Mr. President, with respect to the Governor's Message of March 4th, 1987, I'll read the salaried appointments to which the Senate Committee on Executive Appointments, Veterans' Affairs, Administration recommends that the Senate do advise and consent.

To be the director of the Illinois Department of Conservation for a term expiring January 16th, 1989, Mark Frech of Springfield.

To be director of the Illinois Department of Rehabilitation Services for a term expiring January 16th, 1989, Sue

Suter of Springfield.

To be director of the Illinois Department of Energy and Natural Resources for a term expiring January 16th, 1989, Don Etchison of New Berlin.

To be director of the Illinois Environmental Protection Agency for a term expiring January 16th, 1989, Richard J. Carlson of Springfield.

Mr. President, having read the salaried appointments, I now seek leave to consider these appointments on one roll call unless some Senator has... (machine cut-off)... appointment. Mr. President, will you put the question as required by our rules?

PRESIDENT:

All right, Senator Lechowicz has sought leave of the Body to consider those nominees on one roll call. Without objection, leave is granted. The question is, does the Senate advise and consent to the nominations just made. Those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. A majority of the Senators elected concurring by record vote, the Senate does advise and consent to the nominations just made. Senator Lechowicz.

SENATOR LECHOWICZ:

Mr. President, with respect to the Governor's Message of April 1st, 1987, I'll read the salaried appointments to which the Senate Committee on Executive Appointments, Veterans' Affairs, Administration recommends that the Senate do advise and consent.

To be a judge of the Court of Claims for a term expiring January 16th, 1989, Kirk Dillard of Hinsdale.

To be a member of the Illinois Industrial Commission for a term expiring January 21st, 1991, Barbara Sherman of

Chicago.

To be members of the Illinois Industrial Commission for a term expiring January 21st, 1991, Alvin Cooke of La Grange, Calvin Tansor of Harwood Heights.

To be assistant secretary of the Department of Transportation for a term expiring January 16th, 1989, Hugh Murphy of Villa Park.

To be the director of the Department of Mines and Minerals for a term expiring January 16th, 1989, Richard Shockley of Benton.

Can we have a little order? Thank you.

To be assistant director of the Department of Financial Institutions for a term expiring January 16th, 1989, Joanne Mitchell of Chicago.

To be a member of the Civil Service Commission for a term expiring March 1st, 1993, Peter Zelkoff of Lombard.

To be assistant director of Department of Agriculture for a term expiring January 16th, 1989, Michael C. Williams of Pawnee.

To be assistant director of Department of State Police for a term expiring January 16th, 1989, Christian Maerz of Darien.

To be the assistant director of the Department of Commerce and Community Affairs for a term expiring January 16th, 1989, Stephen Selcke of Springfield.

To be assistant director of Department of Insurance for a term expiring January 16th, 1989, Richard Carlson of Springfield.

To be the commissioner of Savings and Loan Commission for a term expiring July 1, 1990, John Seymour of Springfield.

To be assistant director of Department of Central Management Services for a term expiring January 16th, 1989, Rose Mary Bombela of Chicago.

To be assistant director of Department of Public Health

for a term expiring January 16th, 1989, Paul Martin O'Connor of Chicago.

Mr. President, having read the salaried appointments, I now seek leave to consider these appointments on one roll call unless some Senator has objection to a specific appointment. Mr. President, will you put the question as required by our rules?

PRESIDENT:

All right, the gentleman has sought leave to consider those nominees on one roll call. Without objection, leave is granted. Question is, does the Senate advise and consent to the nominations just made. 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 59 Ayes, no Nays, none voting Present. A majority of the Senators elected concurring by record vote, the Senate does advise and consent to the nominations just made. Senator Lechowicz.

SENATOR LECHOWICZ:

Mr. President, with respect to the Governor's Message of April 23rd, 1987, I'll read the salaried appointments to which the Senate Committee on Executive Appointments, Veterans' Affairs, Administration recommends that the Senate do advise and consent.

To be a member of the Illinois Industrial Commission for a term expiring January 16th, 1989, Richard Gilgis of Downers Grove.

To be a member of the Illinois Industrial Commission for a term expiring January 19th, 1991, Ray Rybacki of Palos Park.

To be assistant director of Department of Public Aid for a term expiring January 16th, 1989, Kathleen Breidert of Park Ridge.

To be assistant director of Department of Central Manage-

ment Services for a term expiring January 16th, 1989, Daniel Long of Springfield.

To be assistant director of Mines and Minerals for a term expiring January 16th, 1989, Kim Underwood of Newman.

To be chairman of the Illinois Human Rights Commission for a term expiring January 21st, 1991, Manuel Barbosa of Elgin.

To be a member of the Illinois Human Rights Commission for a term expiring January 21st, 1991, Mervin Bachman of Chicago.

Mr. President, having read the salaried appointments, I now seek leave to consider these appointments on one roll call unless some Senator has objection to a specific appointment. Mr. President, will you put the question as required by our rules?

PRESIDENT:

All right, the gentleman has sought leave to consider those nominees on one roll call. Without objection, leave is granted. The question is, does the Senate advise and consent to the nominations just made. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. A majority of the Senators elected concurring by record vote, the Senate does advise and consent to the nominations just made. Senator Lechowicz.

SENATOR LECHOWICZ:

Mr...Mr. President, with respect to the Governor's Message of April 23rd, 1987, I'll read the unsalaried appointments to which the Senate Committee on Executive Appointments, Veterans' Affairs, Administration recommends that the Senate do advise and consent.

To be a member of the Chicago Transit Authority for a term expiring September 1st, 1988, Milton Holzman of

Northbrook.

To be members of the Illinois Housing Development Authority for term expiring January 14th, 1991, Eugene P. Hoats of Chicago, John Viera of Des Plaines.

To be a member of the Illinois Development Finance Authority for term expiring January 21st, 1991, Courtney Munson of Monmouth, Allen Andreas of Decatur, Terrence O'Brien of Northfield.

To be a member of the Illinois Farm Development Board for a term expiring January 21st 1991, Robert Nickel of Concord.

To be a commissioner of the Central Midwest Low-Level Radioactive Waste Commission for a term expiring January 16th, 1989, Clark Bullard of Urbana.

To be a member of the Illinois Job Traing Coordinating Council for a term expiring...July 1, 1988, Verne Hagstrom of Quincy.

To be a member of the Board of Regents for a term expiring January 18th, 1993, Hal Riss of Shirley, Milton McClure of Beardstown, Sylvia Nichols of Lawrenceville.

To be members of the Advisory Board of Livestock Commissioners for a term expiring January 16th, 1989, Gilbert Hadley of Cambridge, John Rundquist of Butler, Merlyn Eickman of Pecatonica, John Cochonour of Casey, Art Barnard of Wayne City, Ernest Brown of Gibson City, Harlan Bane of Downers Grove, Eldon Gould of Maple Park, James Finnell of Gilman, James Handy of Waverly.

To be members of the Illinois Leadership Council for Agricultural Education for a term expiring March 13, 1988, Sally Brooks of Bloomington, William Hollis of Bushnell, Mike Mouser of Normal, Max Foster of Morton.

To be members of the Illinois Leadership Council for Agricultural Education for a term expiring March 13th, 1989, Ellen Russell of Chicago, Glenn Sims of Windsor, Larry Fischer of Pittsfield.

To be members of the Illinois Leadership Council expiring March 13th, 1990, Gordon Bidner of Carlock, Nola Gramm of Gridley, Earl Russell of Champaign, Harold Reetz of Monticello.

To be a member of the Rehabilitation Services Council for a term expiring January 11th, 1993, Jeanne Blackman of Taylorville.

To be a member of the Illinois Electronic Fund Transfer Advisory Committee for term expiring January 1, 1991, Richard Rothchild of Winnetka.

To be a member of the Advisory Board to the Department of Conservation for a term expiring January 21st, 1991, Victor Lindquist of Thornton.

To be a member of the State Board of Education for a term expiring January 18th, 1993, David Juday of Sycamore, George Thompson of Prophetstown.

To be a member of the Medical Determinations Board for a term expiring March 3rd, 1990, Henry Russe of Chicago.

To be a member of the Medical Determinations Board for a term expiring March 3rd, 1991, Audley Connor of Chicago.

To be a member of the Board of Trustees for the Historic Preservation Agency for a term expiring January 16th, 1989, Marc Schulman of Chicago.

To be a member of the Capital Development Board for a term expiring January 15th, 1990, Bernard Birger of Collinsville.

To be a public administrator, guardian and conservator of Franklin County for a term expiring December 4th, 1989, David Daisy of Benton; for Jefferson County, Emmit Wilson of Mt. Vernon; for Gallatin County, Joe Wright of Shawneetown; for Massac County, Edward Hinners of Metropolis.

Mr. President, having read the unsalaried appointments, I now seek leave to consider these appointments on one roll call unless some Senator has an objection to a specific



appointment. Mr. President, will you put the question as required by our rules?

PRESIDENT:

All right, the gentleman seeks leave to consider those nominees on one roll call. Without objection, leave is granted. The question is, does the Senate advise and consent to the nominations just made. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. A majority of the Senators elected concurring by record vote, the Senate does advise and consent to the nominations just made. Senator Lechowicz.

SENATOR LECHOWICZ:

Mr. President, with respect to the Governor's Message of March 4th, 1987, I'll read the unsalaried appointments to which the Senate Committee on Executive Appointments, Veterans' Affairs, Administration recommends that the Senate do advise and consent.

To be a member of the Illinois Fiduciary Advisory Committee for a term expiring January 1, 1988, Charles Dalton of Homewood.

To be a member of the Illinois Fiduciary Advisory Committee for a term expiring January 1, 1989, Lee Gamage of Petersburg, Timothy Richie of Chicago, Everette Kassing of Bensonville...Belleville.

To member of board of trustees of the Historic Preservation Agency for a term expiring January 18th, 1988, Sally Schanbacher of Springfield, Frank Mason of Springfield, Julie Cellini of Springfield.

To be a member of the Illinois Independent Higher Education Loan Authority for a term expiring June 30th, 1993, David J. Bramson of Glenview.

To be a public administrator, guardian and conservator of

Clay County for term expiring December 4th, 1989, James Padgett of Clay City; for Clinton County, James Hummert of Breese; for Carroll County, John LeComte of Savanna; for Knox county, David McDonald of Galesburg; for Stark County, John Leezer of Toulon; for Effingham County, Ronald Ealy of Effingham; for Green County, James Guis of White Hall; for DeKalb County, Charles Iskowich of DeKalb; for Douglas County, Betty Jones of Arthur.

To be public administrator and conservator for Adams County for a term expiring December 4th, 1989, William Mays of Quincy; for Jersey County, Lawrence Rolando of Jerseyville; for Livingston County, John Satter of Dwight; for White County, Mark Stanley of Carmi; for Wayne County, Phillip Williams of Fairfield; for Cumberland County, Glenn Braden of Neoga; for Winnebago County, Stephen Ellis of Rockford; for Brown County, Finis Hosford of Mt. Sterling; for Will County, Richard Kavanagh of Bolingbrook; for St. Clair County, Robert Stookey of Belleville; for Edgar County, Steven Garst of Paris.

Mr. President, having read the unsalaried appointments, I now seek leave to consider these appointments on one roll call unless some Senator has objection to a specific appointment. Mr. President, will you put the question as required by our rules?

PRESIDENT:

All right, the gentleman seeks leave to consider those nominees on one roll call. Without objection, leave is granted. The question is, does the Senate advise and consent to the nominations just made. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, 1 voting Present. A majority of the Senators elected concurring by record vote, the Senate does advise and consent

to the nominations just made. Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. I move that the Senate arise for Executive Session.

PRESIDENT:

All...you've heard the motion. The gentleman has moved that the Senate do now arise from Executive Session. All in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries. The Senate does now arise. Senator Brookins, are you ready? Top of page 5, ladies and gentlemen. We will be on the Order of House Bills 3rd Reading for the balance of the afternoon and just before six, we'll get back to House 2nd if...any...anyone wants to move and we'll try to do some more recalls. So, I'd ask any of you that have recalls, please let the Secretary know. We'll try to get a new list ready for five o'clock or five-thirty. On the Order of House Bills 3rd Reading, Madam Secretary, top of page 5, is House Bill 378. Read the bill, please.

SECRETARY:

House Bill 378.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Brookins.

SENATOR BROOKINS:

Thank you, Mr. President. House Bill 378 creates an offense to...contributing to the criminal delinquency of a juvenile. The offense is committed when a person twenty-one years of age or older with the intent to promote or...facilitate the commission of a felon, aids or directs or attempt to aid or direct a person under seventeen years of age in the commission of a felon. An example of this would be as if an adult, gang member instruct or forces a youth to intimidate...through robbery or deliver of drugs, this Act

would come into force. Some of the members of this Chamber is...to my knowledge, have...this has occurred and has happened to. I ask a favorable vote on this bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Discussion? If not, the question is, shall House Bill 378 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 59, the Nays are none, none voting Present. House Bill 378 having received the required constitutional majority is declared passed. House Bill 380, Senator O'Daniel. House bills 3rd reading is House Bill 380, Madam Secretary.

SECRETARY:

House Bill 380.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator O'Daniel.

SENATOR O'DANIEL:

Thank you, Mr. President and members of the Senate. House Bill 380 amends the Illinois Vehicle Code to authorize emergency firefighting vehicles to use studded tires between November the 15th and April the 1st of the following year. Currently, we allow mail carriers to use these studded tires and disabled people and disabled veterans, and I think it's much more important that these emergency vehicles be able to respond to situations than it would be to carrying mail and I think this will have less an adverse affect on the highway. This bill is supported by the...the Illinois Association of Fire Protection Districts.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Ladies and gentlemen, this is going to go a lot faster if we have some order. We've got a long way to go today. Sena-

tor O'Daniel.

SENATOR O'DANIEL:

I would appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Kelly.

SENATOR KELLY:

Thank you. I would like to ask the sponsor a question, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield. Senator Kelly.

SENATOR KELLY:

Can you tell me, Senator O'Daniel, I remember when we passed the law which prevented studded tires for all persons in Illinois and all organizations, and at that time some testimony coming from various professional and knowledgeable sources, engineers and so forth, indicated that studded tires would actually aggravate the problem when it's real icy outside, and they felt that there wasn't any need, it was, in fact, a...a danger. I had thought all along that it would be very helpful to allow a...particularly during the winter months, people to have studded tires. Are you telling me now that the studded tires are very helpful to fire service vehicles and to other vehicles and that, in fact...they...they do help the situation and did you receive testimony in committee supporting those facts?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator O'Daniel.

SENATOR O'DANIEL:

Well, I...I'm well aware of the fact that the studded tires will help with traction, especially on...on streets and rural roads that aren't maintained and...where they don't use salt or things like this to remove the...the ice and...and snow and glaze from the...from the roads, and a lot of times these emergency vehicles have to travel on roads that aren't

maintained and...and these do help them with their traction and...and...and is very helpful, and we...we allow now our mail carriers to use these...these tires and I think this is...this is a good piece of legislation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...any further discussion? Senator O'Daniel may close.

SENATOR O'DANIEL:

I just solicit a favorable roll.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall House Bill 380 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are 1, 1 voting Present. House Bill 380 having received the required constitutional majority is declared passed. 393, Senator Maitland. House bills 3rd reading is House Bill 393, Madam Secretary. Read the bill, please.

SECRETARY:

House Bill 393.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President and Ladies and Gentlemen of the Senate. House Bill 393 sponsored by Representative Homer and Ryder in the House is a bill that is identical to Senate Bill 95 that passed out of this Chamber some weeks ago. It does put in...it does give the responsibility for funding the weatherization program through the Department of Commerce and...Commerce and Community Affairs instead of the Illinois Commerce Commission. It also states

that the funding mechanism will be the available Federal and state funds that are appropriated for this purpose. I might add that there was one minor change in this bill. The department asked that we take the four-year sunset off of...of this bill because there is only two and a half years remaining and it might be difficult to fully fund all the applicants, and that is the change that has been made in the bill. I'd be happy to respond to any of your questions; if not, I would appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR DEHUZIO)

Discussion? Discussion? If not, the question is, shall House Bill 393 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 52, the Nays are 4, 1 voting Present. House Bill 393 having received the required constitutional majority is declared passed. 395, Senator Luft. House bills 3rd reading is House Bill 395, Madam Secretary.

SECRETARY:

House Bill 395.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEHUZIO)

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. House...

PRESIDING OFFICER: (SENATOR DEHUZIO)

Hold on. Ladies and gentlemen, can we have your attention, please. Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. House Bill 395 provides that a marriage between first cousins is not prohibited if either party submits a...certificate signed by a physician stating

HB 396  
3rd Reading

that the party is permanently and...irreversibly sterile.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Discussion? Senator Kelly.

SENATOR KELLY:

I guess this must be my day. I would like to ask the sponsor...whether or not the...the earlier one provided for senior citizens. Does...does this apply to all persons regardless of age or is this for senior citizens?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft.

SENATOR LUFT:

All persons. You're all right, Dick.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, the question is, shall House Bill 395 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 40, the Nays are 9, 7 voting Present. House Bill 395 having received the required constitutional majority is declared passed. 396, Senator Jones. House bills 3rd reading is House Bill 396, Madam Secretary.

SECRETARY:

House Bill 396.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

Thank you, Mr. President and members of the Senate. House Bill 396 is the increase in fee for downstate sheriffs for the service of a process from...from eight dollars to ten dollars. It also...in the return process from three to five dollars. The bill was amended to include Cook County sheriffs



as well and they are also part of the twenty percent increase in the various sheriffs' fees for the return process as well as on mileage and the bill also exempts the...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Wait a minute...wait a minute, Senator Jones. All right, ladies and gentlemen...Senator Jones.

SENATOR JONES:

Yes, the bill also exempts the police department and other law enforcement agencies from fees. If there are any questions, I'd be glad to answer. I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Discussion? If not, the question is, shall House Bill 396 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. House Bill 396 having received the required constitutional majority is declared passed. 401, Senator Netsch. 416, Senator Dudycz. Senator Dudycz. All right, House bills 3rd reading is House Bill 416, Madam Secretary.

SECRETARY:

House Bill 416.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dudycz, can we take this out of the record for a moment? All right, let's take it out of the record. I hadn't got the signals as to whether or not we were...okay. Take it out of the record...420, Senator O'Daniel. House bills 3rd reading is House Bill 420, Madam Secretary. Read the bill.

SECRETARY:

House Bill 420.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator O'Daniel.

SENATOR O'DANIEL:

Mr. President and members of the Senate, Senate Bill 420 changes the violation of the...from...the tarpaulin law violation from a moving violation to an equipment violation, then the amendment on...on 420 amends the Illinois Vehicle Code and provides that the Secretary of State shall not issue a supplemental license to any Illinois dealer outside of a franchised area to market...automobiles.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, discussion?

SENATOR O'DANIEL:

Any questions, I'll attempt to...

PRESIDING OFFICER: (SENATOR DEMUZIO)

I beg your pardon, Senator O'Daniel, had you concluded?

SENATOR O'DANIEL:

Yes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Discussion? Senator Davidson.

SENATOR DAVIDSON:

Mr. President and members of the Senate, I rise in support of this bill. In the part on the relation to the franchise license I think is highly important. As most of you know, there's thirty-five thousand people in Illinois...employed by the auto dealers. They produce better than twenty percent of the...the sales tax that goes into the general revenue, and for people to be able to come in and get a license and hold a tent sale even though they have a license in their own area where they could be holding it doesn't ring up as fair competition. This is a way to try to keep our

people in business and if these people want to have a tent sale, they can have one in their area where they have the license and the people who want to go and take the chance of getting a lemon, it's their prerogative, but in the meantime, this is an excellent bill to try to help an industry which produces thirty-five thousand jobs and twenty percent of the total sales tax revenue.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? We have several lights. Senator Barkhausen.

SENATOR BARKHAUSEN:

Well, Mr. President and members, as I'm sure by now probably all of us are aware, this is an issue that has been around several times before, but from conversations with some colleagues it appeared that not necessarily all minds had been made up, because I think all of us at one time or another or most of us have been on both sides of this issue, but to me...by now the issue is clear that...that the side of the consumer is...or should be in opposition to this legislation. All of the car rental companies turn over their fleets within...about one year of the purchase of their car and large numbers of our constituents buy these cars. I know probably all of you within the last day received a letter from the Council of Senior Citizens in the state in strong opposition to this legislation because many of them feel that they are able to get a...a good deal, probably a better deal buying a used car from one of these rental car companies and thereby saving themselves a number of dollars. We've also been made aware again, as we were last fall when we debated this issue on an override motion, of a letter from the Federal Trade Commission suggesting that this legislation is a bad idea and essentially constitutes a restraint of trade, and needless to say, I don't think we in our legislation should be engaging in or promoting anticompetitive

activity. The other day in debate I also mentioned the factor that if we close off or make more difficult the sale of rental cars in this state that it will simply mean that they will be sold in one of our neighboring states, and those states rather than Illinois will be reaping the sales tax revenue that otherwise should be coming to us. So, all of those, I think, are...are strong reasons why we should not be, again, supporting this legislation. We've debated this issue enough and I think our opposition at this time should put this issue to rest. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Alexander.

SENATOR ALEXANDER:

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield. Senator Alexander.

SENATOR ALEXANDER:

Senator O'Daniel, isn't this the bill that has been lobbied as being one promoted by the credit unions of jobs and that would issue extraordinary warranties on these automobiles that would be bought?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator O'Daniel.

SENATOR O'DANIEL:

I understand the...the credit unions are opposed to this...this amendment, Senator Alexander.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Alexander.

SENATOR ALEXANDER:

That's all I wanted to know for sure. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Philip. Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. And I would like to make this simple observation, and I, of course, have a lot of friends back in my district who own and operate automobile dealerships and, quite frankly, they've been damned good to me; but I might suggest this to you, that, number one, they...the rental agencies buy their cars from automobile dealerships; number two, the automobile...dealerships service those cars and, thirdly, if they don't sell the cars, who ends up selling those cars? The automobile dealerships which they purchased the cars from in the first place. I've been told it...it boils down to the whole total State of Illinois a grand slam total of two thousand cars we're talking about. Now you spread that over the whole State of Illinois, you're really not talking about much, and, quite frankly, we ought to vote No on this bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. There was considerable debate when this amendment was put on. I think a couple of things have to be pointed out, however. One is the method by which this bill arrived in the form that it currently is, and I think it might be reflective of perhaps some of the tactics that are used by this industry. A House bill came over that did exactly what this bill is doing. For whatever reasons they chose not to call it, rather to surreptitiously put on an amendment rather rapidly on a bill that was never intended to do this. Now I do know that we do amend bills and we do put other language into bills that wasn't there to begin with, but this tactic is used every year. If this is a good bill, why not run it through the normal committee process. Number two, the extraordinary claim that the people who buy these cars are going to be mistreated because the quality of the product is inferior. Senator Davidson, nothing is fur-

ther from the truth. I have right here a brochure and I would like to see any car dealer in the State of Illinois offer this same guarantee on a used car a one-year twelve thousand mile warranty. Now you show me what car dealers do that, because you're so concerned about the quality of the product the people are going to buy. Senator Barkhausen talked about the anticompetition, the antitrade provisions of this bill. I won't dwell on it; however, what it boils down to is who is the beneficiary of this bill? I'm not even certain the car dealers are going to come out okay on this. The fact of the matter is, I can tell you who is not going to benefit and that is the consumer. This is not going to destroy the car industry in the State of Illinois, folks. This is an opportunity for an industry, the car rental industry, which is headquartered within the state to sell their automobiles and an opportunity for the consumer through the credit unions to buy those cars. I urge opposition to House Bill 420.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? If not, Senator...I beg your pardon, Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is a bad bill because it's a anticompetitive bill. It says that we can't sell cars because our price for the car is cheaper than the new car dealer and he's going to charge more for the same car to the consumer, so by prohibiting the rental car agencies from selling the cars downstate, the new car dealer can sell the same car at a higher price to the consumer. That's all this bill says. This bill allows the new car dealer to sell the same car at a higher price to the consumer. New...the new car dealers have been good to some of you people. I don't know what that means and I don't know want to know what that means, but

remember this, it's the people that vote for you, the people, not the car dealers, keep that in mind when you vote on this bad bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Welch.

SENATOR WELCH:

Mr. President, I would rise in support of this bill. I think that this is a proconsumer bill. You know, I don't think that we need people coming to town by night, setting up shop like...like Gypsies and then disappearing after hawking their wears in our downstate communities. We need somebody who is going to be there that you can rely upon that when something goes wrong with your car, they're going to be there to say, hey, bring it in, we'll fix it, not necessarily charging you all the time, instead of somebody who sells you a car...instead of somebody who sells you a car and then is gone. I think that this leads to flimflam operations, it leads to somebody not being responsible, it leads to people ending up getting stuck with a bad deal. It's easy to go in there and say, sure, we'll give you a warranty but when you end up having to bring the car back time and time again because you don't know what you're buying, you're buying some fleet car that who knows how it was used, I think that's bad for the consumer. So, the amount of dollars that you might save...might save by buying at one of these auctions, you'll probably end up spending in repairs or losing use of your car. So, I would urge a favorable...vote for this bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. I wasn't going to speak on this bill and to be quite honest about it, I wasn't going to even though I sponsored the bill last year. I, obviously, have a great number of new car dealers in my area, but I also

represent the second largest credit union, the Caterpillar Credit Union or what is now called the Construction Credit Union, so it's probably not to my advantage...politically anyway, to speak on the bill, but let me point out to you and if I'm inaccurate, I'm...I'm sure that someone will tell me. I think the philosophy of this bill that you have to look at is simply this, every car dealer in the State of Illinois has made a major commitment in hiring personnel, in structure, in buildings and whatever to serve that community. Now, let's for a moment...assume that that is you and all of a sudden there's a vacant lot across the street that somebody can come in there virtually every day, open up and sell five hundred cars which does not, let me point out, guarantee a lower price at all, and if I remember correctly, those people have to finance that car at the credit union. They have no option to go anywhere else to get credit, they have to finance it at the credit union and what's more, I think I'm right, they have to be a member of the credit union to even buy a car there. So, hopefully, when you're thinking, if you haven't already made up your mind, just think about that guy that's put millions of dollars in a building, that's trying to serve the community and all of a sudden somebody across the street opens up a little lot to sell cars, not only cars that can be coming from the State of Illinois but this place could be a funnel for every car in the United States that is a reject or whatever from the rental units. So, I would hope you would keep that in mind.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? If not, Senator O'Daniel may close.

SENATOR O'DANIEL:

Thank you, Mr. President. There's one or two things I want my colleagues to take a good look at. Any time that Senator Pate Philip and Senator DeAngelis gets concerned



about consumers, you better take a good hard look at what they're talking about. There's a...there's...you know, and...and there's been a lot of misinformation put out about this, you know, and...and I think the senior citizens have been misled. This isn't anticonsumer. Consumers are best served by licensed local dealers who...who have permanent facilities and...and employ local people and if a elderly person buys an automobile from a rental agency and...where are they going to go...go for service? There's nothing anticonsumer about this bill, this is a...this is a good amendment and a good bill and it should be passed and I'd appreciate a favorable consideration.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall House Bill 420 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 31, the Nays are 26, none voting Present. House Bill 420 having received the required constitutional majority is declared passed...Senator DeAngelis, for what purpose do you arise?

SENATOR DeANGELIS:

Verification.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator DeAngelis has requested a verification of the affirmative vote. All members will be in their seats. The Secretary will read the names of the members who voted in the affirmative.

SECRETARY:

Collins, Davidson, Degnan, Demuzio, Ralph Dunn, Thomas Dunn, Fawell, Hall, Hawkinson, Holmberg, Hudson, Jones, Jeremiah Joyce, Karpel, Keats, Kustra, Lechowicz, Luft, Madigan, Maitland, O'Daniel, Poshard, Rigney, Schaffer,

Schuneman, Severns, Vadalabene, Watson, Weaver, Welch and Woodyard.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis, do you question the presence of any member who voted in the affirmative? Senator DeAngelis.

SENATOR DeANGELIS:

Senator Jones.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones is...right to my left.

SENATOR DeANGELIS:

Senator Welch.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch is at the back of the Chamber.

SENATOR DeANGELIS:

Senator Weaver.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Weaver is sitting in his seat.

SENATOR DeANGELIS:

Senator Fawell.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Fawell is at the back of the Chamber. All right, on a verified roll call, the Ayes are 31, the Nays are 26, none voting Present. House Bill 420 having received the required constitutional majority is declared passed. Well, ladies and gentlemen, congratulations, we have now handled five bills. We now have five hundred and eighteen to go. With leave of the Body, we'll go back and pick up House Bill 416. Madam Secretary, House Bill...416...4-1-6.

END OF REEL

REEL #2

SECRETARY:

House Bill 146.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dudycz.

SENATOR DUDYCZ:

Thank you, Mr. President. House Bill 416 appropriates for the ordinary and contingent expenses of the State Board of Elections for Fiscal 1988 four million four hundred and eighty-two thousand dollars.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Discussion? If not, the question is, shall House Bill 416 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 59, the Nays are none, none voting Present. House Bill 416 having received the required constitutional majority is declared passed. House bills 3rd reading is House Bill 421, Senator Marovitz. 421, Madam Secretary.

SECRETARY:

House Bill 421.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. The purpose of House Bill 421 is to resolve the

problem at DCFS of the accelerating volume of calls that aren't related to abuse and neglect but are nonreports. Reducing the volume of these nonreports would improve the performance of current staff and responsiveness to...to bona fide reports of abuse and neglect. This bill would mandate DCFS to conduct a study to investigate the impact of these nonreported calls or anonymous calls of suspected abuse and neglect. According to DCFS in 1985, there were a hundred and sixty-seven thousand calls to the State Central Registry System and only twenty-eight percent of those calls were classified reports of abuse and neglect, twenty-nine percent of the calls were unrelated and twenty percent of the calls were prank calls. So, if we can get a study of this, we can have a better idea of how to resolve the situation. DCFS is in favor of the bill and I solicit your Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Topinka.

SENATOR TOPINKA:

Yes, if I may ask Senator Marovitz a question, please.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Topinka.

SENATOR TOPINKA:

Yeah. What is the cost of this program which everybody is so supportive of?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

I'm sorry, I don't...I don't know, there wasn't a fiscal note and I haven't been told by the DCFS.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka.

SENATOR TOPINKA:

Yes, if I may, to the bill, I mean, considering the fact that although this is a great idea, we have many founded

reports which obviously the Department of Children and Family Services already have a methodology in place to go after. I don't know that we might want to spend a hundred and sixty thousand dollars just now to talk about anonymous reports, and I would submit that as...as just more money going out of the system when it is a very tight budget year.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, Mr. President and Ladies and Gentlemen of the Senate, the analysis of our amendment says...of our amendment says that the...it will cause no increase in the current fiscal impact. So I think it's a good bill and I rise to speak in favor of it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, Senator Harovitz may close.

SENATOR HAROVITZ:

I think this bill will help us deal with the abuse and neglect problem and with the...the sincere calls and the sincere efforts with the...of the department to deal with that serious situation. I solicit your Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall House Bill 421 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 44, the Nays are 13, none voting Present. House Bill 421 having received the required constitutional majority is declared passed. House bills 3rd reading is House Bill 423, Madam Secretary.

SECRETARY:

House Bill 423.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. House Bill 423 is a civil service suspension bill. The bill changes the length of time an individual can be suspended without written charges from thirty days to five days. It also provides that the only...only the chief officer of the department can...suspend instead of any officer of a department. And the final change gives the Civil Service Board the review power to examine the action of the chief with specific limitations on the actions the board can take. These are identical to those under the...police and fire Statutes. It passed the House by 105 to 3, it's supported by the Associated Firefighters of Illinois, and I would ask for your favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Hudson.

SENATOR HUDSON:

Thank you, Mr. President. Just a word or two, it is true that this bill passed the House by a large majority. It was heard in our House Labor and Commerce Committee, came out of committee on a straight party line vote because some of us felt that there were provisions in it that were less than perhaps what they should be. The last I knew, the Municipal League and the Illinois Chiefs of Police Association did oppose this bill unless there's been some change in their position. The opposition seemed to center around the fact that the groups opposing the measure felt that the bill would circumvent their ability to properly discipline their employees. I just wanted to bring this to your attention. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Dudycz.

SENATOR DUDYCZ:

Thank you, Mr. President. I stand in support of this bill. I'd just like to add to Senator Vadalabene that...House Bill 423 would cover policemen and firemen which were under civil service, make them consistent with those covering the boards of fire and police commissioner and I urge your support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, Senator Vadalabene may close.

SENATOR VADALABENE:

Yes, I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall House Bill 423 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 46, the Nays are 9, 1 voting Present. House Bill 423 having received the required constitutional majority is declared passed. Page 6...top of page 6, House bills 3rd reading is House bill 428, Madam Secretary.

SECRETARY:

House Bill 428.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Poshard.

SENATOR POSHARD:

Yes, thank you, Mr. President and Ladies and Gentlemen of the Senate. House Bill 428 would require the Department of Conservation to establish an Office of Conservation Resource Marketing to conduct a program of...for marketing and promoting the use of conservation resources. Our state parks

really should be on the cutting edge of attracting tourists and promoting recreational opportunities for our people as well as the people of neighboring states, and this bill would give us the opportunity to do this. Tourism is a major and a growing industry in the State of Illinois. This bill would require the Department of Conservation to work with local governments in...in maximizing the tourism opportunities in our state parks. It would provide additional opportunities for our own people and additional monies for our local and state governments, and I'd ask for a favorable consideration of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Fawell.

SENATOR FAWELL:

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

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will.

SENATOR FAWELL:

I see you've added an amendment to this. In our original analysis, it says that...that this would cost a great deal to the state. Do you have any idea what we're talking about as far as money is concerned?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Poshard.

SENATOR POSHARD:

Senator Fawell, the amendment that we added deleted a five-year program that was in the bill and...and that was, I think, the reason for the...the exaggerated amount of money. It's my understanding that the appropriation request for this bill is a hundred thousand dollars.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, the question is, shall House Bill 428 pass. Those in favor will vote Aye.



Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, 1 voting Present. House Bill 428 having received the constitutional majority is declared passed. House Bill 439, Senator D'Arco. Read the bill, Madam Secretary.

SECRETARY:

House Bill 439.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. Senate Bill...House Bill 439 conveys to the Chicago Park District a 2.01 acre tract of submerged land to be used for expansion of Shedd Aquarium. I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall House Bill 439 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 59, the Nays are none, none voting Present. House Bill 439 having received the constitutional majority is declared passed. House Bill 451, Senator Carroll. House Bill 461, Senator Demuzio. House Bill 464, Senator Karpiel. Read the bill, Madam Secretary.

SECRETARY:

House Bill 464.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Karpiel.

SENATOR KARPIEL:

Thank you, Mr. President. House Bill 464 requires that the Department of Public Health make available child death autopsy protocols, provides that in cases where a suspicious death has occurred, embalming of the body must not be conducted until the toxicology tests and autopsy are completed; requires the medical examiner or coroner to communicate his findings orally immediately upon completion of the autopsy and in writing within twenty-one days. An amendment was added which requires that all suspected sudden infant death syndrome cases shall be reported to the Illinois Department of Public Health statewide hotline within seventy-two hours of the...infant's death.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall House Bill 464 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. House Bill 4-6-4 having received the constitutional majority is declared passed. House Bill 471, Senator Marovitz. Read the bill, Madam Secretary.

SECRETARY:

House Bill 471.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

(Machine cutoff)...very much, Mr. President and members of the Senate. House Bill 471 repeals the criminal offense of concealing the death of a bastard which is...currently a Class A misdemeanor. We're doing this because the law is...is superfluous now because under the Vital Records Act, each death occurring must be registered by filing a death

certificate with local registers. Fetal deaths must also be recorded and failure to do so is a Class E misdemeanor. The filing of a false report is a Class A misdemeanor so this is superfluous language and that's why Representative Slater has attempted to do this, and I agree with it, and I would ask for your Aye vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members of the Senate, this is not the...not the major bill of the Session, but some of us have misgivings about the idea of doing away with this particular crime. Although the verbiage may be obsolete, some of us feel that it might be more appropriate to...to change the prohibited offense of...of concealing the death of a bastard to concealing the death of a child to make it more all encompassing. But even so, I don't feel that the language that's on the books now should be repealed outright and that's the reason for my opposition.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, the question is, shall House Bill 471 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 33, the Nays are 23, 3 voting Present. House Bill 471 having received the constitutional majority is declared passed. House Bill 475, Senator Zito. Read the bill, Madam Secretary. Take it out of the record. House Bill 478, Senator Smith. Read the bill, Madam Secretary.

SECRETARY:

House Bill 478.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Smith.

SENATOR SMITH:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Bill 478 does four things. Number one, it requires the Department of Public Aid to report all cases of suspected child abuse and neglect to the Department of DCF when making home visits and consultations. Two, the department shall frequently visit recipients that they suspect of public aid fraud or changes in financial circumstances. And, three, it allows the payee for certain public aid cases. And, four, it mandates that the department shall intercept state lottery winnings of a delinquent responsible relative for the purposes of past due child support. According to the Department of Public Aid, House Bill 478 has no physical impact and it has been recommended for the agreed bill in which it went out on, and I certainly ask for your favorable support.

PRESIDING OFFICER: (SENATOR SAVICKAS)

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

SENATOR BROOKINS:

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

PRESIDING OFFICER: (SENATOR SAVICKAS)

She indicates she will.

SENATOR BROOKINS:

In the fourth thing that the bill would do, the lottery of a relative...responsible relative, would you clarify that what is a responsible relative and what are we talking about?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Smith.

SENATOR SMITH:

This...this is the same, Senator Brookins, that went out on the Agreed Bill List which was Senate Bill 1121 and it passed the Senate and it got inadvertently lost over there in

the House, it's the same thing. What we are trying to do is to help the department to save their money and this is not going to hurt what you're interested in.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Brookins.

SENATOR BROOKINS:

I understand that, but I still want to know the responsible relative wins the lottery, who is this responsible relative...a relative and...and...and we...and this bill will enable you to seize that winnings?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Smith.

SENATOR SMITH:

A person who has children and has neglected to pay their part of support to that child and if he wins some lottery, his obligation is to his children if he is delinquent with that child. The...the department is already doing this now.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Brookins.

SENATOR SMITH:

...statutory permit.

SENATOR BROOKINS:

That's the parent of the child...the father of the child. Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, the question is, shall House Bill 478 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. House Bill 4-7-8 having received the constitutional majority is declared passed. House Bill 482, Senator Rock. House Bill 483, Senator Berman. House Bill 484, Senator Maitland. House Bill 494, Senator Smith. Sena-

tor Smith. Read the bill, Madam Secretary.

SECRETARY:

House Bill 494.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Smith.

SENATOR SMITH:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Bill...494 requires DCCA Office of Urban Assistance to provide entrepreneurial training for recipients of public assistance. The Office of Urban Assistance is responsible for planning and coordinating existing state programs designed to aid and to stimulate the...economic growth of depressed urban areas. It also requires the Department of Public Aid to along with county departments and local governments encourage and assist public aid recipients to participate in the entrepreneurial training program of DCCA's Urban Assistance. I ask for your support in this bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Karpiel.

SENATOR KARPIEL:

Thank you, Mr...thank you, Mr. President and Ladies and Gentlemen. Senator Smith, this bill is putting into place in DCCA a program to provide entrepreneurial training for recipients of public assistance. I understand that DCCA already provides this service.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Smith.

SENATOR SMITH:

If you listen to what I was saying, Senator Karpiel, this is merely to encourage the participation of the recipient to participate in an already ongoing program that DCCA has. This is what we are trying to do. If the Department of

Public Aid working in coalition with the Department of DCCA. DCCA has this, yes, already...in action but what we're trying to do is to encourage the support to help these recipients become entrepreneurs on their own, be self-sustaining people.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Karpel.

SENATOR KARPIEL:

...so is this a mandate? Are we telling...saying that they have to do this or that...we're...this is a program to encourage people to do something which is already being provided.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Smith.

SENATOR SMITH:

We are merely requiring DCCA to continue to do this, we don't want them to stop.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Karpel.

SENATOR KARPIEL:

So you are mandating...by...by requiring, you're mandating.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Smith.

SENATOR SMITH:

We're not forcing anyone, we're just hoping that they will...you know...continue to support this. Everyone needs a bit of encouraging, Senator Karpel. There are a lot of things that already in existence but sometimes you have to put some teeth into it in order to make it effective.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Karpel.

SENATOR KARPIEL:

Well, to the bill, Mr. President. I understand when she...I...I...I still am rather confused by it because if she

says we're encouraging and then she says we have to put teeth in something, I don't know, when you put teeth in something, to me that sounds like you're mandating. Encouraging is encouraging. I don't know why we need a bill to encourage somebody to take to...take advantage of a program that's already there. If we were mandating it, it would be different, but when we're talking about encouraging, somehow or other I just don't see the need for this piece of legislation to have to go onto the Statute books.

PRESIDING OFFICER: (SENATOR SAVICKAS)

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

SENATOR SMITH:

Thank you, Senator...Mr. President. Senator Karpel, it says we require the Department of Public Aid along with the county departments and local governments encourage and assist public aid recipients to participate in the entrepreneurial training programs of DCCA's Office of Urban Assistance. Sometimes we have recipients who need coaching or need to be informed. There are a lot of programs that we have already in existence in these departments, but if the people are not informed, they go lacking and that's all we're trying to do. We're trying to help people to help themselves. You're talking about an awful lot of money that you're taking and using for this and that and the other, you have something already in existence and all we want to do is to encourage these people to participate, that's all we're trying to do.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall House Bill 494 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 31, the Nays are 23, 2 voting Present. House Bill 4-9-4 having received the con-



stitutional majority is declared passed. House Bill 505,  
Senator Joyce. Read the bill, Madam Secretary.

SECRETARY:

House Bill 505.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

(Machine cutoff)...Joyce.

SENATOR JEREMIAH JOYCE:

Thank you, Mr. President. House Bill 505 seeks to codify  
the traditionally recognized exception to the...good faith  
exception to the exclusionary rule. We have amended this to  
try to confine it to the language of the United States  
Supreme Court in Leone case. It passed out of Judiciary  
Committee 10 to 1. I'll be happy to answer any questions.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall  
House Bill 505 pass. Those in favor will vote Aye. Those  
opposed vote Nay. The voting is open. Have all voted who  
wish? Have all voted who wish? Take the record. On that  
question, the Ayes are 56, the Nays are 2, 1 voting Present.  
House Bill 505 having received the constitutional majority is  
declared passed. House Bill 507, Senator Berman. Read the  
bill, Madam Secretary.

SECRETARY:

House Bill 507.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President and Ladies and Gentlemen of the  
Senate. This bill and the next two bills are part of the  
child welfare package of legislation that's been passed out

of the House of Representatives. This bill provides that grades kindergarten through eighth shall provide drug and substance abuse instruction including the prevention and avoidance of such abuse. Be glad to respond to any questions and ask for your favorable vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

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

SENATOR KUSTRA:

Thank you, Mr. President and members of the Senate. I do feel compelled to...to rise and explain a long line of No votes in committee on the Republican side anyway, and I...I do so because I want to clarify the fact that I...I don't really think that...that those are...necessarily represent a partisan difference of opinion over the need to teach drug abuse. We all know that drug abuse must be taught in the schools. The question is one of approach, the question is one of whether or not we, in Springfield, should mandate that or whether we should allow our local school boards to determine for themselves how to do that and under what conditions. I don't think there's any question...I don't think you could name or find more than a few school districts as...even that many in the whole state of Illinois who aren't already doing some form of instruction in drug abuse. It seems to me the only question is whether we want to get into that business or whether we want to allow our local school boards to do it. The No votes reflected in the Senate Education Committee, I believe are there because those folks felt...we felt that that is better left to local school boards to determine rather than those of us in Springfield.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Keats.

SENATOR KEATS:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR KEATS:

One of...one of the major concerns with...teaching too much about drugs in schools is all of a sudden the kids become experts on which one don't do as much harm, which ones do them more harm. How would you actually go about instructing avoiding drug abuse? I mean, other than saying...telling them not to do it, how big an expert do we want to make them on all these different kinds of drugs? Shouldn't there be a little bit of fear left in there somewhere? Could you explain how this would be instructed?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR BERMAN:

Senator Keats, the purpose of this bill is that we leave it to the experts at the State Board of Education and at...specifically at each local school to determine what approach they are to take. Now, it may vary from school district to school district. It may vary from school building to school building in particular districts. We do not mandate that, but we do say by this bill that the problems that are connected with drug and substance abuse should be addressed and...and educate the children in a proper way. The proper way will be determined at the local school level.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Further discussion? If not, Senator Berman may close.

SENATOR BERMAN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This bill and the next two...we pass an awful lot of bills that tell our local school districts what to do, whether it be dealing with labor management relations, whether it deal with state holidays, whether it deals with times that the children have to stay off. This bill and the

next two are saying that we believe it's important at the local school level to address the very, very serious problem that is a statewide problem of drug and substance abuse. Let us confirm that this is an important priority on our behalf, that it be taught at the local school level by every district in the state as they see fit, but it's important to us. I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall House Bill 507 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 35, the Nays are 20, 2 voting Present. House Bill 5-0-7 having received the constitutional majority is declared passed. House Bill 508, Senator Berman. Read the bill, Madam Secretary.

SECRETARY:

House Bill 508.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 508 requires that instruction be given in parenting and family relations in grades nine through twelve. As a result of discussion in the Elementary and Secondary Education Committee, the bill has been amended to be more specific so that one unit which is one year of...of instruction will be included. Now this can be included in any way...in any other existing curriculum and any other course structure that is involved in the existing process of educating the kids in...grades nine through twelve. We're dealing with parenting and family relations. Again, I think it's a very important subject to alert our children to and I

solicit your Aye vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President and members of the Senate. Again, I don't think Senator Berman and I disagree on the need to teach this in schools. I think we do disagree on who should be telling local school districts and teachers how to do that and under what conditions, and I must tell you that there is a specific mandate in the bill that says such instruction must include the following components and then there's a...a list, child growth and development, child birth and child care, prenatal and postnatal care for mothers and infants, prevention of child abuse, parenting skill development. So there's very specific mandates within the mandates on this one. The only thing I would say about this one is that the amendment to which Senator Berman alluded is written in such a way that it really makes the bill a bit more vague than specific. By referring to a unit of instruction, it seems to me that a local school board could determine that to be one week, two weeks or however many weeks they choose to teach this subject. I would argue that that actually makes this bill a little better, not better enough, I suggest to you, to vote for it because it is still a mandate, but I do hope for purposes of legislative intent that we underscore the fact that a unit can be interpreted very broadly.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Keats.

SENATOR KEATS:

There's several issues that go back to a curriculum that has some mandate upon it. First of all, we are assuming that we have someone who is an expert on correct family relationships. Let me give an example. As many of you know, I have a very large Jewish constituency in my district and as one

Jewish mother was explaining to me she said, you know, our normal discussion over the dinner table is we use that as our religious instruction time and they talk over various things related to their religion. Now wait until someone tells you or in these classrooms that the issue of religious values start to come up...there is some First Amendment question here, exactly how much you want the schools saying of a normal relationship within religious values, whatever. If you're Jewish, as you know, there are certain dietetic laws you should be following. Now, if you're not Jewish, you might consider some of those diet laws kind of goofy, but if you are, it is of some significant effect and if those issues get into it in terms of nutrition, child growth, development, whatever, all those can be involved. The other questions of...of family relationships revolved around working hours. One person raised the question of house husbands. In this...they talk about normal family relationship, how to raise children. Suppose the wife is making more money and the husband decides to spend three days at home during the week, are the kids going to think he's a weirdo because that isn't the normal relationship? If he's unemployed and spends months around the house looking for a new job; again, none of those fit quite into all these various things involved and you really have to ask yourself if it's the role of the government to say what's normal or what is not and I would solicit a No vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

Thank you, Mr. President and members of the Senate. I rise in very strong support of House Bill 508 and...and let me just tell you why.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator, excuse me, the Floor would like to recognize the

presence of our Governor, Jim Thompson, there conferring with the Democrats. Governor Thompson persuading Senator Jacobs to vote for his tax proposal. Senator Collins. Senator, just a moment. We have a request of Margaret Savickas here to take leave of the Body to take pictures of our...of our Body. Is leave granted? Leave is granted. Senator Collins.  
SENATOR COLLINS:

Thank you. I rise in support of House Bill 508 because I think it is probably one of the most important issues that...that have come before this Body in a long, long time in our efforts to address some of the critical social...ills in our society...there are two major elements that I think that...that is currently left out of our whole educational system or even our socialization processes in this country and that is the lack of citizenship being taught in those...in our social institutions and family relationships which transcends out of the family into the broader society which determine how well we interact and get along and live in harmony with...with each other. And with...and with the...based on the fundamental principles of our democracy and our society and the whole concept and principles of sharing and respect for human rights and human dignity and each other, it is essential that I think that this kind of concept of...of parenting being taught and family dynamics in the school systems given the fact that many of our families...some to no fault of their own will not take the necessary time to teach the kinds of relationships and family dynamics that is necessary for our...our young people to grow up to be the responsible kind of citizens that will make the kind of government work in our society for the good of all of mankind. So it is imperative that I think...see, most of you seem to think that the teaching of parenting only deals with the problem of teen pregnancy and learning young girls how to care for their babies; yes, that is important and, yes, that

should be a part of any responsible parenting program in the school systems but that is only one element. Family dynamics, getting along with each other, sharing, learning the responsibilities of caring for another person and especially a young child should be very, very important to all of us and it should be a priority; therefore, I urge very strongly a favorable vote for...House Bill 508.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Channel 20 requests permission to tape. Hearing no objection, leave is granted. Is there further discussion? If not, Senator Berman may close.

SENATOR BERMAN:

Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Fawell, for what purpose do you arise?

SENATOR FAWELL:

I'm sorry, I had my light on. I...I would like the sponsor to yield for one question if he would?

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will.

SENATOR FAWELL:

Senator Berman,...I understand what you're doing and I agree with the intent of the bill. The thing that concerns me more than anything else is that according to the testimony that we heard in...in committee, the home economist teacher said that they were the only ones who were really qualified to teach this, and what you are doing I'm...I'm afraid is...is mandating a home...economist...I mean, home economics course. And I would like you to clarify that and...and give the legislative intent; nothing against the home economic teachers, they're great people, but I'm not sure that we're going to want to mandate that everybody takes a course like this and...and spend one more semester taking the course.

PRESIDING OFFICER: (SENATOR SAVICKAS)



Senator Berman.

SENATOR BERMAN:

The representatives from the Home Economics Association who did sign in in favor of the bill had discussed with...with Representative Preston and me about an amendment that would have limited it to the teaching by home ec. teachers. We were able to convince them that that was not the route to go because in certain...in different school districts it may be more appropriate to place this course of...of instruction in other than home economics and they agreed with us. They are supportive of the bill and it is certainly not the intent that only a home economics' teacher can teach this curriculum.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Fawell.

SENATOR FAWELL:

And are you talking about a semester or a year's course that we would be mandating at the high school level or what are you talking about? What are you mandating? How much time are you mandating?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR BERMAN:

We have mandated in the amendment one unit and, as Senator Kustra has spelled out, that can be incorporated in any other type of course curriculum. We're not saying that you have to have a new separate course, but within a curriculum for...for grades nine through twelve, this subject matter must be included at some period of time within one unit and one unit is usually one year of instruction.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Channel 2 seeks leave to take photos. Hearing no objection, leave is granted. Is there further discussion? Senator Berman may now close.

SENATOR BERMAN:

All right, ladies and gentlemen, I think it's very important to separate one of the elements of this bill because I think it hits at one of the basic problems that we learn about, that we know about, that we read about day in and day out regarding our whole social structure and the interplay in schools. There was a story on the front page of the Tribune just the other day that highlighted the problems between several school districts, and they talked about economic and racial makeup and the problems there. The...one of the mandates of this bill, and I am just...as apprehensive about mandates as you are, talks about family relations; and when you think about it, without this kind of mandate, it's very possible that a student will go through high school without any exposure at all to some guidance as to what makes up good family relations. We all agree that one of the pitfalls of effective education is the lack of parental guidance, parental involvement, that's part of family relations. We could make a...hopefully, a very meaningful step forward in requiring family relations to be taught in a very loose but required manner in every school district of this state. I think that this could be one of the most important steps forward in building a solid foundation for all the rest of the things that we try to do in education. Parenting and family relations should be part of what we teach our children in Illinois. I ask for your Aye vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there...the question is, shall House Bill 508 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 38, the Nays are 20, none voting Present. House Bill 508 having received the constitutional majority is declared passed. House Bill 509, Senator Berman.

Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 509.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR BERMAN:

This third bill requires all public schools to provide instruction on the prevention of sexual and physical abuse. This is a recommendation from the surveys of...and supported by the Department of Children and Family Services. The...the incidents of child abuse has increased thirty-five percent between Fiscal '84 and Fiscal '85. This is a problem again that is statewide and sometimes in some of the more rural areas, it doesn't get the kind of publicity that many of the metropolitan press and media are able to give it, but it is something that we ought to be able to...to guide and very gently advise our children of the problems that are inherent in sexual and physical abuse. Again, the bill will leave up to each individual district the method by which this is taught. I solicit your Aye vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Channel 17 here indicator seeks leave of the Body to film. Is there any objection? Hearing none, leave is granted. Discussion on 509? Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President and members of the Senate. I know I've spoken on the two previous bills. I must tell you that I wasn't surprised by the vote. I...I hope that I am surprised by this next vote though, because I do hope that those of you that just voted on the first two bills will take a good, hard look at this one. It deals with a very sensitive subject. It deals with the teaching of sexual abuse and

it mandates that every school district across the state do that all the way down to kindergarten. Now, previously, I've referred to the fact that local school boards might not like being mandated to do these things. I suggest to you that from some teachers I've talked to, the teachers aren't too wild about a state law that is now going to set up a program for mandating the teaching of sexual abuse. I would also suggest to you that you better watch carefully for House Bill 2728. Under this particular bill, there's no way that a parent gets any advance notice of...of this teaching of sexual abuse and there's no way for a parent to allow his child to opt out of it. House Bill 2728, which we'll deal with later this week, does provide for a five-day notice and allowing the parent to opt the child out of it, but that's not in this bill, and under this bill that parent doesn't seem to have any recourse. I would suggest to you that while we may want to get into the business of mandating drug abuse teaching and parental education, we might be taking one step too far by moving into this very, very delicate and sensitive area of sexual abuse. It seems to me that this is something that we ought to let local school districts decide whether or not they want to do it and how to do it and I would add one final point. We passed a bill, it became law just last year, where we apparently decided that's exactly how we should do it; in fact, the language says, "The State Superintendent of Education shall prepare and disseminate to all public schools and nonpublic schools information on instructional materials and programs about sexual abuse which may be used by schools for their own community programs," may. I suggest we leave the law exactly as it is and vote this bill down.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Channel 3 seeks permission to videotape. Is there any objection? Hearing none, permission is granted. Further discussion? Senator Madigan.

SENATOR MADIGAN:

A point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR SAVICKAS)

State your point.

SENATOR MADIGAN:

Thank you, Mr. President. In...visiting with us in the gallery today is the officers of the Tazwell County Farm Bureau and I'd like to...them to rise and be welcomed to the Senate.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Would they please rise and be recognized. Senator Collins.

SENATOR COLLINS:

Question of the sponsor, please. Senator Berman,...

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR COLLINS:

...in response to the questions...follow up on the question answered by the last speaker, does this bill have provisions for notifying the parent that...that the instructions for the...the...the kindergartens in child abuse will...will be taking place...notification to the parent?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR BERMAN:

There is nothing in this bill that authorizes or requires it but, again, that could be up to the local school board to determine if they wish to proceed that way.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

Well, Senator Berman, I think in committee some of us supported the bill recognizing that that was one of the elements in this...that was missing that was, in fact, essential

to this legislation, particularly when it comes to the teaching of child abuse to kindergartens and very young children for several reasons that I think in committee several examples were given; and that is, if, in fact, a child...a kindergarten child goes home and...and the parent through giving the...bathing the child or changing the child's clothes and...or someone else in the family and touches some of the child's private parts, without the understanding that this child is now being taught in the school, it could in fact set up a very serious conflict in the child's teaching and it could have some...some adverse mental or emotional impact on that child. So I would think that to make this...bill a better bill that we really ought to, and I said that in committee, have some notifications to very young children so that the...will not be that kind of a conflict at home and I can give you a good example of that happening and that is to my grandson. This very same thing was happening to him in private preschool, they do teach the kids and the conflict between...he did not want his mother to bath him and she did not know why.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion or...Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. First of all, I would point out that House Bill 2728 with this bill would build in the safeguards that Senator Collins and others have talked about regarding the parental permission for this kind of program. This bill was supported in committee by the Illinois Federation of Teachers, Department of Children and Family Services, the Illinois Association of School Boards and the Illinois Social Workers' Association. DCFS indicates that fifty-one percent of the children in sexual abuse reports were nine years of age or younger...nine years of age or under, that...we're talking about children in fourth grade and youn-

ger. I know my first response to this when we talked about kindergarten and first and second grade was one of surprise, but I think that...merely reflects my parochial and age frame of reference. Regrettably, this is going on with kindergarteners and first graders and second graders, and I think that it's important that we require our school board...our school boards to address this problem and to structure a...a method of educating, alerting the children so that they know what there is out there. Regrettably, it is out there and I think especially in light of the endorsement in committee by the School Board Association and the social workers that this bill deserves your Aye vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall House Bill 509 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 28, the Nays are 26,...5 voting Present. Senator Berman seeks leave of the Body to place House Bill 509 on postponed consideration. Hearing no objection, leave is granted. For what purpose Senator Hudson arise?

SENATOR HUDSON:

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

PRESIDING OFFICER: (SENATOR SAVICKAS)

State your point.

SENATOR HUDSON:

In the President's Gallery to my right is a group of students from Oswego High School visiting our Chambers here today to see how we do things along with their teacher, Mr. Tom Fletcher. Would they stand and be recognized.

PRESIDENT:

Will our guests please stand and be recognized. Welcome

to Springfield. 521, Senator Karpel. On the Order of House Bills 3rd Reading is House Bill 521. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 521.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Karpel.

SENATOR KARPIEL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Bill 521 amends the Code of Criminal Procedure to provide an exception to the hearsay rule for statements made by sex offense victims to their physician during diagnosis and treatment of the victim, and that's simply all it does.

PRESIDENT:

Discussion? Is there any discussion? If not, the question is, shall House Bill 521 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, 1 Nay, none voting Present. House Bill 521 having received the required constitutional majority is declared passed...I beg your pardon, Senator Marovitz, for what purpose do you arise?

SENATOR MAROVITZ:

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

PRESIDENT:

State your point, sir.

SENATOR MAROVITZ:

In the balcony in the back of the Chamber on the Republican side is a group of individuals from Thresholds on the north side, a...psychosocial program for the mentally ill, many of whom are deaf. They've come to visit Springfield



HB 527  
2nd Reading  
HB 527  
Status: out of the recall

today and I'd like to welcome them to our Chamber.

PRESIDENT:

Will our guests please stand and be recognized. Welcome. 527, Senator Karpiel. On the Order of House Bills 3rd Reading is House Bill 527. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 527.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Karpiel.

SENATOR KARPIEL:

Thank you, Mr. President. I've asked to have House Bill 527 put on the recall list.

PRESIDENT:

Take it out of the record. 529, Senator Karpiel. On the Order of House Bills 3rd Reading is House Bill 529. Read the bill, Madam...Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 529.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Karpiel.

SENATOR KARPIEL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Bill 529 says that no person shall be barred from testifying because of age. At the present time, children under the age of fourteen are usually...must be shown first by the court to be competent to testify. This bill would allow them to testify unless otherwise shown by the court that they are in...not competent to testify.

PRESIDENT:

Any discussion? Is there any discussion? If not, the

HB 529  
2nd Reading  
HB 532  
2nd Reading

question is, shall House Bill 529 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 529 having received the required constitutional majority is declared passed. Senator Barkhausen, 532. On the Order of House Bills 3rd Reading, the middle of page 7, ladies and gentlemen, is House Bill 532. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 532.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr...President and members, House Bill 532 would require counties and municipalities prior to approving a plat to receive approval of the Illinois Department of Transportation with respect to state highway access...the local highway authority with...with respect to all other roadway access and local health department if one exists with respect to sewage disposal systems. The bill passed the House...and the Senate Transportation Committee unanimously and I would ask for a favorable roll call.

PRESIDENT:

Any discussion? Is there any discussion? If not, the question is, shall House Bill 532 pass. Those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 Ayes, no Nays, none voting Present. House Bill 532 having received the required constitutional majority is declared passed. 540, Senator Watson. On the Order of House Bills

3rd Reading is House Bill 540. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 540.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Watson.

SENATOR WATSON:

Yes, sir. Thank you, Mr. President. This is the wild-life preemption bill and it prohibits units of local government from regulating, limiting or licensing fishing and hunting. Nothing in this particular piece of legislation will prohibit that unit of local government from issuing, handling or selling a license pursuant to the Fish Code and Wildlife Code. This particular piece of legislation does not preempt firearm ordinances, this is only wildlife regulation, and if a community has a firearm ordinance, it will take precedent over this particular piece of legislation. There is a process in...in the bill by which the unit of local government can petition the Department of Conservation in order to regulate. So there is provisions for some regulation by the local unit of government but they do and must petition the Department of Conservation. This particular bill is supported by most all...in fact, I don't know of any opposition from any sportsmen's groups. The reason for it is primarily because of the private and public lands that have diminished in recent years and...and availability of...of hunting and fishing on those lands and we're just trying to establish some sort of consistency in regard to regulating hunting and fishing and...and that process by units of local government. You should have all received a mailgram from the National Rifle Association just in the last couple of days concerning their support for the legislation and also a letter from the Illinois Wildlife Association in support of the legislation.

I would be glad to answer any questions and ask for a favorable vote.

PRESIDENT:

All right. Discussion? Senator Fawell.

SENATOR FAWELL:

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

PRESIDENT:

Indicates he will yield, Senator Fawell.

SENATOR FAWELL:

Senator, I have in my...in my district several lakes...small lakes that are...are...have, in fact, have been dug out and are now maintained by my forest preserve. These lakes are periodically stopped and every once in a while, the...the forest preserve says...they've been overfished, they have to restock them with the fingerlings and...and a restriction is put on as far as fishing is concerned...in fact, there was one lake a couple of years ago where no one was allowed to...to fish because of the fact that they felt...the fish weren't big enough to catch. They also, of course, because of the...the kind of county that I live in have restrictions as far as hunting is concerned in these forest preserves. Now these are public lands but, nevertheless, they are controlled by the forest preserve as far as hunting and fishing...is concerned. Are...under this bill will this authority be taken away from my forest preserve commissioners or...or what is that status?

PRESIDENT:

Senator Watson.

SENATOR WATSON:

Yes...yes, the authority would be taken away but they will be able to petition the Department of Conservation and, of course, the Department of Conservation has experts in regard to the size of fish and the concerns that you have and

would make that decision. But all I'm saying is that we're trying to make some consistency in regard to the regulations and laws throughout the State of Illinois so that the sportsmen and fishermen and all will have some idea of what to expect when they go into a local community.

PRESIDENT:

Further discussion? Senator Topinka.

SENATOR TOPINKA:

Yes, sir, if I may ask a question of the...of the Chair. Does this, indeed, preempt home rule and, if so, what is the necessary number of votes?

PRESIDENT:

The Chair is prepared to rule...and will rule before the matter is put to a vote. Further discussion? Senator Savickas.

SENATOR SAVICKAS:

Well, I guess two of my questions have been answered...or...have been asked and that is the amount of votes it would take. I...it's my understanding this preempts home rule authority and I understand it would also limit at least in...on the City of Chicago's case their ability to regulate on Lake Michigan their authority now and also the regulation on the use of firearms in Chicago. At this point, I think this is very intrusive into the city's operation and I would suggest that if we can't bring it back to amend it that we vote No on it.

PRESIDENT:

All right. The Chair is prepared to rule so that the question doesn't have to keep coming up that under Article XIII, Section 6G, House Bill 540 as amended will require thirty-six affirmative votes in order to be approved. Further discussion? Senator Jacobs.

SENATOR JACOBS:

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

Senate. I...I rise in support of this bill, let me tell you why. In a community just to the north of mine, a few years back there was a mayor who fed the ducks during the summer and it's right on the Mississippi River with a duck blind right out from his house, then during that...during that hunting season, of course, the hunters shot the ducks. The mayor did not like that so he and his council passed a city ordinance prohibiting the shooting of the ducks in that area. Well, to make a long story short, that mayor and that city council was defeated in the next election. My point being that I think even though it may preempt home rule, I'm not sure it's an issue that we want to give to the local governments 'cause it's a tremendous decision that they have to make and it could cost somebody their election.

PRESIDENT:

Further discussion? Senator Collins.

SENATOR COLLINS:

Yes, thank you. I think all of...all of my points have been basically clarified here, but I would just like to say that I think this is...a bad idea and for those of you who...who have not made up your mind as to how you should vote on this bill, I think you should...should look at some of the people that's supporting it; the National and Illinois Rifle Association, the Furtrappers Association is in favor of this legislation, so I...I would just...you know, ask that you do think carefully before you vote on this and I think the best vote is a No vote.

PRESIDENT:

Further discussion? Further discussion? Senator Watson may close.

SENATOR WATSON:

Well, thank you. In regard to Senator Savickas, you're quite correct, it does regulate...or prohibit the regulation of the...Lake Michigan by the City of Chicago, but this has

absolutely nothing to do with gun control or the control...of weapons, absolutely nothing. In regard to the...the decision of the Chair on the thirty-six votes, this is not a pre-emption, this is a declaration of state...exclusivity and it spells that out in the...in the legislation where it says that this is a...a exclusive state function which may not be exercised concurrently by any home rule unit which is, of course, under the provisions of our current Statutes says that that does not require thirty-six votes. So I would appreciate that taken into consideration.

PRESIDENT:

Further discussion? Senator Savickas for the second time.

SENATOR SAVICKAS:

Yes...I guess...

PRESIDENT:

...the gentleman was closing.

SENATOR SAVICKAS:

To answer...I was told that this does not affect or preempt on gun control, it does, it allows people...Senator, I'd like to ask you a question. Can people come in with their shotguns and go on Calumet Lake in Chicago and do...and hunt, bring their guns right into the city and hunt?

PRESIDENT:

Senator Watson.

SENATOR WATSON:

No...if it's a local firearm ordinance, that prevails, that would be a control over the situation that you're...that you're...referring to. If they have a provision, a local ordinance that says you cannot bring a firearm or fire a...a gun in a particular park district or a particular preserve or whatever, that takes precedent over this. So that would be a method of controlling it and you would not be able to bring a gun in there if there is a current provision saying that

you...that you can't have a firearm, it's as simple as that.

PRESIDENT:

All right. The question is, shall House Bill 540 pass. Those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 37 Ayes, 14 Nays, 2 voting Present. House Bill 540 having received the required constitutional majority is declared passed. Senator Savickas, for what purpose do you arise?

SENATOR SAVICKAS:

Verification of the roll.

PRESIDENT:

All right, that request is in order. All right. Senator Savickas has requested a verification, if the members would please be in their seats. Mr. Secretary, please read the affirmative roll. (Machine cutoff)...of the affirmative vote, Mr. Secretary, yes, sir.

ACTING SECRETARY: (MR. HARRY)

The following voted in the affirmative: Barkhausen, Brookins, Davidson, DeAngelis, Degnan, Demuzio, Donahue, Dudycz, Ralph Dunn, Thomas Dunn, Etheredge, Friedland, Geokaris, Hawkinson, Holmberg, Hudson, Jacobs, Jeremiah Joyce, Kelly, Lechowicz, Macdonald, Madigan, Mahar, Maitland, Netsch, Philip, Poshard, Raica, Rigney, Schaffer, Schuneman, Severns, Vadalabene, Watson, Weaver, Welch, Woodyard, Zito.

PRESIDENT:

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

SENATOR SAVICKAS:

Yes, Senator Netsch.

PRESIDENT:

Senator Netsch. Senator Netsch on the Floor? Strike her name, Mr. Secretary.



AB 541  
3rd Reading

SENATOR SAVICKAS:

Senator Demuzio.

PRESIDENT:

Senator Demuzio. Senator Demuzio on the Floor? Strike his name, Mr. Secretary.

SENATOR SAVICKAS:

Senator Zito.

PRESIDENT:

Senator Zito on the Floor? Senator Zito on the Floor? Strike his name, Mr. Secretary.

SENATOR SAVICKAS:

That's all.

PRESIDENT:

All right. The roll has been verified. There are 35 Ayes, 14 Nays, 2 voting Present. House Bill 540 having failed to receive the required constitutional majority is declared lost. 541, Senator Joyce. On the Order of House Bills 3rd Reading, Mr. Secretary, is House Bill 541. Read the bill, please.

ACTING SECRETARY: (MR. HARRY)

House Bill 541.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Thank you, Mr. President and members of the Senate. House Bill 541 would require the seller of advertising in a phone directory to inform the prospective client, one, where the directory is going to be distributed and, two, if there have been prior...publications to inform the client as to the number of those. I ask for your support.

PRESIDENT:

Discussion? Senator Barkhausen.

SENATOR BARKHAUSEN:

This is a bill that came through Judiciary Committee and it's maybe not that major a bill, but I feel...at least compelled...to ask why it's really so necessary. We did not hear in committee of any major problems that our constituents have experienced in being asked to advertise in directories that don't circulate where they're supposedly being circulated, and if there is really this sort of fraud that's taking place, the existing language of the Consumer Fraud Act ought to be adequate to cover it without the necessity of these additional provisions and powers granted to the Attorney General.

PRESIDENT:

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Is that a question?

PRESIDENT:

I thought it was. I beg your pardon, Senator Barkhausen. All right. Further discussion? If not, the question is, shall House Bill 541 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 54 Ayes, 1 Nay, none voting Present. House Bill 541 having received the required constitutional majority is declared passed. Senator Marovitz, 546. On the Order of House Bills 3rd Reading is House Bill 546. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 546.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. This bill would extend the Project Chance to...which currently covers nursing homes and welfare recipients working in nursing homes to day-care centers. Certain public aid recipients would be...possibly employed in child care centers and preschool programs as teachers' aides and in public health programs as home visitors and health aides. If this program were found to be beneficial, DCFS could furnish day-care home providers information concerning education and training and early childhood development, and it would empower DCFS to directly provide education and training and make arrangements for such services. The purpose of this bill is to train certain welfare recipients and day-care providers in early childhood development. The program has worked very well. Where we have welfare recipients working in nursing homes, DCFS would consult with public aid, public aid would do the training and I think it's an excellent idea. It comes out of...from Mr. Irving Harris, special counselor on children to the Speaker of the House and the House Select Committee on Children and I solicit your Aye vote for this...  
PRESIDENT:

Discussion? Any discussion? If not, the question is...Senator Demuzio.

SENATOR DEMUZIO:

Well, I just want to know that once these public aid recipients are granted the opportunity to go into the child care centers, is it the child care centers...are they the ones that are responsible for liability insurance and those kinds of things with them and is there any pay involved?

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

The...the child care centers will continue to be responsible for liability insurance and any negligence that occurs

on the property.

PRESIDENT:

Further discussion? If not, the question is, shall House Bill 546 pass. Those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays...1 Nay, none voting Present. House Bill 546 having received the required constitutional majority is declared passed. 547. On the Order of House Bills 3rd Reading is House Bill 547. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 547.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. House Bill 547 would...would bring a series of projects to the State of Illinois similar to the Beethoven Project, and for those of you who aren't familiar with the Beethoven Project, it's a nationally renowned program that's funded primarily by the Harris Foundation headed by Irving Harris. The project emphasizes early intervention with children and families in poverty areas to prevent long-term problems. The project provides such services as early and continuous prenatal care, home visits, parent education programs and family support programs. The purpose of this bill is to institute projects like the renowned Beethoven Project in different areas of the state with high infant mortality rates. The Beethoven Project is primarily funded by private agencies,...DCFS contributes fifteen thousand dollars only to the project and I think this is an excellent response to a

terribly high infant mortality problem that we have in our state and I think it's a good response to it and I solicit your Aye vote.

PRESIDENT:

Any discussion? If not, the question is, shall House Bill 547 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 59 Ayes, no Nays, none voting Present. House Bill 547 having received the required constitutional majority is declared passed. On the Order of House Bills 3rd Reading, bottom of page 7, is House Bill 548. Read the bill, Mr. Secretary.

END OF REEL

REEL #3

ACTING SECRETARY: (MR. HARRY)

House Bill 548.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

...thank you, very much, Mr. President and members of the Senate. This is the last in the series of bills on child abuse and reform. The Adolescent and Teen Suicide Prevention Program was part of this Senate's initiative last year. The purpose of this bill, House Bill 548, is to award grants to programs that evaluate the effectiveness of school based programs to reduce adolescent and teen suicide prevention. A controlled study would generate a model for further development in...in the State of Illinois. This bill, which I have discussed with the Department of Mental Health and...Disabilities and Director Kiley, would allow the director and DMH to award at least one grant under the Adolescent and Teen Suicide Prevention Program to a program that conducts six demonstration projects throughout our state. The program would devise and document the prospective school curriculum and outline the timetable and implementation of the program dealing with teen pregnancy and teen suicide. And I think it's an excellent idea, it's a legitimate response by this Body and by our government and I solicit your Aye vote.

PRESIDENT:

Discussion? Senator Newhouse.

SENATOR NEWHOUSE:

Thank you, Mr. President. The sponsor yield to a ques-

tion?

PRESIDENT:

He indicates he will yield, Senator Newhouse.

SENATOR NEWHOUSE:

Senator, I...I don't doubt that that...the suicide prevention is of...of prime importance, but the major cause of...of...of death in my community is homicide, that is youngsters killing each other. And if you look at the ratio, the ratio is about eight to one as opposed to suicide, and I'm wondering if that mental health problem is not worthy of recognition and perhaps ought to be included in this bill.

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

Well, this bill has been around and I certainly would be happy to include anything. I think at this stage, I...I can't think of a way to have it included except to talk to...the director of Mental Health, and I'm sure that Director Kiley, who is very responsible and responsive to concerns like the ones you've just enumerated, would be very happy to put...write that into the standards that her department would write for a project of this type.

PRESIDENT:

Senator Newhouse.

SENATOR NEWHOUSE:

Senator, can I assume that I have your cooperation on that?

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

Absolutely.

PRESIDENT:

Question is, shall House Bill 548 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have

HB 560  
3rd Reading

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, 2 voting Present. House Bill 548 having received the required constitutional majority is declared passed. Top of page 8, House Bill 552. On the Order of House Bills 3rd Reading is House Bill 552. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 552.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This bill does exactly what it says on the Calendar. We have a particular problem in Hancock County where we have a farm that was given to our park district and they would like to utilize that land on a cash rent basis until they need it for a park. There's also a part in here that deals with a township in the area of...Senator Schaffer's district and it was...went on in a noncontroversial fashion. And I would move for support of this legislation.

PRESIDENT:

Any discussion? If not, the question is, shall House Bill 552 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...58 Ayes, no Nays, none voting Present. House Bill 552 having received the required constitutional majority is declared passed. 560. On the Order of House Bills 3rd Reading is House Bill 560. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)



House Bill 560.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. What this bill is is the new Transient Merchant Act. It repeals the 1931 Act in relation to similar circumstances. This is a bill sponsored by the Illinois Retail Merchant's Association, it's one of their major bills of the year, and what it does is, as the title says, is deals with transient and itinerant vendors. Transient merchants are defined as those who are...temporarily engaged in the the retail sale of goods or wares; itinerant vendors are those who transport goods for retail sale but do not maintain an established office. These...individuals are...are required downstate, outside of Cook County, to register with the sheriff in unincorporated areas or the local police department in cities. The applications require that the license be obtained from those departments. If they want to operate in the unincorporated area they go to the sheriff. The application for the license must include the name, address, residence address, location of the place they're going to sell, nature of the business, a copy of the items to be offered, a list of licenses they've held for the last twelve months, and it also requires posting of a bond or indemnity amount. The sheriff or police department may collect a fee of one hundred dollars. I'd be glad to try to answer any questions.

PRESIDENT:

Any discussion? Senator Alexander.

SENATOR ALEXANDER:

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

PRESIDENT:

Indicates he'll yield, Senator Alexander.

SENATOR ALEXANDER:

Senator Welch, will...will this bill have any effect upon the trade...shows that come in to our various areas or like McCormick Place. Will it have any effect upon them to come in and to sell their wares?

PRESIDENT:

Senator Welch.

SENATOR WELCH:

There are exemptions, and I believe that it does not apply to them. It exempts...the manufacturer, the fruit and vegetable sellers, operating a store refreshment stand at a resort, a stand or booth in adjacent property and state or county fair. And I...I believe that it does not apply to them.

PRESIDENT:

Senator Alexander.

SENATOR ALEXANDER:

In other words, when our trade shows come in into our...exhibition halls, they will not be bound by this piece of legislation.

PRESIDENT:

Senator Welch.

SENATOR WELCH:

That is correct.

PRESIDENT:

Further discussion? Senator Holmberg.

SENATOR HOLMBERG:

Question of the sponsor.

PRESIDENT:

Indicates he'll yield, Senator Holmberg.

SENATOR HOLMBERG:

Senator Welch, I'm wondering...it mentions that it excludes booths at state or county fairs, what about the

one-day festivals that so many of our cities put on where various people in the community have booths and things for sale?

PRESIDENT:

Senator Welch.

SENATOR WELCH:

There is an exemption for those who raise, produce or manufacture by themselves certain goods or wares. I would say that those people, if they're...itinerant and they're selling property for a certain singular day sale, such as malls, I think is what you're referring to, I would say under this bill that apparently they are...it does apply to them.

PRESIDENT:

Senator Holmberg.

SENATOR HOLMBERG:

...I, you know, carrying that a step further. I think each one of us has a, you know, a...corn festival or a waterfront festival and a lot of your not-for-profits and various groups use that for fund raising and provide booths for the day, and I think that's a very important thing to each one of us that those people would not probably have...or maybe they do, but I think we need to know under the bill whether we're asking them to be licensed.

PRESIDENT:

Further discussion? Any further discussion? Senator Welch, you wish to close?

SENATOR WELCH:

I would just urge an affirmative vote.

PRESIDENT:

Question is, shall House Bill 560 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 49 Ayes, 2 Nays, 1 voting Present. House Bill 560 having

received the required constitutional majority is declared passed. Senator Savickas, 566. On the Order of House Bills 3rd Reading is House Bill 566. Read the bill, Mr. Secretary.  
ACTING SECRETARY: (MR. HARRY)

House Bill 566.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Savickas.

SENATOR SAVICKAS:

Yes, basically, Mr. President, it changes the definition of perinatal to specify that it covers the period after conception to the end of the first month after the birth of the infant. And I would move its passage.

PRESIDENT:

Discussion? Any discussion? Senator Fawell.

SENATOR FAWELL:

I've got the Statute book in front of me, could...could you tell me why you're doing this and what the present definition is?

PRESIDENT:

Senator Savickas.

SENATOR SAVICKAS:

Yes, my sheet from the Pro-life Coalition states that the current definition of perinatal as used in Public Act 83-1248 Section 3E is...is "The period of time between the conception of an infant and the end of the first month of life." And it is interpreted as covering the infant to one month after the child is born. And they say since life begins at conception the correct wording without changing the way medical personnel would treat these infants is, "And the end of the first month after birth." Thus, no change in care will be affected by this amendment but the state's longstanding position that life begins at conception and not at some other

point will be reinforced, and that's all it does.

PRESIDENT:

Further discussion? Any further discussion? If not, the question is, shall House Bill 566 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 53 Ayes, no Nays, none...l voting Present. House Bill 566 having received the required constitutional majority is declared passed. Senator Dunn, 579. 594, Senator Barkhausen. On the Order of House Bills 3rd Reading is House Bill 594. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 594.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, House Bill 594 requires that if and when a park district annexes municipal land outside the existing park district service area that the entire municipality must be annexed. It is in response to a local situation in...in my district but it potentially would be helpful to municipalities in other parts of the state. It is supported by the Park District Association as well as the Municipal League and passed the House and...and Senate committee unanimously. And I'd ask for a favorable roll call.

PRESIDENT:

The question is, shall House Bill 594 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 594 having received the required constitutional majority is declared passed. On the Order of House Bills 3rd Reading is House Bill 606. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 606.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Davidson.

SENATOR DAVIDSON:

Mr. President and members of the Senate, this is the annual appropriation the Secretary of State with the amendment that's been on, et cetera for two hundred and four million eight hundred and seventy-two thousand eight hundred dollars. Appreciate a favorable vote.

PRESIDENT:

Question is, shall House Bill 606 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. House Bill 606 having received the required constitutional majority is declared passed. 612, on the Order of House Bills 3rd Reading is House Bill 612. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 612.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Davidson.

SENATOR DAVIDSON:

Mr. President and members of the Senate, this bill calls for the registration of all-terrain vehicles and off-track

motorcycles to be registered with the Department of Conservation. This follows and tracks with what we did with snowmobiles. The registration fee will be divided up on one-third for administration, enforcement of the Act; one-third for repair to any property damage, one-third for the development of ATV trails and use areas. This would prohibit any public lands from being used by these individuals unless it had been designated as an ATV...use area. Has support of the Illinois Department of Conservation, the Farm Bureau, the Illinois Environmental Council, the all-terrain vehicle motorcycle dealers, the Illinois Wildlife Federation, the Illinois Sportsman's Coalition, et cetera. Appreciate a favorable vote.

PRESIDENT:

Any discussion? If not, the question is, shall House Bill 612 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, 2 Nays, none voting Present. House Bill 612 having received the required constitutional majority is declared passed. 634, Senator Jacobs. On the Order of House Bills 3rd Reading is House Bill 643. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 643.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This bill authorizes municipalities and counties to regulate or prohibit the presence of persons under the age of twenty-one on the premises of licensed establishments where

liquor is served for consumption on the premises. I'll be willing to answer any questions if there be any.

PRESIDENT:

Any discussion? If not, the question is, shall House Bill 643 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 59 Ayes, no Nays, none voting Present. House Bill 643 having received the required constitutional majority is declared passed. 654, Senator Poshard. On the Order of House Bills 3rd Reading is House Bill 654. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 654.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Poshard.

SENATOR POSHARD:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This bill raises the asset limitation for applicants and recipients of the in-home care programs administered by the Department of Rehabilitation Services and the Department on Aging. The current asset limit for a person applying for in-home care services is ten thousand dollars and this bill would raise that to fifteen thousand dollars. The change would allow for payment of in-home care for elderly and disabled persons who have assets under fifteen thousand dollars; thus, it would increase the number of eligible...persons for these services. These services would include things like chore housekeeping, adult day-care services, a homemaker services and so on with elderly and disabled people...cannot do these things on their own. And this bill would simply raise the asset limitation from ten thousand to fifteen thou-



HB 655  
3rd Reading

and dollars.

PRESIDENT:

Discussion? Any discussion? If not, the question is, shall House Bill 654 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, 3 voting Present. House Bill 654 having received the required constitutional majority is declared passed. Senator Alexander on 655. On the Order of House Bills 3rd Reading is House Bill 655. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 655.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Alexander.

SENATOR ALEXANDER:

Thank you, Mr. President. In summary, House Bill...655 simply means that the Department of Family and Children Service shall develop strategies for the development of any day-care options for public aid recipients. It permits local school districts to establish day-care centers on their premises. Also, I'd like to advise this body that this bill has been amended and Section 2 has totally been deleted from the bill. And I would ask your Aye vote with regards to this bill.

PRESIDENT:

Discussion? Any discussion? If not, the question is, shall House Bill 655 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, 3 voting Present. House Bill 655 having received the

required constitutional majority is declared passed. 664,  
Senator Collins. On the Order of House Bills 3rd Reading is  
House Bill 664. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 664.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Collins. Senator Collins, I think your mike  
is...try it now.

SENATOR COLLINS:

Thank you. House Bill 664 simply directs the Department  
on Aging to establish a task force to study the needs and  
feasibility of shared housing programs for senior citizens in  
the state. This bill as amended is a compromise amendment  
worked out by the department, it is my understanding, and the  
sponsor to do this. Because at first...the bill, as you may  
see, did direct the department, in fact, to establish these  
kinds of program, but it was...and it was agreed that now  
that they would set at a feasibility and then come back and  
report to the General Assembly. I would move for the favor-  
able support of this bill.

PRESIDENT:

Discussion? Any discussion? If not, the question is,  
shall House Bill 664 pass. Those in favor will vote Aye.  
Opposed vote Nay. The voting is open. Have all voted who  
wish? Have all voted who wish? Have all voted who wish?  
Take the record. On that question, there are 58 Ayes, no  
Nays, none voting Present. House Bill 664 having received  
the required constitutional majority is declared passed.  
Senator Kustra, 671. On the Order of House Bills 3rd Reading  
is House Bill 671. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 671.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President and members of the Senate. As amended, House Bill 671 changes the deadline for setting salaries of township officers in Cook County from the last Tuesday in March of the year of the election to December 5th of the year before the election. The Township Officials Association supports the bill as amended, and I urge its adoption.

PRESIDENT:

Any discussion? If not, the question is, shall House Bill 671 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 59 Ayes, no Nays, none voting Present. House Bill 671 having received the required constitutional majority is declared passed. Senator Woodyard, 679. On the Order of House Bills 3rd Reading, bottom of page 8, is House Bill 679. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 679.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Woodyard.

SENATOR WOODYARD:

Thank you, Mr. President, members of the Senate. This bill is identical to Senate Bill 407 which passed unanimously out of the...out of the...Senate some time back. It does establish...a group day-care home definition within Department of Child Family Service and it's defined as no more or...or...for more than three and not less than...and less

HB 692  
2nd Reading

than twelve children in the definition of that home. Its...it attempts to address a problem in the rural downstate areas in which we found that some of the homes in those rural communities just did not have the flexibility to be able to handle a few more kids. I would move for its passage.

PRESIDENT:

Any discussion? Discussion? If not, the question is, shall House Bill 679 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 58 Ayes, no Nays, none voting Present. House Bill 679 having received the required constitutional majority is declared passed. 692, Senator Barkhausen. On the Order of House Bills 2nd Reading...3rd Reading is House Bill 692. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 692.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, House Bill 692 would...would change slightly our rules of civil procedure with regard to suits that are brought against public bodies. Currently, such a suit has to be filed in the county in which the public body has its principal office. The...this bill would permit the suit to be filed...serve under long arm provisions in whatever a court deems to be the most convenient form, generally where a transaction occurred or a...or an injury its occurrence takes place. In addition to the original bill, there was an amendment put on in committee requested by the construction industry counsel that provides that with regard to actions involving construction that the Statute of Limita-

tions for suing the surety on a bond shall be the same for suing a principal on a bond, that Statute of Limitations being four years. I'd be happy to answer any questions and would otherwise ask for a favorable roll call.

PRESIDENT:

Discussion? Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Mr. President. I think this is more than a slight modification of our rules of procedure, I think this is an important bill. This bill will affect every local unit of government that you've got back home, your counties, your townships, your municipalities, and it now will provide, if this measure becomes law, that they can be sued elsewhere...than in the county in which they're located. Which will mean, for example, if your county is sued by someone based on some kind of transaction, that they will have to go to another county to defend the suit, your state's attorney who must represent the county will have to travel outside the county, spend his time elsewhere when he should be fulfilling his duties and other duties in the county. I think this is a bad bill. It is...is not warranted, there's no need for it, there may be a couple of bad examples where this is inconvenient, but on the whole, this is going to force your units of local government to defend themselves elsewhere, it will cause...an expense to them and it will cause tremendous inconvenience and it's not something that we ought to be changing.

PRESIDENT:

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Will the sponsor yield for a question?

PRESIDENT:

Indicates he will yield, Senator Geo-Karis.

SENATOR GEO-KARIS:

Would you...I understand...in our...in our analysis here that there was a Fulton County case an 80...Illinois appellate case in which the court held...Fulton County had to bring suit in Cook County against the Chicago Metropolitan Sanitary District for failing to file for a permit. Can you explain, Senator, what your bill does relative to that decision?

PRESIDENT:

Senator Barkhausen.

SENATOR BARKHAUSEN:

Well, as I understand it...and I only have the information that you do that's in the same analysis, Senator Geo-Karis, but as I understand it, it would potentially have permitted a suit to have been brought in the...in the county where the...where the wrongful action was allegedly taking place, therefore, potentially in...in Fulton County. And...and I would...well, I'll just answer and save my...save my other remarks to closing remarks.

PRESIDENT:

Senator Geo-Karis.

SENATOR GEO-KARIS:

Well...the present law...how...I...I'm not...it's not quite clear in my mind how your bill changes the present law. Would you just...restate it again for my edification?

PRESIDENT:

Senator Barkhausen.

SENATOR BARKHAUSEN:

Currently, as I understand it, a...a suit against a public body has to be brought in the...in the county of...of...where the principal office of the public body is located and this would potentially permit a suit to be brought in a county where a...where a wrongful occurrence...or the matter upon which the suit is being brought occurs. So that in this situation with Fulton County, if say

a contract entered into involved activity...principal activity in Fulton County, the suit could have been brought there rather than back up in Cook County where the principal office of the MSD is.

PRESIDENT:

Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, Mr. President, Ladies and Gentlemen of the Senate, I think the old law is a better law than this...attempted law, because if you're going to sue a governmental unit, it should be in the area where it's located and therefore I speak against the bill.

PRESIDENT:

Further discussion? Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President, I rise in support of this bill. What this bill does is to eliminate a discrimination that existed in our Statutes. Right now, anybody that...that commits any wrong and can be sued can be sued where the accident took place. The Statute that presently exists that this bill tries to change says that if you are a public municipality, governmental body, quasi-municipal corporation that you can only be sued in your hometown. Well, that's discriminatory and let me tell you why. If a truck driver for the county of Cook is driving a county...Cook County truck and goes up to Lake County and runs over one of Mayor Geo-Karis' constituents, her constituent would have to sue in Cook County. Well, that's wrong. The act, the tort, the wrong, the accident took place up in Zion, and that's where the jury and the cause of action ought to take place, not in Cook. If it was a private owner of...of that truck, he would be sued in Zion or in Lake County or where it took place. Now what this does is it doesn't exclude bringing it in Cook, it provides for "or" and what this does is makes government as

equally responsible as all other potential defendants for any kind of action. I think it's a good bill, it's a bill that allows all of our citizens equal access to the courts, not just to courts in a certain jurisdiction. I urge an Aye vote.

PRESIDENT:

Further discussion? Any further discussion? Senator Barkhausen, you wish to close?

SENATOR BARKHAUSEN:

Mr. President and members, I think Senator Berman said it well. Currently, our law provides for the most part that an action can be brought and should be brought in the form that is most convenient for all the parties concerned, and this would make that general rule of longstanding common law apply also to suits brought against public bodies and, therefore, I solicit your Aye vote.

PRESIDENT:

Question is, shall House Bill 692 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 34 Ayes, 17 Nays, 2 voting Present. House Bill 692 having received the required constitutional majority is declared passed. Top of page 9, 696. On the Order of House Bills 3rd Reading is House Bill 696. Read the bill, please, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 696.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Zito.

SENATOR ZITO:

Thank you, Mr. President and members. House Bill 696



says that if the court in determining the amount of monetary bail or other conditions of a release shall take into the account any written statement submitted by the victim regarding the impact which the defendant's conduct has had on the victim and the victim's concern with further contact with the defendant. This bill was heard in the Judiciary...Committee, passed out unanimously and overwhelmingly in the House, and I would ask for its adoption here in the Senate.

PRESIDENT:

Discussion? Any discussion? If not, the question is, shall House Bill 696 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. House Bill 696 having received the required constitutional majority is declared passed. 699, Senator Hall. 700, Senator O'Daniel. On the Order of House Bills 3rd Reading is House Bill 700. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 700.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator O'Daniel.

SENATOR O'DANIEL:

Mr. President and members of the Senate,...House Bill 700 creates a center for post-harvest technology in Peoria to promote the use of agriculture products for food, fuel, pharmaceuticals, chemicals, materials and other value added products to promote biotechnology and genetic engineering and to promote cooperative research into the post-harvest technology. This bill passed out of the House 116 to nothing. If there are any questions, I'll attempt to answer them.

PRESIDENT:

Discussion? If not, the question is, shall House Bill 700 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. House Bill 700 having received the required constitutional majority is declared passed. Senator Luft, for what purpose do you arise, sir?

SENATOR LUFT:

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

PRESIDENT:

State your point.

SENATOR LUFT:

I know for all of you that don't sit next to Senator Demuzio, even though you've dealt with him and you...know how loveable he is and how undifficult or indifficult or not difficult it is to...to live with him, and Senator Rock has done so even longer than I, and...and Senator Sam, obviously, more than all of us, but there's someone here today who's lived with him for twenty-five whole years, his wife Deanna. Deanna and Vince are celebrating their twenty-fifth wedding...anniversary, and let's give them a little round of applause.

PRESIDENT:

Deanna, your timing is excellent...Vince has got a bill here he's got to try to pass too. Yes, Senator Schaffer.

SENATOR SCHAFFER:

Perhaps you could direct the staff to put in the papers for sainthood for that lady.

PRESIDENT:

Senator Netsch.

SENATOR NETSCH:

I was going to suggest the croix de guerre, Senator Schaffer, I think that would be more appropriate.

PRESIDENT:

On the Order of House Bills 3rd Reading is House Bill 708. Read the bill, Mr. Secretary, please.

ACTING SECRETARY: (MR. HARRY)

House Bill 708.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

Well, thank...thank you, Mr. President. 708 is a...is a bill that indicates that the state agency must purchase edible products from persons within the...that they care for within their custody or care, purchase those products that are raised or grown in the United States. Senator Davidson had a bill that passed out of here earlier in the Session,...apparently it...reposes in the House for some specific reason or...or whatever, but it is similar in nature to that bill and...I would ask for your favorable support.

PRESIDENT:

Discussion? Any discussion? If not, the question is, shall House Bill 708 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 59 Ayes, no Nays, none voting Present. House Bill 708 having received the required constitutional majority is declared passed. 710, Senator Hall. 717, Senator Joyce. 718, Senator Joyce. Yes, which one...717? On the Order of House Bills 3rd Reading is House Bill 7-1-7, 717. Read the bill, Mr. Secretary, please.

ACTING SECRETARY: (MR. HARRY)

House Bill 717.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Joyce.

SENATOR JEROME JOYCE:

Yes, thank you, Mr. President. What...what this bill does as it is amended creates with the low-level radioactive waste a...the...virtually the same siting process as 172 for hazardous waste and...and landfills. It's that type of siting bill so that it is identical to Senate Bill 3 that we passed in 1985 virtually unanimously, passed both Houses and was vetoed by the Governor. At that time we overrode the Governor but the House did not. So, I'd be happy to answer any questions.

PRESIDENT:

Discussion? Senator Macdonald.

SENATOR MACDONALD:

Thank you, Mr. President. I rise just to make a...a point that may be significant in this particular bill, and that is that with the amendment that was placed on, it might be impossible to site the low-level disposal facility that must be in place by 1992. There could be some serious legal problems by reverting to the bill that Senator Joyce spoke to. So, I just...I just say that there is a question here, and I think we ought to consider that as we vote on this bill.

PRESIDENT:

Discussion? Any further discussion? If not, the question is, shall House Bill 717 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 48 Ayes, 5 Nays, 4 voting Present. House Bill 717 having received the

required constitutional majority is declared passed. On the Order of House Bills 3rd Reading is House Bill 718. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 718.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Joyce.

SENATOR JEROME JOYCE:

Thank you, Mr. President, this...that is just what it does. It...it creates a compact on midwestern states so that they would have an impact, they would be able to meet together, discuss legislation...that would be taking place in their states as well as have...have an impact in...on legislation that is taking place in Congress. It takes five states to pass this; Minnesota, New Mexico, Iowa, Nebraska and Wyoming have already passed the legislation thus creating the compact, and I think Illinois ought to be with them in this...this compact. I'd be happy to answer any questions.

PRESIDENT:

Discussion? If not, the question is, shall House Bill 718 pass. Those in favor will...I beg your pardon, Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I really...I really believe the...the sponsor has a sincere interest in this issue, has a sincere desire to...to improve the farm economy. I just happen to believe that...that this approach will not work. I...I...I really believe it's an...an attempt to establish a minimum pricing value for...for commodities and, Senator Joyce, you have...have long supported that concept and I understand that, but there is a basic...a basic philosophical difference

with some of us on this issue. If...if that's the intent of the compact, then I...from what I've read from...from other states, and there is...I'm really impressed that Wyoming is...is in this compact, they are probably one of the major grain producers in this nation, but they are a part of the compact and I don't know for what reason. But...but the fact of the matter is, there are those who feel strongly about this issue that feel that we should establish a minimum price for commodities and nothing, absolutely nothing will destroy world markets any...any quicker than...than this will. I think we need to take a very serious look at this. We are, in this administration, doing a...an honest and sincere attempt to put agriculture back on a...on a sound basis. It's been very difficult through some very difficult times, and if we allow something like this to happen with what I think is the intent of the legislation, it's going to reverse what we are about right now. And I would urge the Body who feels strongly about a strong agriculture economy in this state to really take a very careful look at this and...and evaluate where we're...where we're going. The...the initial cost is going to be fifty thousand dollars a year if we enter the compact, and I would submit to you that that's only a start and heaven only knows where we go to from there. Illinois is a large grain producing state, we can go these things on our own, doing things in a sound economic way and I think that's what we should continue to do. And I would...would urge opposition to the bill.

PRESIDENT:

Further discussion? Senator Fawell.

SENATOR FAWELL:

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

PRESIDENT:

Indicates he will yield, Senator Fawell.

SENATOR FAWELL:

Obviously, I do not come from a...from a farm community, although I...I understand I have the second largest Farm Bureau in the state. But I am, frankly, confused. I see the proponents is the Illinois Farmers Union and the opponents is the Illinois Farm Bureau and the Agriculture Department and Mr. Severns, who is the Senator's uncle, from Decatur. Why would one Farm Bureau be for it...I mean farm union be for it and the Farm Bureau be against this? Could you explain as a...to a layman?

PRESIDENT:

Senator Joyce.

SENATOR JEROME JOYCE:

Yes, thank you. Well, to explain that would probably be to explain why farmers are in the sad shape that they're in today. Farmers generally do not agree with one another, it is...that is one of our dilemmas. But...to...go to what Senator Maitland said, nowhere in this legislation does it say anything about minimum pricing. And I would contend that if we were to try and pass minimum pricing, that each state would have to do that, that would have to come through the General Assembly with a bill and I...I am not for that nor I think is...is anyone else. So I think those...those arguments are unfounded. The main thrust of this compact today is to try and promote ethanol and develop grain standards for export. Now, I...I can't tell you why the Farm Bureau reads into this that there's going to be minimum pricing and that sort of thing. I would think the Farm Bureau would want all the help that they could get in trying to improve the farm economy. And if we have a compact of grain producing states...Senator Maitland thought it was quite humorous that Wyoming was in there, but I don't...I don't think it's so humorous that Iowa is in it. So, you know, I...I can't see Democrat, Republican, liberal, conservative,...I think

this...this is just another tool that will be there to try and help agriculture. So, I'd...if anyone else has any questions, I'd be happy to try and respond.

PRESIDENT:

Further discussion? Senator O'Daniel.

SENATOR O'DANIEL:

Thank you, Mr. President. I think there's an overreaction with the...the opponents of...of this legislation, and my feeling about it is that we here in the midwest are the breadbasket...of the entire nation and I think if we can get midwestern states together to sit down and have more input maybe into our farm programs, maybe we can be as fortunate as the southern farmers where they...they have managed to hold...tobacco programs together and things of that nature. And I think this would...would give the midwestern states a chance to have more put in...in the policy making in...in the Federal Government.

PRESIDENT:

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

SENATOR JEROME JOYCE:

Just ask for a favorable roll call.

PRESIDENT:

Question is, shall House Bill 718 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 31 Ayes, 28 Nays, none voting Present. House Bill 718 having received the required constitutional majority is declared passed. Senator Maitland.

SENATOR MAITLAND:

Mr. President, I'd like to verify the affirmative roll call.

PRESIDENT:



That request is in order. Senator Maitland has requested a verification. Will the members be in their seats. Madam Secretary, please read the affirmative roll.

SECRETARY:

Alexander, Berman, Brookins, Carroll, Collins, D'Arco, Degnan, del Valle, Demuzio, Thomas Dunn, Hall, Holmberg, Jacobs, Jones, Jeremiah Joyce, Jerome Joyce, Kelly, Lechowicz, Luft, Marovitz, Netsch, Newhouse, D'Daniel, Poshard, Savickas, Severns, Smith, Vadalabene, Welch, Zito, Mr. President.

PRESIDENT:

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

SENATOR MAITLAND:

Senator Marovitz.

PRESIDENT:

Senator Marovitz is in his chair.

SENATOR MAITLAND:

Senator Smith. Okay, she's there.

PRESIDENT:

Senator Smith is near here chair.

SENATOR MAITLAND:

How about Senator Severns? Oh yes, she's...she's there, I see her now. Okay.

PRESIDENT:

All right. The roll has been verified. On that question, there are 31 Ayes, 28 Nays, none voting Present. House Bill 718 having received the required constitutional majority is declared passed. 724, Senator Savickas. On the Order of House Bills 3rd Reading is House Bill 724. Read the bill.

SECRETARY:

House Bill 724.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Savickas.

SENATOR SAVICKAS:

Yes, Mr. President and members of the Senate, the original House Bill 724 addressed a problem that Representative Steczo had regarding incorporation of a municipality. Amendment No. 2 was added and that addressed a problem that the Village of Board and Oak Park had. And Amendment No. 3 addressed a problem that Senator Dudycz was concerned with. I would move its passage.

PRESIDENT:

Discussion? Any discussion? If not, the question is, shall House Bill...I beg your pardon, Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, would the sponsor yield for a question?

PRESIDENT:

Indicates he will yield, Senator Geo-Karis.

SENATOR GEO-KARIS:

The original bill said that the consent of an existing municipality was required in the incorporation of any area within one and a half...one and a half miles of that municipality, is that still in the bill? Because the reason I'm asking the question...

PRESIDENT:

Senator Savickas.

SENATOR SAVICKAS:

Yes, Senator, it is.

PRESIDENT:

Senator Geo-Karis.

SENATOR GEO-KARIS:

In that case then your Amendment 2 even though it says it lowers the minimum population for...neither for incorporation from twenty-five hundred to twelve hundred, it doesn't matter because you still have that one and a half mile limit. All

right, thank you.

PRESIDENT:

Further discussion? Further discussion? If not, the question is, shall House Bill 724 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 51 Ayes, no Nays, none voting Present. House Bill 724 having received the required constitutional majority is declared passed. Senator Weaver, 745. On the Order of House Bills 3rd Reading is House Bill 745. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 745.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. House Bill 745 would expand the tax exemption to all group homes run by 501C3 organizations which are financed under Section 202. The Champaign Developmental Services Center is seeking the bill to HUD financed home for the mentally...developmentally disabled and wants this assurance in order not to be...have to set up an escrow property tax reserve fund in the amount of seventy-five thousand. If I can answer any questions, I'll be happy to.

PRESIDENT:

Discussion? Any discussion? If not, the question is, shall House Bill 745 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 52 Ayes, 5 Nays, 1 voting Present. House Bill 745 having received the

HB 748  
3rd Reading

required constitutional majority is declared passed. 748, Senator Jacobs. On the Order of House bills 3rd Reading is House Bill 748. Read the bill, Mr. Secretary...Madam Secretary.

SECRETARY:

House...House Bill 748.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This legislation prohibits telecommunications carriers from implementing local measured service unless it offers a choice of flat rate service and untimed calling zone or a lifeline telephone calling program. This is a compromise bill that arose out of a bill presented by Senator Ralph Dunn and Senator Poshard which went down committee. This is the compromise to that situation. Other than Con-Tel I know of no opposition to this bill and would ask for a favorable support.

PRESIDENT:

Discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Question of the sponsor, Mr. President, if he'll yield.

PRESIDENT:

Indicates he'll yield, Senator Schuneman.

SENATOR SCHUNEMAN:

Senator, in our area of the state the...the phone companies are beginning experimental programs to test local measured service. Would this bill in some way eliminate that or restrict the rights of phone companies or the...the ability of phone companies to do that?

PRESIDENT:

Senator Jacobs.

SENATOR JACOBS:

The...the bill...even includes service prior to the effective date of the Act. So those that are currently doing it, I know in...in my area I have a...have a few that are under that measured service and that has created some problems for the people of our area. The fact of whether or not it would include those or...preempt those, I really couldn't answer, Senator.

PRESIDENT:

Senator Schuneman.

SENATOR SCHUNEMAN:

Well, I'm sorry, but I may not understand exactly what your bill does. What I want to know is, are we prohibiting telephone companies from engaging in a fee basis whereby they charge for...on a basis of local measured service rather than the flat service that we've been accustomed to?

PRESIDENT:

Senator Jacobs.

SENATOR JACOBS:

I understand your question, Senator, no, we're not. In fact, this allows for a choice, in effect, is what it does.

PRESIDENT:

Further discussion? Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. Could I ask a question of the sponsor?

PRESIDENT:

Sponsor indicates he'll yield, Senator Netsch.

SENATOR NETSCH:

You...I don't have the text of the bill to check the provision, but you referred to a telephone lifeline. Would you elaborate just a little bit, and my particular question is, for example, would that permit people who might not

otherwise be able to have...regular telephone service possibly because of affordability nevertheless to have what amounts to access to an emergency number? That's my particular question, but in the context would you describe what you mean by telephone lifeline?

PRESIDENT:

Senator Jacobs.

SENATOR JACOBS:

That is what we mean; in fact, in the lifeline alternative the ICC is required to consider the alternatives including a reduction in the access charge or monthly charge or the...or the connection charge. So, yes, it would be a...the alternative is there for a reduced bill.

PRESIDENT:

Further discussion? Any further discussion? Senator Jacobs, you wish to close?

SENATOR JACOBS:

Just ask for a favorable vote.

PRESIDENT:

The question is, shall House Bill 748 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 59 Ayes, no Nays, none voting Present. House Bill 748 having received the required constitutional majority is declared passed. 755, Senator Jacobs. On the Order of House bills 3rd Reading is House Bill 755. Read the bill, Mr. Secretary...Madam Secretary.

SECRETARY:

House Bill 755.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Jacobs.

SENATOR JACOBS:

Yeah,...Senate bill...or House Bill 755 has been one that has been beat around a little bit here and it's been cajoled and greeted in some areas with some support. I am asking, really, just to...to move this bill so that we can get it to Conference Committee for further discussions. As I understand it, there are some discussions in the works, and would like to move this to Conference Committee so that we can get it worked out. And the bill in its original form...as it stands now is in its original form which really does nothing.

PRESIDENT:

Discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, this bill has an innocuous amendment on it for the purpose of sending it over so they can reject and put it in a Conference Committee and put that famous Amendment 1 that was sponsored earlier by Senator Brookins which said that local governments cannot control what kind of building goes on in their areas. Now this is a dangerous bill, I rise to speak against it. The Illinois Municipal League is against it, the AFL-CIO is against it, the plumbers locals are against it, the plumbing contractors are against it. This...I...I...I trust Senator Jacobs but I know what they want to do about it in the House 'cause they stuck a like amendment into Senate Bill 498 and it's still sitting on the House Floor. So, I say, if you have any regard for the people in your communities, then watch what you are doing because you don't want any of these manufactured housing companies from out-of-state to come in and put any kind of garbage in your areas and then suffer later for it. I speak against the bill.

PRESIDENT:

Further discussion? Senator Keats. I'd ask our guests in the gallery to please refrain from any demonstration.

Senator Keats.

SENATOR KEATS:

I appreciate what Senator Geo-Karis read, next time if she...said, next time if she reads the bill it will be a better talk. You know, in Illinois and in every state in America we differentiate between a manufactured product and a product that is produced locally. Does every single town have different standards for automobiles that are manufactured product? Does every single town have a different standard for toasters that are a manufactured product? Does every single town have a different standard for shirts that are a manufactured type product? I understand what she's saying, everyone is aware there are certain constraints and anyone who's talked to...particularly some of the plumbers or electricians, they've got some legitimate complaints. We're not going to work it out in the next ten minutes. If you at least put it back on a Conference Committee you can sit down and work out with the groups to make sure all the correct provisions are in the bill. What Senator Jacobs is requesting is certainly not unreasonable. This is a newer technology, there's no question this bill is not in final form, but for him to ask to go to Conference Committee to get another two weeks is not a grossly unreasonable position. And I would ask people to give the sponsor the benefit of the doubt.

PRESIDENT:

Further discussion? Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. I rise in opposition to the bill. And I do so based on this premise; for the five or six years that I've been here, I cannot think of too many times that we have passed what I consider to be an antijob bill. As a matter of fact, if you think about all the bills we've passed through here, tax breaks for Caterpillar, tax breaks



for Keystone, I could go on and name you all the tax breaks that we've generated in this Legislature up to the tune of probably about two hundred and fifty million dollars that was designed to create jobs; and in most cases, I go along with absolutely everybody's vehicle bill with the exception of this one, because this one is designed for one purpose and that one purpose is to eliminate jobs. And in my area where the building trades have reached the highest unemployment probably in the history of our state and maybe even this country, I would hope that we don't even consider this and would...solicit your No vote on this bill.

PRESIDENT:

Further discussion? Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. This bill is antiunion bill, make no mistake about it. Manufactured housing is bad for the labor unions in Illinois, that's point blank the simple explanation for what this bill is, we all know that, because the people that are going to put up these manufactured homes aren't going to be union employees. Now some of us may think that's a good idea, but others of us think that we've got tremendous economic problems in the State of Illinois and we've got to keep our people employed in the State of Illinois, and this bill is going to stop that from happening, especially in light of the fact that this pertains to housing that's built outside the State of Illinois, that's what this bill is about. It's a bad bill and it should be defeated.

PRESIDENT:

Further discussion? Senator Joyce.

SENATOR JEREMIAH JOYCE:

Question of the sponsor. We were just talking here, who...who wants this thing? Why...why is this...why is this in front of us?

PRESIDENT:

Senator Jacobs.

SENATOR JACOBS:

This came at the request of Cardinal Industries who was having a problem putting their motels...that was their main reason for the bill, as I understood it, getting their motels into Illinois which they have in other states.

PRESIDENT:

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Well, I...I would suggest that Cardinal Industry take a different approach and maybe you and Cardinal Industry could sit down over the summer and come back with some other type of solution because I don't think this is the right answer.

PRESIDENT:

Further discussion? Senator Poshard.

SENATOR POSHARD:

Yes, thank you, Mr. President, Ladies and Gentlemen of the Senate. With all due respect to my good friend, Senator Jacobs, I rise in strong opposition to the bill. I think the question we should ask ourselves is, why would any industry wanting to locate part of its business in this state want to do away with any kind of local government control over inspecting that industry? I don't think that's...I think that question in itself would tell us that there's something wrong with this bill. The bill is explicit as follows; right now it's stripped but it probably is going to go to a Conference Committee, the bill is explicit that no unit of local government including any home rule unit may in any way within the scope of this Act regulate, limit or license manufactured housing. Now we don't apply that to any other manufactured housing in the state, only to this particular bill and I think it's wrong for that reason and should be opposed.

PRESIDENT:

Further discussion? Senator Newhouse.

SENATOR NEWHOUSE:

Thank you, Mr. President. I rise in support of this bill, Mr. President, and I'd like to just tell you why. I...I think that all these protestations about putting people to work are very fine except that they cut one way. Matter of fact, most of you know that for twenty years I've been on this Floor trying to get these same persons who are backing this bill to put our children to work in the City of Chicago and for twenty years they've refused. It seems to me that the only way we'll get the attention of those people who are killing our kids, in effect, keeping them out of jobs, keeping them from being taxpayers, relegating to being...to being tax consumers instead, and it's time that we began to look at what that's doing to destroy the economy of this state, and that is what it's doing. So those of who propose and cry...and...and cry fowl and cry that the...labor is coming in from out of state ought to begin to look at the labor that's in state, ought to begin to look at how we increase the number of people in organized labor, how we increase the number of people who are dues-paying members. That's the issue, and for that reason, I support this bill and I would urge all my colleagues to do the same.

PRESIDENT:

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

I regret that I rise again, but I must remind the people here, it's not a matter of a union bill or a business bill, it's a bill about whether you want your local governments not to have any control on what kind of garbage is going to be built in those local governments for housing and other buildings.

PRESIDENT:

Further discussion? Senator Joyce. All right. No further discussion? Senator Jacobs, you wish to close?

SENATOR JACOBS:

Yes. Thank you, Mr. President. In closing, let me just say a couple of things. First of all, when it comes to the fact that this being an antiunion bill, I would just like to remind this Body that this is already...in...in its current form, this bill has already passed the Senate and it passed the Senate overwhelmingly. No time did labor...at the time that it passed the Senate and the time when it passed in the House, at no time did labor enter the scene. It was only whenever the bills crisscrossed and they got over to their respective Houses, that's the time that labor got involved. I am not going to argue the merits as to whether it's a union bill or a nonunion bill, but I do want my labor friends to know that if they're going to get into the ball game, they better get into the ball game earlier in order to be able to prevent these type things from happening. I ask for a...Aye vote.

PRESIDENT:

Question is, shall House Bill 755 pass. Those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 8 Ayes, 45 Nays, none voting Present. House Bill 755 having failed to receive the required constitutional majority is declared lost. 756, Senator Topinka. On the Order of House Bills 3rd Reading, bottom of page 9, is House Bill 756. Read the bill.

SECRETARY:

House Bill 756.

(Secretary reads title of bill)

2nd reading of the...3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka.

SENATOR TOPINKA:

Yes, Mr. President, House Bill 756 appropriates four million fifty-seven thousand eight hundred dollars for the ordinary and contingent expenses of the Prairie State 2000 Authority for FY '88.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall House Bill 756 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take...have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. House Bill 756 having received the required constitutional majority is declared passed. Page 10, 757, Senator Donahue. Madam Secretary.

SECRETARY:

House Bill 757.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 757 is the Illinois Farm Development Authority. It is at the same level as introduced and that is twenty-two million three hundred and ten thousand dollars.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall House Bill 757 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. House Bill 757 having received the required constitutional majority is declared passed. House bills 3rd reading is House Bill 758, Madam Secretary.

SECRETARY:

House Bill 758.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This bill appropriates four hundred and twenty-one thousand seven hundred dollars from the Environmental Protection Trust Fund.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall House Bill 758 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. House Bill 758 having received the required constitutional majority is declared passed. House bills 3rd reading is House Bill 759, Madam Secretary.

SECRETARY:

House Bill 759.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. This is the appropriation for the Abandoned Mines and...Land Reclamation Council. It's at twenty-one million four hundred and ninety thousand six hundred dollars. I move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall House Bill 759 pass. Those in favor will vote Aye. Those opposed Nay.

The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, 1 voting Present. House Bill 759 having received the required constitutional majority is declared passed. House bills 3rd reading is House Bill 760, Mr. Secretary. Read the bill, please.

ACTING SECRETARY: (MR. HARRY)

House Bill 760.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This bill appropriates forty-two million five hundred and ten thousand dollars for the OCE of four of our retirement system.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall House Bill 760 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. House Bill 760 having received the required constitutional majority is declared passed. House bills 3rd reading is House Bill 761. Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. HARRY)

House Bill 761.

(Secretary begins reading HB 761)

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Take it out of the record...take it out of the record. 762. 763. 764. 765. 766. All right. House bills 3rd reading is House Bill 766, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 766.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. This appropriates nine million a hundred and fifteen thousand dollars to the commissioner of banks and trusts.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall House Bill 766 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. House Bill 766 having received the required constitutional majority is declared passed. 768. House bills 3rd reading is House Bill 768, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 768.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dudycz.

SENATOR DUDYCYZ:

Thank you, Mr. President. 768 appropriates seventeen million five hundred and forty-nine thousand three hundred dollars for the ordinary and contingent expenses of the Illinois Criminal Justice Information Authority for Fiscal 1988.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall House Bill 768 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted



who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. House Bill 768 having received the required constitutional majority is declared passed. 769. House bills 3rd reading is House Bill 769, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 769.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Fawell.

SENATOR FAWELL:

Thank you, very much. This is the appropriation for the Prisoner Review Board. It is exactly as introduced, eight hundred and eighty-five thousand five hundred dollars for the ordinary and contingent expenses.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall House Bill 769 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. House Bill 769 having received the required constitutional majority is declared passed. Top of page 11, 772, Senator Davidson. House bills 3rd reading, House Bill 772, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 772.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

It's the annual appropriation for Lieutenant Governor,

one million nine hundred and four thousand one hundred dollars. Appreciate a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If, not the question is, shall House Bill 772 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. House Bill 772 having received the required constitutional majority is declared passed. 774, Senator Watson. House Bill 774, Mr. Secretary.

House Bill 774.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. This is the lottery appropriation of three hundred and twenty-seven million six hundred and seventy-seven thousand two hundred dollars. I move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall House Bill 774 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are 2, none voting Present. House Bill 774 having received the required constitutional majority is declared passed. 775, Senator Etheredge. House bills 3rd reading is House Bill 775, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 775.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This bill appropriates twenty-five million a hundred and eighty-three thousand dollars for the OCE of the Department of Nuclear Safety. I would move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Discussion? Discussion? If not, the question is, shall House Bill 775 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 59, the Nays are none, none voting Present. House Bill 775 having received the required constitutional majority is declared passed. House bills 3rd reading is House Bill 777. 778. 779. House bills 3rd reading, House Bill 779, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 779.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Schaffer.

SENATOR SCHAFFER:

Mr. President, this is the annual appropriation for the Department of Employment Security at two hundred million four hundred fifty-two thousand five hundred dollars, down about three hundred thousand from House passage. Appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Discussion? Discussion? If not, the question is, shall House Bill 779 pass. Those in favor will vote Aye. Those

opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 59, the Nays are none, none voting Present. House Bill 779 having received the required constitutional majority is declared passed. 780, Senator Karpel. House bills 3rd reading is House Bill 780, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 780.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Karpel.

SENATOR KARPIEL:

Thank you, Mr. President. House Bill 780 is the Department of Labor's operating...ordinary and contingent expenses, and the current level in this bill is four million forty thousand...four million forty thousand dollars, same as the expenditures of FY '87.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall House Bill 780 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish?...have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 59, the Nays are none, none voting Present. House Bill 780 having received the required constitutional majority is declared passed. House Bill 781, Senator Fawell. House bills 3rd reading is House Bill 781, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 781.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Fawell.

SENATOR FAWELL:

Thank you, very much, Mr. President. We are passing this bill at three million two hundred and twenty-seven thousand two hundred dollars which is a seven thousand three hundred dollar reduction for the ordinary and contingent expenses of the Guardianship and Advocacy Commission.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall House Bill 781 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are 1, none voting Present. House Bill 781 having received the required constitutional majority is declared passed. 782, Senator Maitland. Senator Carroll, 782? 783. 785. 784. Page...page 11, 787. All right. 785. All right. Top of page 12. House bills 3rd reading is House Bill 785, Mr. Secretary.

END OF REEL

REEL #4

ACTING SECRETARY: (MR. HARRY)

House Bill 785.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge.

SENATOR ETHEREDGE:

...thank you, Mr. President and Ladies and Gentlemen of the Senate. This bill appropriates five million seven hundred and seventy thousand dollars for the OCE of the Capital Development Board.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Schaffer.

SENATOR SCHAFFER:

Mr. President, not on this issue but on a point of personal privilege. We did pass the Department of Mental Health budget. That bill is being held when we...till we get back for amendments and that's why the bill was passed and we will call it again for an amendment, and I think that's of some interest to some of the people in the galleries.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, when...when we get to the Order of Recalls, we will take it up at that time. Further discussion? If not, the question is, shall House Bill 785 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are 1, none voting Present. House Bill 785 having received the required constitutional majority is declared passed. 787. Senator Marovitz on the Floor? 790. On the

Order of House Bills 3rd Reading is House Bill 790, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 790.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Mahar.

SENATOR MAHAR:

Thank you, Mr. President and members. House Bill 790 appropriates seven million fifty-four thousand seven hundred dollars for the ordinary and contingent expenses of the Court of Claims, and I move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall House Bill 790 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. House Bill 790 having received the required constitutional majority is declared passed. 791, Senator Donahue...792. 93. 99. House bills 3rd reading is House Bill 799, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 799.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge.

SENATOR ETHEREEDGE:

Thank you, Mr. President. This bill appropriates ninety-two million nine hundred and twenty-eight thousand dollars for capital projects.

PRESIDING OFFICER: (SENATOR DEMUZIO)

*HB 814  
3rd Reading*

Discussion? If not, the question is, shall House Bill 799 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. House Bill 799 having received the required constitutional majority is declared passed. 801, Senator Fawell. Senator Fawell, 801. Senator Fawell. On House bills 3rd reading is House Bill 801, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 801.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Fawell.

SENATOR FAWELL:

Thank you, very much. What this does is...is it puts the...county and...and township commissions in the same position as the other road districts. It allows short-term borrowing...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Discussion? If not, the question is, shall House Bill 801 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. House Bill 801 having received the required constitutional majority is declared passed. Is there leave to get back to 805 in a couple of minutes? Leave is granted. 814, Senator Thomas Dunn. House bills 3rd reading is House Bill 814, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 814.



(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Thomas Dunn.

SENATOR TOM DUNN:

Thank you, Mr. President. This does exactly what it says. It prohibits an employer who provides health insurance and accident insurance to an employee from firing that employee for...exercising his right to use that insurance.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Discussion? If not, the question is, shall House Bill 814 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are 1, none voting Present. House Bill 814 having received the required constitutional majority is declared...is declared passed. 819, Senator Alexander. Senator Alexander, 819. House bills 3rd reading is House Bill 819, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 819.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Alexander.

SENATOR ALEXANDER:

Thank you, Mr. President. This bill would be known as the creation of a drug-free school law, and all it does, those of you have not heard it, would be to create within the School Code and give to the State Board of Ed. the right to formulate laws to give to the various school districts the curriculum with regards to teaching our children to say no to drugs. I would ask the support of this Body in putting this piece of legislation into law.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall House Bill 819 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. House Bill 819 having received the required constitutional majority is declared passed. 840, Senator Kustra. House bills 3rd reading is House Bill 840, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 840.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President and members of the Senate. House Bill 840 was requested by the Secretary of State. It changes from his office to the head of each state agency the responsibility of protection and preservation of state records that are essential for emergency government operations. I know of no opposition to the bill and I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Discussion? Discussion? The question is, shall House Bill 840...those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. House Bill 840 having received the required constitutional majority is declared passed. 842, Senator Marovitz. House bills 3rd reading is House Bill 842, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 842.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. House Bill 842 allows a principal to revoke a power of attorney for health care irrespective of his mental capacity. The agency can be revoked in many ways. The power of attorney may be amended at any time through a written amendment signed and dated by the principal or an agent of the principal. This deals with certain concerns that the committee had regarding the individual's right regardless of competency to revoke his own determination, and I would...I know of no opposition to the bill, I'd...I'd solicit your Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Discussion? If not, the question is, shall House Bill 842 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. House Bill 842 having received the required constitutional majority is declared passed. 848, Senator Collins. House bills 3rd reading is House Bill 848, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 848.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Collins.

SENATOR COLLINS:

Yes, thank you, Mr. President and members of the Senate. House Bill 848 is an attempt to professionalize and...and, establish workload standards for personnel performance...in the performance of their duties at the Department of Mental Health and Developmental Disabilities. I'm sure that most of you know that...that the department has come under fire about the quality and the level of services that's being provided now at that institution...it is my understanding that this amendment was worked out by the department, they are in support of it and it would also require them to establish some guidelines and standards which would be used in the...to develop the annual plan that they have to...would include a management budget and staff's effects in conjunction with other guidelines that they have to report to the General Assembly. I know of...any opposition and I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall House Bill 848 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all...have all voted who wish? Take the record. On that question, the Ayes are 59, the Nays are none, none voting Present. House Bill 848 having received the required constitutional majority is declared passed. House bills 3rd reading is House Bill 857, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 857.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland.

SENATOR MAITLAND:

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

intent of the legislation is to require a county with a public health department to include a mental health program. When the bill came over from...from the House it was a mandate. We amended this bill to allow for a front-door referendum. I think we eliminated all the opposition and I would be happy to answer any questions, if not, would appreciate a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall House Bill 857 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 52, the Nays are 5, none voting Present. House Bill 857 having received the required constitutional majority is declared passed. 866, Senator Marovitz. House bills 3rd reading is House Bill 866, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 866.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President. House Bill 866 requires the Chicago Public Library to make available at various branches of the library applications for examination for positions of firemen and policemen. The intent of the bill is to ensure that applications for examination are available in all areas throughout the city that are convenient for those who wish to apply, and I ask for your Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall House Bill

866 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. House Bill 866 having received the required constitutional majority is declared passed. House bills 3rd reading is House Bill 870, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 870.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Holmberg.

SENATOR HOLMBERG:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Bill 870 simply changes the date for certification of downstate county property tax levies from the...present wording which just says "September session of the county board" to the words "on or before September 30th." It's our attempt to put some...some teeth into the intent of the law. The property tax levy is the formal request by a local government or school district for a certain amount of revenue to be generated by the property tax and this formal request is sent to the county clerk who then calculates the necessary tax rate. Under current law, the levy deadline for a downstate county is the September session of the county board. This merely says that it must be done by September 30th. The bill does not apply to Cook County which must determine its levy by the third Tuesday of March.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President. I would just rise in opposition to this. I have heard from my county board financial

person and he feels that this would be very harmful to our county. He says that we would probably be taxing at the maximum level because they're not aware of what the budget is going to be by September 30th, and I think this could be very harmful to our counties and I would hope we could defeat this bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft.

SENATOR LUFT:

...thank you, Mr. President. I also rise in opposition to this bill and let me tell you why. In the month of September there's...absolutely no way a county government that you can tell what your budget is going to be. As a matter of fact, let me...give you a demonstration that I don't think is too complicated on how county budgeting works. At the end of the fiscal year in the county, which is November 30th, you find out what your cash balance is for that fiscal year and you subtract that number from what the appropriation is for the next fiscal year. For example, if you have an appropriation for FY '88 and you have a cash balance of fifty dollars for FY '87, you are going to levy a...a rate against that fifty dollars. You do not know what you're going to levy against until the end of the fiscal year; therefore, it is impossible to set the rates in September and come up with an accurate figure for the...on your December 1st. Consequently, the thing that you may wind up having is absolutely every taxpayer in your county objecting and let me assure you that if I were living in a county that did this, I may be the first to object. I think this is a bad bill and I think you'll find most counties opposed to it and would urge its defeat.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. I think Senator Luft has...has made a good argument against the bill. I simply want to say that my counties have contacted me and they are also opposed to the bill. Apparently what's happened here is that the county governments did not really catch on to what was happening in this bill until it reached the Senate, and once they became aware of it, they are opposed and I...I urge...defeat of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, we have several lights on. Further discussion? Senator Weaver.

SENATOR WEAVER:

Well, thank you, Mr. President. I think Senator Luft stated it very well. This may be one other point. The Board of Review is...is still working at this point in time and that affects what the counties might levy also. Most counties adjourn their September meeting until they pretty well finalize what their ending balance is going to be and have a...a determination at a later date. To set this date would be detrimental to most counties in the state and I stand in opposition.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. The analysis indicates that this bill came out unanimously, but let me point out to you, Senator Holmberg, there was considerable debate on this and I do believe there was a suggestion that a Floor amendment be offered and I don't see that Floor amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Holmberg.

SENATOR HOLMBERG:

No, there was not a Floor amendment suggested and it did come out unanimously and, therefore, we have none to propose.



PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

Well, our analysis does point out also that there was a suggestion for a Floor amendment and if that Floor amendment did not appear, I would recommend that this bill be defeated.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Woodyard.

SENATOR WOODYARD:

Thank you, Mr. President and members of the Senate. Senator Holmberg, I believe we have a little problem with our bill. I have been contacted also by several county boards that have expressed opposition to this and...I'm not sure that September 30th is a proper date or improper date, but I can tell you this, I did serve four years on a county board and we always set our levies in September. I didn't know until this bill cropped up that counties weren't doing that and there are a couple of reasons for that, but my main purpose as much as anything else in support of this bill is to at least get some pressure someplace to where we can someday in this General Assembly adopt a prior year EAV to where we're levying on known amounts of equalized assessed valuation and I hope someday to be able to do that. Seems we can't get our people together, but, anyway, I'm going to support the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Davidson.

SENATOR DAVIDSON:

Mr. President and members of the Senate, I rise in opposition to this bill. As some of you have related earlier,...as a past county board chairman, right, we did adopt the levy in September many times, but it's usually on the first or second Monday of September when we were meeting, but to extend this to thirty...and Senator Luft was correct,

you're going to have an entirely...almost every property owner of board of review, because what they normally do is they adjourn that meeting till they come to the December meeting so they can adopt the budget and a levy at the same time when we got all of them in, it'd have to be 'cause, as most of you, the county board has to adopt the levy for a lot of other different governments, not just their own. This is a bad bill and I'd urge a No vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Netsch.

SENATOR NETSCH:

Thank you, Mr...thank you, Mr. President. Senator Woodyard really was quite right and the problem is one not of what the counties like and what is convenient and comfortable for them but, A, of what the law requires and, B, of what they ought to be doing which is doing their levying in September; and I think one of the reasons, perhaps we should say it up-front, why often it is put off until later is political reasons. It's very comfortable not to have to make budget decisions until after the election but that does not make it right. I think this is a part, perhaps only a small part, but a part of the process of trying to redo the entire property tax cycle, and in the meantime, at the very least, it requires everyone to comply with the law as it is, and if they don't like the timing of the entire cycle, then perhaps we should solicit their help, Senator Woodyard, in trying to get to what we really ought to be doing and that is, indeed, a prior year EAV. In the meantime, I think this is a highly defensible part of that process and designed really to make everyone live with the law as it is.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rigney.

SENATOR RIGNEY:

A question of the sponsor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

She indicates she'll yield.

SENATOR RIGNEY:

Wasn't it true that a number of years back all levies had to be in in September and then the school folks come down here a few years back and said, hey, that's too early, and we gave them until, what, January 1 or something to do this same thing?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Holmberg.

SENATOR HOLMBERG:

...yes, we have made an exception for school...districts. That is, supposedly, the only unit of government for which there is that late a date. The counties have always been required to do it in September.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rigney.

SENATOR RIGNEY:

Well, it seems to me it's...you know, what's good for the goose is good for the gander here and I don't understand just why we're trying to...to impose something like this upon counties when we gave that type of a break to school districts. I would have to oppose this.

PRESIDING OFFICER: (SENATOR SAVICKAS)

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

SENATOR HOLMBERG:

What we are doing now is reaffirming what is the law and we should be, I think, advocates of counties doing what already is the law, and this actually puts correct wording in to bring some consistency to when counties establish their levy. This bill was suggested by a county so that other counties might be consistent with them. It was also suggested because they felt that those who sit on county boards should

have to run for reelection based on their vote on the levy, that they shouldn't circumvent the law by recessing from month to month to month until after the election and then vote in the levy. This was most evident at the time when we passed the quarter-cent sales tax for counties and counties all over the state did do just that. When the Taxpayers' Federation tried to get a tally at the end of September as to which way counties were going, they found out by surprise that many counties were merely reassessing...recessing and postponing their decision; therefore, the Taxpayers' Federation stands in support of this bill. This bill did pass out of Revenue Committee unanimously. It was originally on the Agreed Bill List and merely puts into law a little stronger something that we have always asked counties do to which is to set their levy in September. We do it five months ahead in the state, certainly counties can do it three months ahead. I move its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Question is, shall House Bill 870 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 26, the Nays are 32, none voting Present. House Bill 870 having failed to receive the majority...constitutional majority is declared lost. With leave of the Body, we'll go back to pick up House Bill 805, Senator Demuzio, as he was on the Podium presiding and we skipped over this. Any objection? Leave is granted. On the Order of House Bills 3rd Reading, House Bill 805. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 805.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

Thank you, Mr. President. This is a very simple little bill. When we passed the Vehicle Emissions Testing Program, we did it by zip code, and included in that zip code was a small rural community that was included with the Alton zip code numbers and, therefore, they fell within the purview of the Vehicle Emissions Testing Program. What this does, it exempts out about three hundred and fifty households or individuals or thereabouts from the Vehicle Emissions Testing Program and it is specifically limited only to those residents of Foster Township. I am sure that there are others in this Chamber that would like to do the same for their's. It just seems to me that this little community...they got caught into this...this program which is rural in nature, ought to be exempted out and I would move and ask for support of the Senate.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Fawell. Oh, w've got...well, Fawell, Netsch, Welch and Watson. Senator Fawell.

SENATOR FAWELL:

Thank you, very much. This is...I was just told I'm now known as "Tailpipe Fawell" over here. Will...will the sponsor yield for a...a question?

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will.

SENATOR FAWELL:

...I note that you have said that...that this is trying to exclude some rural sections within Madison County. Can you tell me...how can you designate by zip code what is a township and what is a community?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

The Environmental Protection Agency has sorted out to...a respective mailing that they have done and sorted out only those with those zip codes that are limited to Foster Township residents only.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Fawell.

SENATOR FAWELL:

Well, my...according to our analysis, those zip codes include Alton which is...has a population of forty thousand people. As you, I'm sure, are well aware, you do...realize that I have thought this is a dumb program from day one, and we are down to literally two hours of...of being out of compliance for the entire year and I think we ought to get rid of the whole program, but I think we ought to get rid of the whole program and not just one or two zip codes here and there unless you want to include mine.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Further discussion? Senator Welch.

SENATOR WELCH:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR WELCH:

Senator...Senator Demuzio, have we given any exemptions from this law to any other zip code areas?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

Not to my knowledge, no.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

The...isn't this zip code for Alton or is it for this

small town? Do you now which it is?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

Well, Senator Welch, if you would have read the bill, which I know that you...you do on most, apparently you must have missed this one, there is an amendment that specifies that the zip code is only limited to those residents of Foster Township and the EPA has indicated that they do have a process that they will be able to identify only those legitimate, bona fide residents of this township, this small, tiny, minuscule spot near Alton. It does not exempt Alton from the provisions of the...of the Emissions Vehicle Testing Program at all, only this little, small, limited number of people in a very narrowly defined area.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hall.

SENATOR HALL:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Indicates he will.

SENATOR HALL:

Senator, I'm sorry that I was back at the phone booth and I didn't have...of course, I got a serious problem with this and...now as I understand that you just...exempting just a small area. Now the question was asked is there...the thing that we're talking about...if this is this auto emission thing, I...I'm like Senator Fawell with that, I'm very up-tight about this thing, you know. Just imagine that under this thing that you can let cars pollute by zip codes, that's the thing that gets me. I have no problem with working...going along with what you got there, but I'd like to see the whole thing taken out.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. I just wanted to point out to Senator Demuzio that some of us here have heard that it's actually that small, tiny, minuscule township that is polluting Alton, it's the...wind moving the other way around. I think you've got this all wrong, Senator Demuzio.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Karpel.

SENATOR KARPIEL:

Well, thank you, Mr. President. I'm in agreement with Senator Fawell and Senator Hall on I would like to see this whole bill be repealed, and I particularly hated the way we divvied up the state just by going by zip code and not necessarily where...where the actual pollution is coming from, but I do have to stand in support of Senator Demuzio's bill, because in answer to Senator Welch's question, we have exempted some zip codes. In...in my district a municipality that had been using another post office in a different...zip code was included in and by...inadvertently and when they had their new...they had their...been building a new post office, had a different zip code and we did get them exempted and I believe there were a couple of other small areas that were put in by mistake and so we have done this before, there is precedent for it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. I'm just going to rise in support of what the Senator is doing here. This is Foster Township in Madison County of which...Madison County, a portion of which I represent, is a very rural area and it's ridiculous that we would even consider having these people have to be tested. So, I think what the Senator is doing is a



move in the right direction and I would, myself, agree that the program is ridiculous and ought to be repealed, but if we can do it...chip away at it, then let's do it, and I support it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. We're having a lot of fun with...with this bill, but let me tell you that this is an isolated case and I talked in...in to...to the leadership over in the House about this bill. Godfrey Township also is a...is exempt from the emission testing; however, in Godfrey Township there are some people who have the Alton zip code and so, consequently, they are not...they...they come under the Act. I asked to include Godfrey Township that...that has the Alton zip code into this bill and I was flatly refused because they say we're only going to do it for Foster Township and no one else. Now, I don't believe that...I don't believe that is reasonable and I don't believe that is fair, and I would like for Senator Demuzio to...bring this back and put Godfrey Township which is in Madison County with an Alton zip code to be included into this bill. I don't think you should have a lot of fun having a bill that only includes Foster Township with areas that have the...the zip code and are in effect included in the emission testing when they don't belong in there. It's sort of a rural area also.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Kustra.

SENATOR KUSTRA:

Well, thank you, Mr. President. I would just ask Senator Demuzio, if he's going to bring it back like that, I got this little community of suburban Cook County I'd like to add my amendment to.

PRESIDING OFFICER: (SENATOR SAVICKAS)

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

SENATOR DEMUZIO:

Well, thank you. I...I know that there are some concerns that have been expressed by...by Senator Vadalabene. I...I didn't set the terms to this...to this bill as a result of...of that which occurred in the House. When it got over here, there...there was a technical amendment that was put on to specifically limit it to Foster Township, and the EPA has indicated that they can identify by virtue of test mailings that they apparently have some notion of that they can do that. Now, I'm not sure whether or not they can do that for Godfrey. I don't have any problem in supporting a provision that...that does that for Godfrey but I would...but...but suggest to you that this is a...a...a...a period of time when we ought to proceed, I think, with this bill and I would be more than happy to support Senator Vadalabene in...in an effort in a...in another bill, but I would prefer that this bill fly...fly on its own merits and I would ask for the support of...of the Senate.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall House Bill 805 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 48, the Nays are 6, 3 voting Present. House Bill 805 having received the constitutional majority is declared passed. House Bill 873, Senator Barkhausen. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 873.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, House Bill 873 amends the County Nursing Home Act to increase the maximum property tax which can be levied to support a county nursing home from .025 percent to .10 percent with a front-door referendum. The bill is straightforward. That's what it does. It does require a front-door referendum and I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Discussion? If not, the question is, shall House Bill 873 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are 4, none voting Present. House Bill 873 having received the constitutional majority is declared passed. House Bill 881, Senator Alexander. Senator Alexander, 881. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 881.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Alexander.

SENATOR ALEXANDER:

Thank you. This amendment...not...not this amendment, this bill places the responsibility of this Act under the...under the Department of Aging rather than the Department of Public Aid, and it has the...it screens nursing homes...their programs with regards to their activities...I forgot that was my bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

HB 887  
3rd Reading

All right, Senator...Senator Alexander, you've concluded?  
Senator Alexander.

SENATOR ALEXANDER:

It would require the department to establish a prescreening program to determine whether persons has the alzheimer's disease or...related disorders that may be cared for by home and community based services and a fee may be charged by the department for this prescreening services, and I would sincerely ask an Aye vote for this piece of legislation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall House Bill 881 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. House Bill 881 having received the required constitutional majority is declared passed. House Bill 887, Senator Collins. House bills 3rd reading is House Bill 887, Mr. Secretary. Read the bill.

ACTING SECRETARY: (MR. HARRY)

House Bill 887.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Collins.

SENATOR COLLINS:

Yes, thank you. House Bill 887 started out transferring some of the...from the Department of Mental Health and Developmental Disabilities certain mental health centers to the University of Chicago, but what it ended up with as an agreed...amendment, it required the department and the...the University of Illinois to negotiate and to execute a written agreement for the transfer of those institutions to the Uni-

versity of Illinois, and I would ask for your favorable consideration.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Discussion? If not, the question is, shall House Bill 887 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. House Bill 887 having received the required constitutional majority is declared passed. House bills 3rd reading is House Bill 898, Mr. Secretary. Read the bill.

ACTING SECRETARY: (MR. HARRY)

House Bill 898.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. 898 is permissive legislation and all it does is...the Department of Public Aid in implementing workfare may contract with local taxing bodies and private not-for-profit organizations. 898 seems to permit direct participation by workfare...participants in the employment policy of the agency or local taxing bodies as...workfare program. What this does, it gives them the chance to get people that are on these programs to do some work in the communities or such. I'd ask for your most favorable support of this bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall House Bill 898 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that

question, the Ayes are 58, the Nays are none, none voting Present. House Bill 898 having received the required constitutional majority is declared passed. House bills 3rd reading is House Bill 915, Mr. Secretary. Read the bill.

ACTING SECRETARY: (MR. HARRY)

House Bill 915.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Bill 915 repeals the repealer on the School Aid Formula effective July 1, 1987. We don't have any money, we don't know what to do as far as the School Aid Formula, so we allow it to remain until we can properly address it with the proper resources. I solicit your Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Discussion? If not, the question is, shall House Bill 915 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are 1, 4 voting Present. House Bill 915 having received the required constitutional majority is declared passed. 919, Senator Woodyard. House bills 3rd reading is House Bill 919, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 919.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Woodyard.

SENATOR WOODYARD:

Thank you, Mr. President and members of the Senate. This is the school bus hatch bill that is a result of a very serious accident that occurred in my district last fall in which a school bus was hit in the rear end by a semitruck, turned over on its side, the truck remained in...in the rear of the bus and there was actually no way to really get those kids out of the bus in a...in a very speedy manner, and so what this bill does is to require that any buses manufactured after January 1st, 1989, would be equipped with these escape hatches. There's been, I realize, quite a lot of controversy on this particular small bill. There has been some controversy and...and discussion on the actual cost of these. It's our understanding...and we...do have quotes on these that...from a firm in Michigan that actually manufactures the hatches and we find that they would supply in volume were this bill to be enacted these hatches for in the neighborhood of a hundred and seventy dollars. In meeting with school superintendents and boards at least in my district, they feel that this is good legislation and that they would have no problem in supporting the implementation and...and the...putting these hatches in the buses, and, as I say, it does not trigger in until 1989. Be glad to answer any questions.

PRESIDENT:

Discussion? Senator Topinka.

SENATOR TOPINKA:

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

PRESIDENT:

Indicates he will yield, Senator Topinka.

SENATOR TOPINKA:

Is...is there anything at this time that prevents a local school board from doing this at this moment without the necessity for a Statute?

PRESIDENT:

Senator Woodyard.

SENATOR WOODYARD:

No, there is not, but we find that...many schools are just not doing it and I think the reason being that they have not had a serious accident as we did in my district.

PRESIDENT:

Further discussion? Senator Raica.

SENATOR RAICA:

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

PRESIDENT:

Indicates he'll yield, Senator Raica.

SENATOR RAICA:

Senator Woodyard, my question would be as far as the...the specific dimensions of the hatch, who would determine that?

PRESIDENT:

I'm sorry, Senator Woodyard.

SENATOR WOODYARD:

Thank you, Mr. President. The Department of Transportation would by promulgation of rules determine the size and...and dimensions and the...and the kind of escape hatches that would be used.

PRESIDENT:

Further discussion? Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President and members of the Senate. It's difficult, I...I guess, to oppose a bill like this especially when you've have a situation that...that affected Senator Woodyard's district, but I...I would remind the Body that...as Senator Topinka has suggested, school boards can do this now and...and some do. The information that I have indicates that the cost of...of this hatch in a bus is more like five hundred dollars and if there are cheaper hatches, I'm not aware of them, but I think the fact of the matter is



school buses across this state and, indeed, across the nation have an unbelievable safety record with...with little, if any, loss of life on an annual basis. Buses are already built that they have a number of areas where you can escape and I think that to...to cause this to be another burden upon local school districts is something that we should not mandate. Let the school districts do it if they choose, but just as we did with strobe lights, it ought to be a local board decision. I would certainly suggest a No vote.

PRESIDENT:

Further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Question of the sponsor.

PRESIDENT:

Indicates he will yield, Senator DeAngelis...Senator Woodyard.

SENATOR DeANGELIS:

Senator Woodyard, can...can local school districts make these requests to do this on their own?

PRESIDENT:

Senator Woodyard.

SENATOR WOODYARD:

Yes.

PRESIDENT:

Senator DeAngelis.

SENATOR DeANGELIS:

Who would pay the cost for this if it occurred?

PRESIDENT:

Senator Woodyard.

SENATOR WOODYARD:

It's my understanding that this would be part of the safety package bid and, thus, over a five-year period of time, the school districts would be reimbursed in their normal transportation reimbursement costs...on a five-year

amortization.

PRESIDENT:

Senator DeAngelis.

SENATOR DeANGELIS:

How much is that cost?

PRESIDENT:

Senator Woodyard.

SENATOR WOODYARD:

As I indicated to you, we have a quote at least from a firm in Michigan, and there has been a lot of discrepancy in...in the cost of these hatches, but this firm in Michigan indicates that they can supply those in quantity to a manufacturer for a hundred and seventy dollars.

PRESIDENT:

Senator DeAngelis.

SENATOR DeANGELIS:

Well,...that might well be, but that's not the cost of doing it. The labor is probably far more than what the hatch costs, but I...I want to know what the total cost per year is...the total cost per year.

PRESIDENT:

Senator Woodyard.

SENATOR WOODYARD:

I don't really know. There is an estimate put out by the contract haulers showing that this would...would cost a million dollars a year, but they're using a figure of five hundred and ninety-three dollars.

PRESIDENT:

Senator DeAngelis.

SENATOR DeANGELIS:

Well, the cost is unknown but I would...I could tell you right now, the cost estimate that was given by the proponents of this bill is extremely low. I...I think...when you get into the issue of safety, it's...it's always a touchy issue,

but I'm not so certain this is going to do much good anyhow. The other thing is, we don't know what the cost is. I would really urge you to hold your bill and maybe study this a little further.

PRESIDENT:

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

SENATOR WOODYARD:

Well, thank you...very much, Mr. President. I would like to get a roll call on this. I do realize that some of you do have problems with...because of the requirement. By the same token, it certainly does...increase the safety factor in being able to...to get these kids that might be involved in an accident out of a bus. As a matter of fact, we found a case in Arkansas...and by the way, there are two states that do require this at the present time, but an incident happened in Arkansas in which a bus went off a bridge and was in the water and without those escape hatches they would have had thirty-two kids drown. So, I do urge a favorable vote on this bill.

PRESIDENT:

Question is, shall House Bill 919 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 30 Ayes, 24 Nays, 3 voting Present. House Bill 919 having received the required constitutional majority is declared passed. Senator DeAngelis, for what purpose do you arise?

SENATOR DeANGELIS:

Verification.

PRESIDENT:

That request is in order. Senator DeAngelis has requested a verification. Will the members please be in

their seats. Madam Secretary, please read the affirmative roll call.

SECRETARY:

Alexander, Carroll, Collins, D'Arco, Degnan, del Valle, Dudycz, Thomas Dunn, Fawell, Geo-Karis, Jones, Jeremiah Joyce, Jerome Joyce, Karpiel, Kelly, Kustra, Lechowicz, Luft, Madigan, Netsch, Newhouse, O'Daniel, Philip, Poshard, Raica, Vadalabene, Watson, Weaver, Woodyard and Zito.

PRESIDENT:

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

SENATOR DeANGELIS:

Senator Geo-Karis.

PRESIDENT:

Senator Geo-Karis is coming down the aisle.

SENATOR DeANGELIS:

Senator...no, there's Jones. Senator Kelly.

PRESIDENT:

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

SENATOR DeANGELIS:

Is the vote 30, 'cause sometimes that board doesn't...30? That's it.

PRESIDENT:

All right, the roll has been verified. On that question, there are 29 Ayes, 24 Nays, 3 voting Present. House Bill 919 having failed to receive the required constitutional majority is declared lost. 925, Senator Kelly. On the Order of House Bills 3rd Reading is House Bill 925. Read the bill.

SECRETARY:

House Bill 925.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Kelly.

SENATOR KELLY:

I guess maybe...thank you, Mr. President. I guess I have an opportunity to explain things. Over in the House we get an opportunity to switch our votes; over here we don't and I made a commitment and that's why I did what I did. Mr. President and members of the Senate, House Bill 925...it's an issue which has been debated in great detail. This legislation would prevent schools from dispensing contraceptive devices to students. It's a...now in its pure form, the way it came from the House, and if it passes, it would go to the Governor directly. It does not have Senator Berman's amendment. I just think it's morally wrong for a school to dispense contraceptives. I think that they should be in the business of educating students and not in the business of condoning or dispensing contraceptive devices. I know that Senator Hudson and I and the other hyphenated sponsors would be happy to answer any questions you might have; otherwise, I would ask for your favorable support.

PRESIDENT:

Discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

...would the sponsor yield for a question?

PRESIDENT:

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

SENATOR GEO-KARIS:

Do I understand then, this bill does not require parental consent to any distribution of anything?

PRESIDENT:

Senator Kelly.

SENATOR KELLY:

Yes, it does not contain the parental consent provision which Senator Berman offered previously.

PRESIDENT:

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, I believe in abstinence rather than supplying any of these items, but I also believe in the paramount interest of a parent and I feel that there...a parent should be consulted. In this day and age, we cannot minimize the interest of the parents in the welfare of their children, and I, regretfully, will have to vote Present because I'm in sympathy with your bill, but if it had the...right parental consent...written parental consent, I could go along with the bill, but my constituents want to have the right as parents to make a decision. So, therefore, I will vote Present on this bill.

PRESIDENT:

Further discussion? Senator Hudson.

SENATOR HUDSON:

Thank you, Mr. President...Ladies and Gentlemen of the Senate. I know this bill has been debated before at some length. I still think that Senator Kelly is on the right track and I rise...I stand...as I said once before, shoulder to shoulder with my friend Senator Kelly on this matter. It is my firm belief and rather fervent belief that our schools have legitimate functions and in some cases illegitimate functions and I believe this to be one. I have a friend who suggested something the other day that gave me some...pause, and that was that if we don't pass a bill of this kind, we may see the curriculum in our schools changed to one of reading, writing and rubbers, and I don't say this entirely...I don't...I don't really say that facetiously because I do feel, and I'll go back to the point, that our schools have legitimate functions and those are reading, writing and arithmetic and other courses that we from time to time...prescribe at the state level. We also, occasionally, intervene at the state level and say our schools are not to

be used for certain other things. I mentioned the other day that we...we recognize that our young people in this state, many of them, in our schools drink. That is a real problem. They also are using drugs, but we do not at the same time sit them down in the classroom with a couple of bottles of booze and show them how to drink safely, nor do we supply them with hypodermic needles in the classroom and show them how to use drugs safely. We simply don't do that because we don't believe this is the place...our schools are the instruments to be used for these purposes. Much has been said about parental consent. Now, what we're going to do if we don't...if we don't do something of this kind, we are going to be saying it's okay if a few parents here and there say it's okay, and I will say to you that without this bill, we are going see a proliferation if one or two or three or four schools begin to do this with a handful of parents somewhere in other schools who will say, well, it's happening in other schools, why not in ours? It wouldn't be difficult to get three or four parents demanding these and then what is the school going to do? And what is the school's liability insurancewise? I think we're giving our youngsters when we...we...we pass out contraceptives in the school...we're giving them a false sense of assurance, we're telling them that they can...they can avoid pregnancy, perhaps, or avoid disease. This is not...going to be the case necessarily and I wonder if the schools will not end up with a...immense potential liability if something goes amiss. What if some youngster after instruction in the classroom goes out and does contract AIDS or does do any number of things...is the school liable? I don't know the answer to that, but I think it's something we ought to think about. So, why give our youngsters a false sense of...of assurance and security that simply isn't there? I think that Senator Kelly is to be applauded for his efforts and I would certainly recommend and

urge you, in this case, to let the state make a declaration that it does not condone the use of our schools and our classrooms for this purpose, and I would highly recommend an Aye vote on this bill.

PRESIDENT:

All right, further discussion? Senator Berman.

SENATOR BERMAN:

Thank you...thank you, Mr. President and Ladies and Gentlemen of the Senate. Why does it seem that this is the only issue that we have been debating week in and week out, and regrettably, this issue...issue should not even be here. We debate time in and time out on numerous education issues the question of local control, and, ladies and gentlemen, in my city, Chicago, there are two school based clinics and, you know, a lot of times the City of Chicago and the Chicago Board of Education gets...some tough treatment from this Illinois General Assembly. We are generous but we are also very critical. But I've got to tell you that if we, the supreme minds of the Illinois General Assembly, could sit down and write a program for evaluating a health based clinic for the Chicago school system or Chicago children, I don't think we could have done a better job than has, in fact, been done in Chicago at DuSable and at Orr, and so I suggest to you that if something ain't broke, let's not try to fix it. And let me tell what I'm talking about. The Chicago Board of Education went into those communities and hold...held public hearings. The parents of the children in those schools overwhelmingly endorsed school based clinics, including the availability of contraceptive aids...that's the wrong word, contraceptive utensils subject to parental consent and family planning and birth control education and advice. It was overwhelmingly approved by the parents and the school people in those communities, and this kind of debate as to whether contraceptives should be prescribed or not took place in



those communities, and then downtown at the Chicago Board of Education, they debated it and a majority of the board concurred. Now, we, ladies and gentlemen, in Springfield, are going to say that that decision made in a democratic open process for what was decided to be best in those communities is wrong. We know better, don't we? We know better two hundred miles away for what's better for the children in DuSable and the children at Orr than do the parents and the teachers and the administrators in those local school districts. Ladies and gentlemen, we don't know what's better for them. Twenty percent of the girls in the United States have had sexual intercourse by the age of sixteen. Twenty percent. Last year over eighteen percent of the children born in Chicago were born to...to children age nineteen and below. Over eighteen percent. I've distributed on every one of your desks a publication by the Illinois Department of Public Aid, and I found it interesting that one of the cosponsors of this bill talked about reading, writing and 'rithmetic. Let me give you a little 'rithmetic. We're talking about millions of dollars of cost to the taxpayers of the State of Illinois if we, in our lack of wisdom, prevent family planning counseling including, where parentally approved, the prescription of contraceptives. I've distributed a chart from the Department of Public Aid of what it costs in dollars, and we're talking about millions of dollars because we want to be holier than thou, purer than thou and say, oh, no, parish the thought that our schools should even discuss the problem or the suggestion of contraceptives. Ladies and gentlemen, we have children having children. They're being forced out of our schools and forced on to the pay...on to the roles of public aid, so we've got not first generation children but second and third and fourth generation children on our public aid roles so that we can be pure and say that we shouldn't discuss contraceptives or prescribe contraceptives with

parental consent out of our schools. How hypocritical...how hypocritical. And then we talk about not wanting to raise taxes and not wanting to raise grant levels for public aid. The hypocrisy astonishes me. Let me just quote from the Department of Public Aid, "School based clinics have proven to be a valuable way to help reduce teen pregnancy and repeat births to teen parents. If local school districts want to have such clinics in operation within their districts and dispense contraceptives with parental consent, they should be able to make that decision at the local level." This bill, House Bill 925, undermines the efforts of the state and local school districts to solve a complex problem best addressed at the local level. If you feel that because of the politics of these issues that you feel that you can't vote No, as I think is the correct vote, I sincerely ask you to vote Present because it's a decision that ought to be made, first, by parents and then at the local level. Vote No on House Bill 925.

PRESIDENT:

All right, a number of members have indicated they wish to speak. In the meantime, Mr. Berman from the Chicago Tribune, a photographer, seeks leave of the Body to take some photographs. Without objection, leave is granted. Senator Kustra, further discussion?

SENATOR KUSTRA:

Thank you, Mr. President and members of the Senate. I have some difficulty with Senator Berman's using the local control argument as the reason why we ought not to vote for this bill. It was just an hour or so ago when we were...we were asked to dictate from two hundred miles away what local school districts were going to do on some other issues and now we're being told that we should take the opposite position. I don't really think you can be completely consistent on the local control versus state control issue. It's going to depend on the specific issue. I wasn't going to speak

but, Senator Berman, you mentioned once again those hearings that were held by the Chicago Board of Education in those neighborhoods where those clinics now lie. A few weeks ago, a member of the Chicago Board of Education came down here with some of her colleagues to meet with us for breakfast and talk about the problems of Chicago schools, and I had a chance to discuss with her this particular bill. First of all, I was surprised, obviously, the vote was not unanimous and she was one of those who opposed the bill, and she relayed to me that those hearings which you've referred to on numerous occasions now, Senator Berman, were not in the eyes of all who attended the most democratic and...and fairly conducted hearings, that...there were some people who didn't even get into the room and they were put in another room and they really didn't have any opportunity to hear much less comment on that particular policy which the Chicago Board of Education was laying down. So, I'm not so sure that we can stand here on the Floor of the Senate and argue that everybody back home got their chance for input. Also, let's face it, if the Chicago Board of Education, or let's just say if the parents in that area want to establish some opportunity for a health clinic of some kind to do the kinds of things you tell us is so crucial we do, it could be set up as near to a school as across the street and, again, it's the Chicago Board of Education member that told me that's precisely in a number of communities what has happened. There are community clinics which are now available to serve these kids to do exactly what you say somehow miraculously and only can be done under the roof of a school. That's nonsense. There's really only one question we should be asking ourselves here today. What is the proper role of a school in the State of Illinois? What kind of message do we want to send to the kids, to their parents, to our taxpayers back home about the proper role of that school? I think we do not want to put an imprimatur on

the dispensation of contraceptives which is exactly what we do when we say it's okay for the schools to do it. Senator Poshard said it best a few weeks ago and I can't come close to saying as eloquently as he did, but this is a good piece of legislation because it puts our values in place in this state and that's why I urge you to vote Aye.

PRESIDENT:

Further discussion? Senator Smith.

SENATOR SMITH:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Concerning House Bill 925, I want to bring to focus something that was said here earlier this afternoon when Senator Berman had a bill in focus here, and I heard one of my colleagues from the other side state that they were talking about drugs and that they should leave these problems to the local schools to take care of. I merely want to bring...now...now you're saying that you should not take contraceptives or these problems should not be...to the local school. You're...you're contradicting yourselves there. We are there to administer to the children who live in that area. I'd like to ask about how many of you live in the Chicago area around 49th and Federal, 49th and Deerbourne, 49th and Wabash where the school based clinic of DuSable is located? Have you ever gone around in the area? Have you visited into those project buildings? Have you seen the children? My husband says a thing that..."For forms of government, let fools contest, what's best administered is best." And at this particular time when pregnancy is permeating the entire community, and God knows what's going to happen this summer, I think about that. If we have a school that is interested in the children who reside in that...in that area and you have parents who are crying out of their hearts for some help and they're willing to come over there to the school and ask the clinic to help them in

any way that they possibly can, give their children some counseling, help them to help their children who will not listen to them because they have peer pressure and that if they have something with the parents consent...and remember that these contraceptives is not the main program that they are handling in that school, they administer to the entire child in every respect. Contraceptives is a minute thing, but we are blowing it up, that's what where doing, we're...we're just contracept this. If you wouldn't talk about it so much, maybe there wouldn't be so much, but you're blowing it up and the people who are blowing it up, you're not even concerned, you go out and live in your area and you are happy, it's not going to touch you, but these parents are living with their children every day, their homes are being overcrowded, they're paying more rent. So...if the parent is willing to sign the form to say that I want my child to have contraceptives, that's her in her guard, not yours, and these parents are crying and asking for this. Now if the school can help these children, let them help and you take care of your side...you said that the local schools should take care of these things and I'm pleading with you today, let this thing alone, stop blowing it up and go about your business. What's good for them, they'll take care and what's good for you is...it's not your responsibility, it's only the school at DuSable, in my district, where the parents are crying for some aid and some help, and if you can prevent, at least you will not doing mass murder by asking them to have an abortion, and then if they do have the abortion, that's mass murder, and then if they do have the child here in the state, you don't want to even provide money for them. So, please, place this back on the roles that...with the parent's consent the child will have an opportunity for a life. Thank you.

PRESIDENT:

Further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. This is a difficult bill to speak against. There's been a lot of discussion on it, but I would like to share some comments. Not too long ago, a member of our staff gave me a book called, "The Road Less Traveled," and I think for those of you who have...had not had the opportunity to read it you ought to. "The Road Less Traveled" describes how to achieve fulfillment in life and one of the obstacles to that fulfillment is the denial of a problem. I have heard by the proponents of this bill, and they are sincerely attentioned, that passing this bill condones sexual activity. To the contrary, the sexual activity is there. What it does do is deny the problem. Also, in that book it describes five elements necessary to achieve fulfillment in life and I won't go through them. The book cost \$14.95 and I don't want the author to lose any money by telling you about it, but I do want to tell you that of those five elements, the people who made the conscious decision to have this type of facility in their school district, the children don't have one out of the five, they don't have that chance. Somebody has described the role of the school and I agree with that except that...let me tell you, in the Chicago Board of Education, they don't just teach, they parent, they counsel, they babysit, they feed, they protect and they provide security way beyond the normal role of a school district. I think that by passing this bill we might well be shutting the door on what small chance some of the people that need this badly will have.

PRESIDENT:

Further discussion? Senator Luft.

REEL #5

SENATOR LUFT:

Thank you, Mr. President. I almost feel like I should apologize because I have to ask Senator Kelly a question, but I feel like I do, because everything so far, it appears to me, has been discussed about contraceptives and I'd like to ask the Senator a question. Senator Kelly, in this bill are you also eliminating...counseling in schools...is this bill eliminating counseling?

PRESIDENT:

Senator Kelly.

SENATOR KELLY:

No, this is not eliminating counseling nor the clinic itself. A clinic can continue, counseling can be provided. It's...we did have an amendment previously which would have prevented...make sure there was not abortion counseling. But, no, we are not doing anything to prevent counseling.

PRESIDENT:

Senator Luft.

SENATOR LUFT:

Thank you.

PRESIDENT:

Further discussion? Senator Poshard.

SENATOR POSHARD:

Thank you, Mr. President. I...I was not going to rise on this bill either but I think I...a couple of points maybe I'd like to make. First of all, for Senator Smith, I think if you look at those statistics that Senator Berman passed out to all of us a couple of weeks back on a separate bill addressing this issue, five of the top ten counties in the state in terms of teenage pregnancy are in my district. Let

me suggest to you that what we're trying to attack here through a very explicit action, that of dispensing contraceptives to our children, is a superficial attempt at best to deal with this problem. What your district and my district share in regard to our children in the high rate of teenage pregnancy is poverty. Poverty is what we share together and it's the basic cause for our children ending up being pregnant as children and I don't know how we're ever going to solve that basically, but that's...that's the root of this problem that we have. But the real question that we're dealing with goes...goes even beyond that, it's still a question of universals, of values regardless of how we attempt to treat it by some explicit measure of dispensing contraceptives to our children. Has nothing to do with people being pure or holier than...than thou, and those kind of statements I...I resent because that...that makes it an even more superficial issue for all of us who...who are concerned about whether we take a stance on these kinds of things in the state. The real question is should the State of Illinois in its official judgment put its stamp of approval on sexual liaison between our children, and the point at which we dispense contraceptives to our children, we are agreeing to that sexual liaison and that's what's wrong about this and that's why the bill goes too far and that's why this bill is good because we need to prohibit that act and that's what the bill does and, therefore, I rise in support...in strong support of the bill.

PRESIDENT:

Further discussion? Senator Newhouse.

SENATOR NEWHOUSE:

Thank you, Mr. President. Like Senator Poshard, I had not anticipated arising on this bill at all, but the problem with this bill is that everybody is right and everybody is wrong. There just isn't any question that we ought to be



making some kind of statement about what we stand for here but this is not the place for that. There's no question that some kind of measure is needed to prevent some human tragedy that can be prevented, there's no question about that and all of us ought to feel very self-satisfied about what we say and just a little bit hypocritical about what we do whatever it is. Now the question then is who is suffering? And the facts of life are...we're talking about a lot of young lives that are going to be destroyed. We're talking about an awful lot of unwanted children...unwanted children, and I can think of nothing worse in this world than to be an unwanted child. I think we ought to consider that. Thirdly, we're talking about fractured families, families that will never come together. We're talking about an impact on public aid, public health, mental health, you name it, every one of those departments will feel the impact of our failure to do something. I don't know what the something is. There's an opportunity now to let an experiment run its course that may give us some guidance and direction, and if it gives us some guidance and direction for the future, then it's a good...it's a good measure. If it does not give us guidance and direction for the future, at least we can write that off and try another approach. Senator Poshard is absolutely right, the underlying cause is poverty and we need to look at that very closely. If we devoted half the time in this Legislature to looking at that underlying problem and attempting to resolve that, I think our time would be much better spent. I can't think of a better illustration of what the effects of...the amendments that we placed on it...I don't want to mix apples and oranges, I don't want...self-appreciating plea, but we talked about the other day the whole question of putting youngsters to work in this state and that's a major issue that we ought to adjoin. Now, Senator, I don't want to tack onto your bill, but I think

this is part of the policy that's involved and we need to talk about that. So I would rise in support of this...in opposition to this bill and would hope we continue this debate until we finally get down to the real underlying issues and begin to try to resolve those. That's all right. With that, I close, Mr. President. I rise in opposition.

PRESIDENT:

Any further discussion? Further discussion? Senator Kelly, you wish to close?

SENATOR KELLY:

Just briefly, Mr. President and members of the Senate. Senator Kustra I think hit it on the head when he did indicate that these clinics could be contained outside; in fact, even the statement that came from Department of Public Aid, Mr. Duffy, indicated that these school districts within the districts can dispense contraceptives. Well, we're not saying that they can't be dispensed in the community, but we're saying is within the confines of the school building itself. Second note, Senator Smith had distributed a publication here which indicated that a number...great many people...eighty-five percent say school clinics should provide contraceptives. This was...and when I asked her, this came from Glamour magazine, am I correct, Senator? Okay. Item No. 5 here says, "Should teens be required to have their parent's consent in order to get contraceptives from school clinics?" Seventy-eight percent said no. So what I'm saying is there's something radically wrong when we hear Senator Berman claiming that a giant majority want parent's consent and here you've got seventy-eight percent saying no that there should not be parental consent. So there is a mixed view on this subject and I appreciate all the many comments that are made. I think they were all well-intended, I ask you to vote your conscience.

PRESIDENT:

The question is, shall House Bill 925 pass. Those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 30 Ayes, 18 Nays, 5 voting Present. House Bill 925 having received the required constitutional majority is declared passed. Senator Berman, for what purpose do you arise?

SENATOR BERMAN:

I'd request a verification, Mr. President.

PRESIDENT:

That request is in order. Senator Berman has requested a verification. Will the members please be in their seats. Madam Secretary, if you will, read the affirmative votes, please.

SECRETARY:

Davidson, Degnan, Dudycz, Ralph Dunn, Thomas Dunn, Etheredge, Friedland, Hall, Hawkinson, Hudson, Jeremiah Joyce, Jerome Joyce, Karpel, Keats, Kelly, Kustra, Lechowicz, Macdonald, Madigan, Mahar, O'Daniel, Poshard, Raica, Savickas, Schaffer, Topinka, Vadalabene, Watson, Welch and Zito.

PRESIDENT:

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

SENATOR BERMAN:

Senator Macdonald.

PRESIDENT:

Senator Macdonald is on the Floor.

SENATOR BERMAN:

Senator Lechowicz.

PRESIDENT:

Senator Lechowicz is in the phone booth, yes, sir.

SENATOR BERMAN:

No further questions.

PRESIDENT:

All right. The roll has been verified. On that question, there are 30 Ayes, 18 Nays, 5 voting Present. House Bill 925 having received the required constitutional majority is declared passed. 932, Senator Joyce. On the Order of House Bills 3rd Reading, the bottom of page 13, is House Bill 932. Read the bill.

SECRETARY:

House Bill 932.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Joyce.

SENATOR JEROME JOYCE:

Yes, thank you, Mr. President. This is a land conveyance and transfer bill. It...it...let's see, conveys for a dollar 11.5 acres to the City of Anna from Department of Mental Health; from Department of Mental Health to Howard Holcolmb for thirty-three hundred dollars, the fair market value, approximately 9.3 acres in Union County; DOT to convey for a dollar approximately two acres to the City of North Chicago, they're building a fire station; permits DCFS for a dollar to...convey to the City of Jacksonville 1.4 acres, releases easements for highway purposes over and through land in Bureau, Williamson, Cook and Clark Counties; transfers land to the City of Alton, authorizes DOC to remove the public use restrictions on the Lateral Canal, amends an Act concerning conveyances so that where meets and bounds descriptions are used these descriptions will no longer be generable but will have to be specific legal description of the land by including the section, township, range with identifiable points of beginning. I'd be happy to answer any questions if there are any.

PRESIDENT:

Any discussion? Discussion? If not, the question is, shall House Bill 932 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, 1 Nay, none voting Present. House Bill 932 having received the required constitutional majority is declared passed. All right, ladies and gentlemen, it's approximately quarter to five and by my reckoning we have at least a good hour's...hour and a half's work on the Order of House Bills 2nd Reading and Recalls. The recall list will be distributed shortly but there are some thirty or so requests it appears. So in order to accommodate the members, we will move now, with leave of the Body, to page 35 on the Calendar. Page 35 on the Calendar. (Machine cutoff)...Welch, you're first. Given the fact that Thursday and Friday of this week are the deadline days, I would suggest that the time is running out. (Machine cutoff)...the Order of House Bills 2nd Reading, Madam Secretary, House Bill 10...

SECRETARY:

House Bill...

PRESIDENT:

...read the bill, please.

SECRETARY:

...House Bill 10.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DEHUZIO)

Senator Welch.

SENATOR WELCH:

I believe that amendment is going to be stripped in the subsequent Floor amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Welch, the...Senator Welch, we have...have we...the Clerk indicates that we have adopted some amendments. Madam Clerk, would you for the record state what we have done so...thus far?

SECRETARY:

Yes. We have...we adopted and then Tabled No. 1. We have adopted No. 2, we have adopted No. 3 and this is Amendment No. 4 offered by Senator Welch.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Okay. I'd like to withdraw Amendment No. 4 and move this bill to 3rd reading.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Welch seeks leave to...of the Body to...withdraw Amendment No. 4...No...No...Amendment No. 4 is withdrawn. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. House bills 2nd reading is House Bill 42, Madam Secretary.

SECRETARY:

House Bill 42.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Rock.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 42 is an amendment to the Liquor Control Act and it attempts to solve a problem with respect to a major development that's planned for...North Michigan Avenue insofar as there is a church...a landmark church that is situated within one hundred feet of what will be a retail liquor establishment. As a matter of fact, there will be some fifteen restaurants and bars in this particular development. This is an attempt to accommodate that and carve out an exemption. Amendment No. 1 would suggest only that in the interest of furthering Illinois economy that the sale of alcoholic beverages to a restaurant or hotel having not fewer than a hundred and fifty guest room accommodations and located in a municipality of more than five hundred thousand notwithstanding the proximity of the church, the license can be issued. I know of no objection and I would urge the adoption of Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator...Senator...Jeremiah Joyce.

SENATOR JEREMIAH JOYCE:

Is...is this...question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Jeremiah Joyce.

SENATOR JEREMIAH JOYCE:

Is...is this any church?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

The way it reads it would be any church, yes, if the following conditions; has to be in the City of Chicago and it has to be a hotel having not fewer than a hundred and fifty guest accommodations and the...the licensed premises are located within an enclosed mall or building the height of which is at least six stories. So it's...it's...it's aimed

at 900 North Michigan is what...what the address is.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock has moved the adoption of Amendment No. 1 to House Bill 42. Those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 262, Senator Degnan. House bills 2nd reading is House Bill 2-6-2, Madam Secretary.

SECRETARY:

House Bill 262.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Degnan.

SENATOR DEGNAN:

Thank you, Mr. President. House Bill 262 is one of the recommendations contained in the 1987 Illinois Supreme Court's report to the General Assembly regarding improvements to the administrative of justice. 262's amendment provides that the trial court may reduce or modify a sentence upon motion of any party or upon the court's own motion within thirty days of the sentence. It's similar to House Bill...House Bill 38 passed by Senator Fawell and Alexander earlier this Session. I move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Degnan has moved the adoption of Committee Amendment No. 1 to House Bill 262. Those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?



SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. House Bill 274, Senator Berman. Senator Berman on the Floor? 308, Senator Carroll. All right. Senator Berman. On the Order of House Bills 2nd Reading is House Bill 2-7-4, Madam Secretary.

SECRETARY:

House Bill 274.

(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. 308, Senator Carroll. House bills 2nd reading is House Bill 308, Madam Secretary.

SECRETARY:

House Bill 308.

(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:

If the Secretary would, would you identify which one it

is, please? Is that the...

SECRETARY:

...85H308PAM2MRYV.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. The purpose of Amendment No. 1 would be to add language to the DCCA...Build Illinois Purpose Funding for Economic Development certain incentives so that, in fact, if it's necessary for economic development, buildings can be demolished as an encouragement for financing through the Build Illinois Program. I would move adoption of Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Carroll moves the adoption of Amendment No. 1 to House Bill 308. Those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

Amendment No. 2 offered by Senator Carroll.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. The House in an effort to clarify for DCCA the issue of whether or not projects that have been added by members of the General Assembly had to meet certain other criteria that DCCA thought they might have to impose had overexpanded the limitations, meaning they took away all criteria whatsoever. We believe that goes way too far. The issue having been resolved with the department was that if specific projects are added, then that is a statement by the Legislature that that project should be done and therefore no other criteria would have to be established, but if it were one that came through the lump sum process, what we call the Governor's

section, then that would still be under the ambit of the four divisional Acts and have to be job creation, job retention or whatever the other criteria are of the specific Acts. I would move adoption of Amendment No. 2.

PRESIDENT:

All right. Senator Carroll has moved the adoption of Amendment No. 2 to House Bill 308. 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:

Amendment No. 3 offered by Senators Schuneman and Philip.

PRESIDENT:

Senator Schuneman.

SENATOR SCHUNEMAN:

Yeah...

PRESIDENT:

Senator Schuneman.

SENATOR SCHUNEMAN:

...yes, thank you, Mr. President. There seems to be some confusion about this amendment. I think we want to withdraw it, but if we could have my handler look at it just a moment.

PRESIDENT:

All right. That amendment will be withdrawn at the request of the sponsor. Further amendments?

SECRETARY:

Amendment No. 3 offered by Senator Davidson.

PRESIDENT:

Senator Davidson.

SENATOR DAVIDSON:

Mr. President and members of the Senate, with the concurrence of the sponsor, this amendment is necessary because when the Lincoln New Salem State Park was transferred to the Historical...Preservation Agency, it limited to a twenty-five-year lease. And the three individuals who have

offered to bid and made a proposal to the...to build the new motel complex that they wish to build down there have asked for a forty-year-lease under the old...when it was under the authority of conservation, they could that, and this asks for the twenty-five-year limit in this case only be extended to forty years. Move the adoption of Amendment No. 3.

PRESIDENT:

Senator Davidson has moved the adoption of Amendment No. 3 to House Bill 308. 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. 513, Senator Demuzio. On the Order of House Bills 2nd Reading is House Bill 513. Read the bill, Madam Secretary.

SECRETARY:

House Bill 513.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Finance and Credit Regulations offers Amendment No. 1.

PRESIDENT:

Senator Demuzio on Committee Amendment No. 1.

SENATOR DEMUZIO:

Well, I want to...I want to...move to Table Committee Amendment No. 1. I think it's been agreed that since this bill left committee that this bill has some controversy and Amendment No...Committee Amendment No. 1 doesn't help it any. So there's been agreement to...to Table Committee Amendment No. 1 to House Bill 513, that would be my motion.

PRESIDENT:

All right. Senator Demuzio has moved to Table Committee Amendment No. 1 to House Bill 513. Discussion? If not, all

in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries. Amendment No. 1 is Tabled. Further amendments?

SECRETARY:

Amendment No. 2 offered by Senator Berman.

PRESIDENT:

Senator Berman. Withdraw that amendment, Madam Secretary, at the request of the sponsor. Further amendments?

SECRETARY:

Amendment No. 2 offered by Senator Schaffer.

PRESIDENT:

Senator Schaffer.

SENATOR SCHAFFER:

Mr. President and members of the Senate, I think this is an agreed amendment, I'm not aware of any discord at this point. This bill, of course, would allow merchants to charge a fee for cashing checks and, obviously, what they were aimed at was the guy who comes in and buys a pack of gum and cashes a check for a hundred bucks. What this amendment simply says is that if...if I walk in and buy a fifteen thousand dollar car and give them a check for fifteen thousand dollars, they can't charge me for cashing the check. It's just for those type of sales where it's, obviously, the person is there to get cash in their pocket not to buy something. In addition, there's some language in there at the request I guess of the...what do you call them, I have a mental block, currency exchanges, we don't have many in my area, that indicates that...it's just some agreed language that protects the...their turf a little.

PRESIDENT:

All right. Senator Schaffer has moved the adoption of Amendment No. 2 to House Bill 513. 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. On the Order of House Bills 2nd Reading is House Bill 549. Read the bill, Madam Secretary.

SECRETARY:

House Bill 549.

(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. 705, Senator Joyce. On the Order of House Bills 2nd Reading is House Bill 705. Read the bill, Madam Secretary.

SECRETARY:

House Bill 705.

(Secretary reads title of bill)

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

PRESIDENT:

Senator Joyce on Committee Amendment 1.

SENATOR JEROME JOYCE:

Thank you, Mr. President. Basically, Committee Amendment No. 1 empowers the director of the Department of Agriculture to implement this program. It does a few other things but that is the basic thrust of the amendment.

PRESIDENT:

All right. Senator Joyce has moved the adoption of Amendment No. 1 to House Bill 705. Discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

HB 736  
2nd Reading

SECRETARY:

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

Senator Jerome Joyce offers Amendment No. 2.

PRESIDENT:

Senator Joyce on Amendment No. 2.

SENATOR JEROME JOYCE:

Yes, thank you, Mr. President. This sets up the start-up time of the program, it is to be a hundred days from the time it becomes law.

PRESIDENT:

All right. Senator Joyce has moved the adoption of Amendment No. 2 to House Bill 705. 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. 736. On the Order of House Bills 2nd Reading is House Bill 736. Madam Secretary, read the bill, please.

SECRETARY:

House Bill 736.

(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 36, 771, Senator Hawkinson. On the Order of House Bills 2nd Reading is House Bill 771. Read

HB 810  
2nd Reading

the bill, Madam Secretary.

SECRETARY:

House Bill 771.

(Secretary reads title of bill)

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

PRESIDENT:

Senator Hall on the Floor? Senator Carroll, you want to handle that for Senator Hall?

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Committee Amendment No. 1 is the guidelines amendment for the Cost Containment Council. An...an implementation of the guideline would be a reduction of some forty-six thousand six hundred. I would move its adoption.

PRESIDENT:

All right. Senator Carroll has moved the adoption of Amendment No. 1 to House Bill 771. 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. 789, Senator Dunn. 810, Senator Poshard. On the Order of House Bills 2nd Reading is House Bill 810. Read the bill, Madam Secretary.

SECRETARY:

House Bill 810.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Labor and Commerce



offers Amendment No. 1.

PRESIDENT:

Senator Poshard on Committee Amendment No. 1.

SENATOR POSHARD:

Yes, thank you, Mr. President and Ladies and Gentlemen of the Senate. This amendment would delete some of the things that were put on by a separate House bill. They would...it would delete the Council for Economic Adjustment, it would delete the temporary layoffs of ten or more employees. It would delete the duties of that Council of Economic Adjustment and, essentially, that's what Amendment...Committee Amendment 1 would do. Move for passage.

PRESIDENT:

All right. Senator Poshard has moved the adoption of Committee Amendment No. 1 to House Bill 810. Discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Are there amendments from the Floor?

SECRETARY:

Senator Poshard offers Amendment No. 2.

PRESIDENT:

Senator Poshard on Amendment No. 2.

SENATOR POSHARD:

Yes, thank you, Mr. President...

PRESIDENT:

All right, ladies and gentlemen, if we could have a little order. We're moving along pretty well, it's...just five o'clock, we've got about another hour's work if we can...or an hour and a half if we can keep the noise down. I'd ask the staff to take the conferences off the Floor, try

to keep the noise down. Senator Poshard on Amendment No. 2.

SENATOR POSHARD:

Thank you, Mr. President. Amendment No. 2 will do several things. First, it will move from twenty-five to one hundred the number of employees needed at a facility to fall under the provisions of this Act. Secondly, it would delete all references in the bill to layoffs or permanent layoffs.

It would exclude mergers and takeovers when written assurances are given that substantially all of the affected employees will be kept and their jobs will not be terminated. It will exclude transfers of affected employees. It will exclude natural disasters and adjudicated bankruptcies and will also exclude retail trade establishments as being under the jurisdiction of the bill. Move for its passage.

PRESIDENT:

All right. Senator Poshard has moved the adoption of Amendment No. 2 to House Bill 810. Discussion? Senator Hudson.

SENATOR HUDSON:

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

PRESIDENT:

Indicates he'll yield, Senator Hudson.

SENATOR HUDSON:

Senator Poshard, you...I think your...your amendment puts us in a Catch...some of us in a Catch-22 position. I think you are to be commended for a good faith effort to make what many of us think is a really bad bill somewhat better. My question is simply this, do those groups that are favored...let's say that are exempted or favored by your amendment, do those groups still oppose the bill in its essence?

PRESIDENT:

Senator Poshard.

SENATOR HUDSON:

In other words, are they going to...if this amendment goes on, are they going to support the bill?

PRESIDENT:

Senator Poshard.

SENATOR POSHARD:

Senator Hudson, it would be my judgment that...that those groups will oppose the concept of the bill.

PRESIDENT:

Further discussion? If not, Senator...I beg your pardon, Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. Just to the membership, I hope...we're not in too much of a lull here so we don't understand what's happening. This is the bill that would require a reporting procedure for companies that may be going out of business and I think this is the amendment, is it not, Senator, that would take out the retailers? And it's my view that the whole idea is...is a bum idea and it's made not quite so bad by taking out the realtors...or the...the...the retailers and I would urge opposition to this amendment. I think...this is one of those issues on which the people that care about business in Illinois are either going to have to stick together or they're going to...they're going to fail independently and I don't think the retailers ought to be taken out of here.

PRESIDENT:

Further discussion? Senator Poshard may close on Amendment No. 2.

SENATOR POSHARD:

Well, I think this is a good amendment. I think it makes considerable accommodations to those people who had some difficulty with the bill. I don't think the bill was necessarily devised to begin with to include small mom and pop

operations in this state and, therefore, I think that one exclusion is...is quite appropriate. I think the...the...the amendment moves in the direction that a lot of people felt it needed to move in in...in order to accommodate their needs. So I would ask for the adoption of the amendment.

PRESIDENT:

Senator Poshard has moved the adoption of Amendment No. 2 to House Bill 810. Those in favor indicate by saying Aye. Opposed. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

Amendment No. 3 offered by Senators Hudson and Keats.

PRESIDENT:

Senator Hudson.

SENATOR HUDSON:

Thank you, Mr. President. Amendment No. 3 to House Bill 810 makes the notice provisions of the bill voluntary. The...the amendment also strikes the provisions in the bill allowing for civil actions against employers. As many of you know, if you've look at the bill, there are some...there are some real teeth in House Bill 810 and...in the way of sanctions and the rest of it and this amendment would strike that provision. And it also...the amendment would allow those...it would provide the ninety-day notice people would be able to work with a job prevention task force to eliminate or minimize employment loss as well as locate potential purposes of facilities and remaining inventory, and I would urge passage...an Aye vote for the amendment.

PRESIDENT:

All right. Senator Hudson has moved the adoption of Amendment No. 3 to House Bill 810. Discussion? Senator Poshard.

SENATOR POSHARD:

Well, thank you, Mr. President and Ladies and Gentlemen

of the Senate. I rise in strong opposition to this amendment. Making this bill voluntary guts the entire bill as well as the amendment that we just put on the bill which...which made considerable accommodations to those people that...wanted to take the retailers out and so on. So I...I rise in opposition to this. I think that the bill is needed in its present form. We've gone a long way to get both labor and some of the business people together to make this acceptable, and I would ask for a negative vote on Senator Hudson's amendment.

PRESIDENT:

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

SENATOR HUDSON:

Well, of course, in closing, all I can say is that I...I feel...now Senator Poshard may claim that this amendment guts the bill. Certainly, it does modify it in a rather drastic manner. I will confess that, but it's a good amendment, it's needed because the bill in its...810 in its pure form is...is a lousy bill, frankly. So I would simply urge as many as...of you that will to vote for this amendment and, Mr. President, I would like a roll call on it.

PRESIDENT:

The question is the adoption of Amendment No. 3 on House Bill 810. Those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 26 Ayes, 33 Nays, none voting Present. Amendment No. 3 fails. Further amendments?

SECRETARY:

Amendment No. 4 offered by Senator Keats.

PRESIDENT:

Senator Keats on Amendment No. 4.

SENATOR KEATS:

I ask people to listen because this is a more reasonable amendment than you would be expecting. All it does is change the ninety-day notification period to thirty days. It doesn't gut the bill, it doesn't change the bill, it doesn't alter anything, it just takes notification from ninety days to thirty days which has been suggested by several members on the other side of the aisle. That's all it does, there's nothing else in the amendment.

PRESIDENT:

All right. Senator Keats has moved the adoption of Amendment No. 4 to House Bill 810. Discussion? Senator Poshard.

SENATOR POSHARD:

Thank you, Mr. President. Again, I rise in strong opposition to this amendment. Currently, the notification period in the present bill is ninety days. If you're working in a factory, if you're working in an industry in this state and someone came in and said you have thirty days to clear out because your job is up, that's a lot of stress. That's a lot of undue stress on you and your family, it doesn't give you any time to get your life in order and it's undue stress on the communities, the mayors, the city councils that have to deal with that factory shutting down in thirty days. So I think that it's...it's an unfair amendment and, again, I would rise in strong opposition to it and ask that it be defeated.

PRESIDENT:

Further discussion? Any further discussion? Senator Keats, you wish to close?

SENATOR KEATS:

Like I said, all the amendment does is ninety to thirty was suggested by some members on your side of the aisle. It does not change or gut anything else in the bill, it just makes it more workable for the people involved. I'd

appreciate an affirmative roll call.

PRESIDENT:

The question is the adoption of Amendment No. 4 to House Bill 810. Those in favor of the amendment will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 26 Ayes, 33 Nays, none voting Present. Amendment No. 4 fails. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. 859, Senator Carroll. On the Order of House Bills 2nd Reading is House Bill 859. Read the bill, Madam Secretary.

SECRETARY:

House Bill 859.

(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. 1064, with leave, we'll get back to that when I conclude this order. 1368, Senator Lechowicz. On the Order of House Bills 2nd Reading is House Bill 1368. Read the bill, Madam Secretary.

SECRETARY:

House Bill 1368.

(Secretary reads title of bill)

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

PRESIDENT:

Senator Carroll on Amendment No. 1.

SENATOR CARROLL:

Wasn't that...I think it was already adopted.

PRESIDENT:

...I think that...correct. The Secretary indicates that Amendment No. 1 has already been adopted. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 1401, Senator Luft. On the Order of House Bills 2nd Reading is House Bill 1401. Read the bill, Madam Secretary.

SECRETARY:

House Bill 1401.

(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. 1428. On the Order of House Bills 2nd Reading is House Bill 1428. Read the bill.

SECRETARY:

House Bill...

PRESIDENT:

...hold it...hold it...take it out of the record. 1433, Senator Luft. On the Order of House Bills 2nd Reading is House Bill 1433. Read the bill.



SECRETARY:

House Bill 1433.

(Secretary reads title of bill)

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

PRESIDENT:

Senator Luft on Committee Amendment No. 1.

SENATOR LUFT:

Thank you, Mr. President. Committee Amendment No. 1 rewrites the Nursing Home Administrators Licensing Act. It sets forth a board...or creates the Nursing Home...Administrators Licensing and Disciplinary Board. The bill also...provides for an exam and continuing education, sets forth fees, a disciplinary procedure and the penalties for violation of the law.

PRESIDENT:

All right. Senator Luft has moved the adoption of Committee Amendment No. 1 to House Bill 1433. 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 Schaffer offers Amendment No. 2.

PRESIDENT:

Senator Schaffer on Amendment No. 2.

SENATOR SCHAFFER:

Mr. President, this amendment, I believe, is particularly timely. I think this year we have seen a proliferation of requests for licensure to the extent that it seems that almost every group that feels that they might even possibly

be professionals has been down here to be licensed into law. And with this great number of bills, it has certainly helped clog the Calendar. What I propose in this amendment is a universal licensure procedure and it allows the director of the Department of Education and Registration to license any group that meets the following qualifications. The individual must possess an overall appearance and demeanor of sincerity. Certainly, all these groups that have asked for licensure have been sincere, at least they look sincere. It would also say that the group must have at least one person who can say with a straight face that their licensure would protect the public interest and, certainly, all of these groups have produced at least one person who could with a straight face say that the licensure in some way would help the public. Also, since we certainly wouldn't want to strike a blow at Senator Davidson's district and the economy of the district, it would also require these groups to throw a reception annually for the General Assembly, which also seems to be a prerequisite, in fact, maybe the major prerequisite for being licensed in this state. And since this is a time of financial crisis, we do also empower the director to establish whatever fees are necessary to cover all the cost; in fact, we give him power to gouge them a little which would help our state economy, then we maybe could avoid at least some portion of the tax increase. Since we've had about thirty-five licensure bills, this would certainly end those but it would not deprive anyone of anything that they aren't already getting. We would still have our receptions and they would be licensed and it would still basically be meaningless. I'd appreciate all the support I can get on this motion.

PRESIDENT:

Discussion? Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. First of all, I don't think this amendment tracks and, second of all, on the amendment on line 12 to 13 says, "smirking will automatically disqualify said applicant." And I think if a sponsor of an amendment cannot present the amendment without smirking, then the amendment should not be adopted and I think I saw a smirk on Senator Schaffer's face and, therefore, would ask for the defeat of the amendment.

PRESIDENT:

The Chair is prepared to rule that this amendment is out of order, not...for at least one reason that this would allow Reg. and Ed. to license the General Assembly. We certainly don't want that. The amendment is out of order, Madam Secretary. Further amendments?

SECRETARY:

Amendment No. 2 offered by Senator Luft.

PRESIDENT:

Senator Luft on Amendment No. 2.

SENATOR LUFT:

Thank you, Mr. President. In the committee amendment there were provisions that the industry and the...Department of Registration could not agree upon. This amendment makes various changes in the rewrite that are in total agreement to everybody. It deals with the director, the...continuing education program is modified, and I would try to answer any questions or move for the adoption of the amendment.

PRESIDENT:

All right. Senator Luft has moved the adoption of Amendment No. 2 to House Bill 1433. 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:

HB 1859  
2nd Reading

3rd reading. 1590, Senator Welch. On the Order of House Bills 2nd Reading is House Bill 1590. Read the bill, Madam Secretary.

SECRETARY:

House Bill 1590.

(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. 1859, Senator Luft. On the Order of House Bills 2nd Reading is House Bill 1859. Read the bill, Madam Secretary.

SECRETARY:

House Bill 1859.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

Senator Luft offers Amendment No. 1.

PRESIDENT:

Senator Luft on Amendment No. 1.

SENATOR LUFT:

Thank you, Mr. President. Amendment No. 1 to House Bill 1859 is identical to a Senate bill that Senator DeAngelis and I moved over to the House last week. It increases IDFA's total bond authorization from one billion to 1.5, separately increases from ninety million to five hundred million IDFA's Local Government Assistant Program authorization, allows IDFA to purchase local government bonds for the program, remove security and loan restrictions and allows motor fuel funds

and common school funds to be directly paid to IDFA to retire bonds issued on behalf of local governments. I would attempt to ask...answer any questions, otherwise, move for the adoption.

PRESIDENT:

Senator Luft has moved the adoption of Amendment No. 1 to House Bill 1859. 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 Luft.

PRESIDENT:

Senator Luft on Amendment No. 2.

SENATOR LUFT:

Thank you, Mr. President. This amendment is essentially a combinations of Senate Bill 1438, 39 and 40 which was passed out of the Senate on the Agreed Bill List, I think with the exception of 1440, and what...those are in a subcommittee. We're trying to get them back for discussion and due to the Federal Income Tax changes, public corporations need the ability to issue taxable bonds which this amendment permits. I would move for the adoption of the amendment.

PRESIDENT:

Senator Luft has moved the adoption of Amendment No. 2 to House Bill 1859. Discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. Senator Netsch, 1920. On the Order of House Bills 2nd Reading is House Bill 1920. Read the bill, Madam Secretary.

SECRETARY:

HB 2853  
2nd Reading

House Bill 1920.

(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. 2051, Senator Welch. No. 2319. 2702...2768, Senator Jones and 2853, Senator Schaffer. On the Order of House Bills 2nd Reading, top of page 37, is House Bill 2853. Read the bill, Madam Secretary.

SECRETARY:

House Bill 2853.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Schaffer.

PRESIDENT:

Senator Schaffer on Amendment No. 1.

SENATOR SCHAFFER:

Mr. President and members of the Senate, since the bill passed out of committee, there's been a group of public aid advocate groups and the department working on...an amended...amendment to clarify the various areas of dispute. That...that group has successfully resolved the areas and this amendment tends to address them. None of them are particularly earthshaking, primarily they clarify legislative intent and policy for the department. I'd be happy to answer any other questions, but I think this amendment puts the bill in excellent shape and we have reached consensus on this rather major piece of legislation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, Senator Schaffer moves adoption of Amendment No. 1 to House Bill 2853. Those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. All right, with leave of the Body, we will go...we will return to page 36, House bills 2nd reading and pick up House Bill 1064. Madam Secretary, House Bill 1-0-6-4.

SECRETARY:

House Bill 1064.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Demuzio.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there leave to have Senator Rock...handle that amendment? Leave is granted. Senator Rock on Amendment No. 1.

SENATOR ROCK:

This would provide...Amendment No. 1 would provide for the Seventh Judicial Circuit which is Sangamon, Macoupin,...the area we're in, an additional circuit court judge and I would move the adoption of Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Discussion? If not, Senator Rock has moved adoption of...of Amendment No. 1 to House Bill 1064. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

Amendment No. 2 offered by Senator Holmberg.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Holmberg. All right. Senator Rock.

SENATOR ROCK:

Amendment No. 2 does the same thing for the Seventeenth Judicial Circuit which...at this moment is contained...comprised of Winnebago and Boone Counties. It adds an additional circuit court judge and I would move the adoption of this amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Rock has moved adoption of Amendment No. 2. Discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Schuneman.

SENATOR SCHUNEMAN:

Senator, does...does this basically accomplish what was in House Bill 1071?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

No,...we're talking about a whole different idea. 1071 would make Winnebago County a single circuit county as we did for Will County last year. It would separate out Boone County and put Boone into a different judicial circuit. What this says at this moment is that Winnebago County, that circuit is...which is now a two-county circuit will get an additional circuit court judge. If both these bills pass, Winnebago County as a single circuit will have an additional judge.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:



Okay. So...so this...this amendment simply adds the additional judge, then 1071 would come along and...your version of that would be that that would pass and...and that...that...the judge then would be appointed under this bill...or...or the authority for it. Is that...is that reasonably right? Thank...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

That...that is correct, yes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Keats, your light is on. Senator Keats.

SENATOR KEATS:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Keats.

SENATOR KEATS:

Phil, this has nothing to do with my great love of judges. A question. As we increase the number of judges, would you be willing to hold this bill long enough for us to make a little slight-of-hand shift? You know, right now, there's a great complaint that we should appoint or elect judges. As you know, almost half of all the judges in this state are appointed and they're called associate justices. Would you accept an amendment that shifted dramatically the balance instead of having all these appointed by who know what...who knows what without a public vote, associates shifted to full circuits? I would have moved that faster, but I apologize in completely missing this bill, but dramatically shifted to a significantly larger number of elected full circuit judges so that everyone knew what they stood for and less appointive judges. Would you hold this long enough to let me get that amendment for you?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Well, I...I am one of the few that's still remaining around here, I presume, that is still in favor of the popular election of that branch of government. So that amendment would not offend me at all, I'm not so sure this is the bill to do it on though, truly.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Rock has moved the adoption of Amendment No. 2. 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 President Rock.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Amendment No. 3 is at the request of the chief judge of the Circuit Court of Cook County and it deals with those circuits with a population of more than three hundred thousand which is, obviously, the...the single circuit of Cook where the maximum number of associate judges currently is one for every thirty-five thousand people. This would lower that...that ratio to thirty thousand and would therefore provide for an additional twenty associate judges in the County of Cook, and I would move the adoption of Amendment No. 3.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Rock has moved the adoption of Amendment No. 3. Is there discussion? Senator Barkhausen.

SENATOR BARKHAUSEN:

A question for the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

He indicates he will yield. Senator Barkhausen.

SENATOR BARKHAUSEN:

Senator Rock, in introducing this amendment, I believe you said it applied only to Cook but I thought you said something about counties over three hundred thousand. Did you mean three million?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

I beg your pardon, I did misspeak. It's three million, yes. It's a circuit over three million, it's...it's only Cook.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

...I don't know, but can you tell me what the...the ratio is of associate judges per population unit in the other counties?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

It is...statewide, one for every thirty-five thousand in the circuit and all I'm doing by...in Cook is reducing that number...because of the volume in the large backlog, reducing that number to thirty thousand. It provides...I think it works out mathematically to an additional twenty...nineteen or twenty associate judges.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

What's the price tag on that, million dollars or so?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

...roughly twenty times seventy thousand annually.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Rock has moved adoption of Amendment No. 3. Those...I beg your pardon, Senator Lechowicz.

SENATOR LECHOWICZ:

Will the sponsor yield to a question?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Lechowicz.

SENATOR LECHOWICZ:

Are these twenty associate judges? Do we have the court-rooms available for these twenty additional judges now?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

No, we do not totally. We have available for some, yes. I asked that specific question of Judge Comerford. As a matter of fact, the initial request was sixty and...and, obviously, they are in the process of rehabing and building additional courtrooms. At the moment there are not sixty additional courtrooms, there are twenty however.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz.

SENATOR LECHOWICZ:

For what division?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Truly, I'm not sure...what the specific assignment need is. It's spread, as you well know, through the whole...through the whole of the circuit courts. I'm not sure that there's...there's a...a big deficit or...or a lack in any one specific division. It's...it's a need for additional judges.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz.

SENATOR LECHOWICZ:

I'll ask for a fiscal note as amended.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator Lechowicz, I...I don't know if we...we require fiscal notes of the...in the second House. You might just simply ask the department for one. All right. Further discussion? All right. Senator Lechowicz, on your point of order.

SENATOR LECHOWICZ:

Point of order is that since there's state expenditure of funds, as far as the contribution and amount of money going for the judges, my question is whether there's enough court-rooms, enough court bailiffs, additional personnel. I'd like to know what the total fiscal cost is on this bill as amended. I don't think that's out of order of any...of any sort, it's a legitimate question. I'd like to have my questions responded to.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Well, I...I think there is a procedure in the Statute to...to accomplish this or to accommodate that request and I don't find it out of order. I...I would ask the gentleman if he would allow the bill to be moved to 3rd reading. I will provide that information before this bill is called for passage. Initially, it's twenty times whatever the salary is and if you start adding all those other things in, I presume we can find that out rather easily, I hope.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Keats for a second time.

SENATOR KEATS:

On a different amendment. A technical question of the sponsor. Are these to be elected countywide, citywide, suburban, any breakdown or just twenty in general?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Well, these are associates and so they are elected by the full circuit judges and you and I both know that there's...there has been in the past and continues to be an attempt at an accommodation to reflect what happens at the circuit court level, that some judges are elected to the County of Cook running city only, some county only and some countywide. There's a three...three different divisions or three ways of approaching the bench, I guess, and the associate judge list in the Associate Judge Election...is insofar as practicable attempts to accommodate that same division, that same political reality if you will, but it is not spelled out in that amendment, no.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Keats.

SENATOR KEATS:

Okay. Then...then, Phil, if I could give you a little friendly kidding, if my memory hits me correctly, with twenty new associates, the majority of the judges in the Cook County Circuit will be appointive associate justice. You have just gone to the majority of the judges being "merit selection," they are not publicly elected. Do you want to be part of that?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

No and I would quarrel with those figures. In addition, the associates are, in fact, elected. They are just not elected at...from the general populous, they are elected by

the full circuit judges.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? All right. Senator Rock has moved adoption of Amendment No. 3 to House Bill 1064. 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)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. All right. We've now concluded House bills 2nd reading. With leave of the Body, we will go over to the recall list, House bills on 3rd reading that members wish to recall. There have been, I am told, at least two recall lists or...all right, one recall list, that it should have 4:45 p.m. at the top, that's the most recent. So, with leave of the Body, we'll go over to the...to the Order of House Bills 3rd Reading. On the Order of Recalls is...is House Bill 47. Senator Donahue seeks leave of the Body to return House Bill 47 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading is House Bill 47, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Amendment No. 3 offered by Senator Savickas.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas.

SENATOR SAVICKAS:

Yes, Mr. President and members of the Senate, Amendment No. 3 to House Bill 47 just adds the words, "the Illinois Prairie State Chiropractic Association." It's obvious that

they were inadvertently left out in the original intention of the bill. There are two chiropractic societies that practice in the State of Illinois and I'm sure that...and they're both about the same amount of membership and I'm sure that one of them was left out inadvertently. I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas moves...has moved the adoption of Amendment No. 3. Is there discussion? Senator Davidson.

SENATOR DAVIDSON:

Mr. President and members of the Senate, I rise in opposition to this amendment. They weren't inadvertently left out, negotiations that went on in relation to this bill dealing with the Medical Practice Act has been going on for eighteen months. They chose not to be a party thereto, they represent a very small number of the people in the State of Illinois who belong to the association, Senator Savickas. Illinois Chiropractic Society which is listed outnumbers them...like six or seven or eight to one. There is a majority of the people who don't belong to either association and I strongly oppose this amendment 'cause they chose not to be a party...the negotiations went on for eighteen months and try to come in now and add something that we had all agreed on, I totally oppose and I would appreciate a No vote on this amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Jones.

SENATOR JONES:

Yes, thank you, Mr. President. I, too, rise in opposition to Amendment No. 3 to House Bill 47. The amendment was offered in committee, it was resoundly defeated, and as Senator Davidson pointed out, they were not...chose not to be...take part in the negotiations as such and so this Body should resoundly reject Amendment No. 3 to House Bill 47.

PRESIDING OFFICER: (SENATOR DEMUZIO)



Further discussion? If not, Senator Savickas may close.

SENATOR SAVICKAS:

Yes, Mr. President, obviously, the society or this association may have made a mistake in not choosing to participate, but you're trying to say now that because they made this mistake that they shouldn't be included, that they are qualified and are licensed to practice under State of Illinois law. It's like saying that if you are a doctor and you got your license from the University of Illinois, you could practice and you can participate in these activities, but if you've got your license from the University of Chicago, no, you could not do that. Obviously, these people realize that they must...must participate, must be included to further their concerns in the medical system of our state and they're seeking at this point to enter that...enter that area and participate. To withhold them just because at one time they did not participate is not a justifiable reason to exclude them from being part of the medical system. They are licensed in the State of Illinois, they are licensed practitioners and they are a viable association and I would move that...and I would ask for a roll call vote that this amendment be adopted.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Weaver, for what purpose do you arise? The gentleman had just closed. Senator Weaver.

SENATOR WEAVER:

I'm sorry, Mr. President, but am I understanding that if they don't adopt this...the amendment, they won't...these gentlemen will not be able to practice in the State of Illinois?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator...now we've got all kinds of lights here. The gentleman had just closed. Senator Savickas, you wish to respond to Senator Weaver? Senator Savickas.

SENATOR SAVICKAS:

No, it's not that they won't be able to practice, they won't be able to participate in the disciplinary board's procedures. They are part of this group, they have members that would be disciplined by this board. They are a legitimate association and they seek to have just the same input as anybody else since they are licensed under the State of Illinois and they...they...now were talking about a group that will appear before a disciplinary board facing a group of chiropractors from a different association that refuses to let them participate. Now, what kind of a...now just...how would you feel like going before a board that doesn't even want you to practice in the State of Illinois? I would move its adoption.

PRESIDING OFFICER: (SENATOR DEHUZIO)

Well, Senator Schuneman, Senator Joyce, I think Senator Savickas had closed twice. Senator Joyce.

SENATOR JEROME JOYCE:

Yes,...a question of the sponsor? Does this include naprapaths, are they in...are they in this Act?

PRESIDING OFFICER: (SENATOR DEHUZIO)

Senator Savickas.

SENATOR SAVICKAS:

Not that I know of, maybe Doc Davidson can answer that better.

PRESIDING OFFICER: (SENATOR DEHUZIO)

All right. Senator Savickas yields to Senator Davidson. Senator Davidson.

SENATOR DAVIDSON:

No, naprapaths are not into...in the Illinois Medical Practice Act, Senator Joyce...one small correction in answer to the question to Senator Weaver. Associations don't represent an individual when in front of the disciplinary board. That individual who is...had the charges, he and who he

chooses to be his counsel represent themselves at the disciplinary hearing and there's no such thing as an association representing an individual before the disciplinary board. It's that individual who is charged and his counsel.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Savickas you may close for a third time.

SENATOR SAVICKAS:

Yes, Mr. President, once again, all this says is that the Illinois Prairie State Chiropractic Association can enter into agreements with the department as...Illinois State Medical Society, as the Illinois...Association Osteopathic Physicians and Surgeons or the Illinois Chiropractic Society, the purpose of which is to allow these organizations to assist a disciplinary board in the review of a...alleged violations of this Act. All they want to do is just participate and join...yes, I'm...and that's all we seek to do is to include this group of chiropractors into the Act.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas has moved adoption of Amendment No. 3 to House Bill 47. Those in favor will indicate by saying Aye. Opposed Nay. In the opinion of the Chair, the Noes have it, but Senator Savickas has requested a roll call vote. We'll...I'm a little faster than you are, just...all right. The question is...Senator Savickas has moved adoption of Amendment No. 3 to House Bill 47. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 29, the Nays are 26, 1 voting Present. Amendment No. 3 is adopted. Further amendments?

ACTING SECRETARY: (MR. HARRY)

Amendment No. 4 offered by Senator Donahue.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This amendment clears up some errors that were in the original bill and they're very simple. The first one cleans up an error that deals with...sorry, deals with the cease and desist order that was left out that is important to Department of R & E. The second provision changes it to two year...two four-year terms instead of four four-year terms and the fourth one...or the third one waives the examination requirement for graduates of a medical or osteopathic hospital. There's no controversy in...in this amendment. So I would move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Donahue has moved the adoption of Amendment No. 4. Is there discussion? Senator Zito.

SENATOR ZITO:

Well, Mr. President, I had a question for Senator Savickas. Did he close in that amendment or...never mind, forget it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Donahue has moved the adoption of Amendment No. 4 to House Bill 47. Those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 4 is adopted. Further amendments?

ACTING SECRETARY: (MR. HARRY)

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. We're going to have to pick up the pace here. House Bill 100. Senator Marovitz on the Floor? Senator Marovitz. 113, Senator Raica. All right. Senator Raica seeks leave of the Body to return House Bill 113 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. House bills 2nd reading, House

HB 337  
Recall

Bill 1-1-3, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Amendment No. 2 offered by Senator Raica.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Raica.

SENATOR RAICA:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This amendment simply removes from House Bill 113 authorized ticket agents and those are those ticket sellers such as Ticketmaster and Ticketron that sell tickets for theater, entertainment and sporting events pursuant to the contract with theater and sport's stadiums. It was not the intent of House Bill 113 to regulate and restrict the authorized sellers of these tickets but rather the amendment retains the bill's restrictions upon ticket scalpers, those unauthorized ticket resellers who resell...resell tickets...at substantial premiums over the face value. I ask for favorable consideration of this amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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

ACTING SECRETARY: (MR. HARRY)

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 192, Senator Marovitz. 337, Senator Topinka. Senator Topinka seeks leave of the Body to return House Bill 337 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading is House Bill 3-3-7, Mr. Secretary. For the purpose of Tabling the amendment. Beg your pardon, Senator Topinka.

SENATOR TOPINKA:

Yes, Mr. Speaker, all we have to do here is Table Amendment No. 1 so that the other amendments will follow and track and that is exactly what I am seeking to do.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Was...was Committee Amendment No. 1 adopted? Oh, I beg your pardon. Senator...Senator Topinka having voted on the prevailing side moves to reconsider the vote by which...which Committee Amendment No. 1 was adopted. All right. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it...Committee Amendment No. 1 has been reconsidered. Senator Topinka now moves to Table Committee Amendment No. 1. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is Tabled. Further committee amendments?

ACTING SECRETARY: (MR. HARRY)

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. 3rd reading. 451, Senator Carroll. Senator Carroll seeks leave of the Body to return House Bill 451 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. House bills 2nd reading, House Bill 4-5-1, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Amendment No. 3 offered by Senators Carroll and Demuzio.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This and the amendment to follow are technical corrections within existing Build Illinois projects. I would move adoption of Amendment No. 3.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Carroll moves the adoption of Amendment No. 3 to House Bill 451. 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 DeAngelis.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...Senator Carroll...with leave will handle the amendment. Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Likewise, this is a language change from a sewer line to a water line. I would move adoption of Amendment No...this should be 4, I believe, is that correct? Amendment No. 4. It is not a new project, it is a language change of an existing project.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, Senator Carroll moves adoption of Amendment No. 4 to House Bill 451. Those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 4 is adopted. Further amendments?

ACTING SECRETARY: (MR. HARRY)

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Is there leave to get back to 461 momentarily? Leave is granted. 482, Senator Rock seeks leave of the Body to return House Bill 4-8-2 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. House bills 2nd reading is House Bill 4-8-2, Mr. Secretary.

END OF REEL

REEL #6

ACTING SECRETARY: (MR. HARRY)

Amendment No. 1 offered by Senator Rock.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate Bill...House Bill 482 is the FY '88 annual appropriation for operations and grants in the...in excess of one billion dollars. Amendment No. 1 would remove the effective date and the purpose, I hope, of this amendment is obvious to all...in the event that by some stroke of wisdom we decide that we do, indeed, have and will have additional revenue available, the first place it should go or be placed is in the education funding, and so we hope to keep this and the succeeding two bills alive by virtue of this amendment and I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock moves adoption of Amendment No. 1 to House Bill 482. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

ACTING SECRETARY: (MR. HARRY)

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 483. Senator Berman seeks leave of the Body to return House Bill 483 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. House bills 2nd reading is House Bill 483, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)



Amendment No. 1 offered by Senator Berman.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. This does the same thing that the Rock Amendment did on the previous bill. It removes the effective date. Move the adoption of Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Berman moves adoption of Amendment No. 1 to House Bill 483. Those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

ACTING SECRETARY: (MR. HARRY)

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 484. Senator Maitland seeks leave of the Body to return House Bill 484 to the Order of 2nd Reading for the purpose of an amendment. Is leave...granted? Leave is granted. House bills 2nd reading is House Bill 484, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Amendment No. 1 offered by Senator Rock.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President. Again, it is...it is the removal of the effective date, the sole purpose of which is to keep the bill alive in a Conference Committee in the event that additional money becomes available. I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock has moved the adoption of Amendment No. 1 to House Bill 484. Discussion? Senator Maitland.

SENATOR MAITLAND:

HB 527  
Recalled

Thank you, very...thank you, very much, Mr. President and members of the Senate. Senator Rock, just a question why...why this bill...this bill is at the fifty-three percent level and it...it was pure and clean and...and could have gone this way and...and were there additional revenue available for all the systems, then there are plenty of vehicles alive to handle that. I just wonder why we're doing this on...on the pension bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Well, the...the only thing I can say is that in the discussions at least the preliminary discussions as to what would happen if, indeed, additional...revenue was available, one of the things that was discussed was additional money for the pensions. All I...I just don't want to foreclose any opportunity we may well have is all, I...you know, we're not trying to do any harm, obviously, we're trying the other way.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Rock moves adoption of Amendment No. 1 to House Bill 484. Those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

ACTING SECRETARY: (MR. HARRY)

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Page 7...House Bill 527. Senator Karpel seeks leave of the Body to return House Bill 527 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On House bills 2nd reading, House Bill 527, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Amendment No. 2 offered by Senator Karpel.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Karpziel.

SENATOR KARPIEL:

Thank you, Mr. President. Amendment No. 2 to House Bill 527 deals with...the removal...or temporary removal of a child from the custodial...parent, I guess it's either one, but what it does is it says that...if a child is going to be removed from Illinois, the parent responsible for the removal shall inform the other parent or the other parent's attorney of the address and phone number where the child may be reached during the period of temporary removal. That's about it and...and the date upon which that child should be back.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Karpziel has moved adoption of Amendment No. 2 to House Bill 527. Discussion? If not, those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

ACTING SECRETARY: (MR. HARRY)

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Page 11, House Bill 783. Senator...Schaffer seeks leave of the Body to return House Bill 783 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. House bills 2nd reading, House Bill 783, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Amendment No. 2 offered by Senator Schaffer.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schaffer.

SENATOR SCHAFFER:

Mr. President and members of the Senate, this is the annual appropriation of the Department of Mental Health and Developmental Disabilities. I think all of us as we came to Springfield this year were aware that the Department of Mental Health and the various institution and community based

agencies that its services and funds were in a crisis stage, and I think most of us have probably made public pronouncements in our district and I...I think sincere ones that this was the year that we made up for some oversight or neglect in mental health. I think for the last several years we have been...and I believe rightly so, preoccupied with educational reform and education has been a very high priority...and, unfortunately, one of the side effects of that has been the development while we strove, I think, nobly in one area to...little bit of an oversight in another. The Senate committee added back approximately, I think, eight or eleven million...depending on how you want to interpret it, which I think was a good beginning. This amendment is the product of a group of advocacy groups from mental health, both the institutional level and AFSCME and the community based people, both...for the mentally ill and the...developmentally disabled, adds approximately twenty million dollars, brings the budget up slightly below, as I understand it, what the budget was as introduced, puts the money in various line items; and I might add, the amendment was drafted after the bill...cleared the Senate committee, that we believe...when I say we, I mean the various mental health advocacy organizations throughout the state believe does the most possible good with the dollars that are available. Now, frankly, our thought...or my thought particularly is that at this stage of the game, it's pretty hard to predict there's going to be a tax increase; frankly, if there were a tax increase, I think many of us would be in for additional dollars beyond this because this certainly doesn't solve the problems. What I'm saying with this amendment is that regardless of whether there's a tax increase or there is not a tax increase, we need to do something about mental health, and if there is not a tax increase, I would like to leave the budget at a dollar amount that we can begin to address some of the crisis situa-

tions in our institutions and at our community based facilities. This amendment is an attempt to do that. I think it's a responsible response to a very serious condition in the mental health system in this state and I invite all the support I can get.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Schaffer has moved adoption of Amendment No. 2. Discussion? Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I have to rise in opposition to the amendment and let me explain why. I, too, have been an advocate of additional funding over the past two years for mental health, both in terms of operating the facilities and in terms of providing a decent level of dollars for those not-for-profit community based organizations that provide for the developmentally disabled and the mentally ill. However, here's the dilemma we find ourselves in. Absent a tax increase, the money just isn't available to do what Senator Schaffer would like us to do. I personally wouldn't mind doing it were the money available, but let me take a moment or two to take you through some numbers. Department of Mental Health and Developmental Disability clearly identified to the House and Senate up to this point in time its pressing need for state dollars. The budget as it exists without this amendment is forty-one million one hundred forty-four thousand four hundred dollars over the Fiscal 1987 spending level, and in Fiscal '87 when we cut all other budgets, we did not cut mental health but added to it. Between the House action and the Senate committee action, we added, as I said, forty-one million one hundred forty-four thousand four hundred dollars. Those dollars were added to make sure that every institution stays open. Those dollars were added to allow for the hiring of twelve hundred full-time equivalent

people to deal with institutional care. Those dollars were added to provide the one percent increase of last year that there had been some dispute as to whether or not it had been provided for the community based providers and provide approximately a three and a half percent total rate increase for community based providers. I think we recognize those providers are in dire need, but at a time when we've limited other areas of the budget to less than three and a half percent growth, I think within available dollars we have no choice. The problem is nowhere else, Senator Schaffer, at least adopted, have we found an additional twenty million dollars, and I know you've used that term twenty, and I believe we provided eleven million of those twenty in committee. Twenty is an arbitrary number, so is eleven. We attempted to reach that goal within available money. Let me tell you that at least from our review as of four o'clock this afternoon, were we to pass the budgets in the condition they are now in, we are just at best within available revenue which means no available balance. Mr. President, if we can get just a moment of attention.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. If we could get some attention, please. Senator Geo-Karis, could you have your...Representative Churchill keep...keep it down a little bit over there, please. Senator Carroll.

SENATOR CARROLL:

Thank you...and the reason I ask is it...it goes beyond the issue, unfortunately or fortunately, of mental health alone, the money is just not there. The money just isn't there for additional increases beyond the FY '87 spending level. I'm not sure where you'd like us to take it from, maybe it's education, I don't know, I don't think that's a decision that you want to make right here and right now. I do believe though that what's important is in this...in a

couple of other areas of State Government, we have said, yes, there should be growth over the '87 level and, yes, we should make a priority, and if you look at all, and I'll repeat that, at all agencies of State Government the next nearest increase over FY '87 spending level as of now is fourteen million dollars and this one is at forty-four. So, I think that commitment has been made and kept by this General Assembly at this stage. To do more will fool the people you're trying to help. If there isn't additional revenue, it cannot survive the Conference Committee process or the Governor's pen, and worse than that, I believe, is our constitutional requirement, and that is to submit to the Governor a budget that's within the available revenue. We cannot do that with this amendment. I would suggest to you that the way in which it left committee, which would keep every institution open at a level that will allow them to be certified by Federal and state officials at a staff-patient ratio that will allow them to maintain certification and allow a three and a half percent increase for the community based providers, though not as much as we want to do is as much as we can afford to do within current revenue and I would ask, therefore, that this amendment either be withdrawn or defeated.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, Senator Schaffer may close.

SENATOR SCHAFFER:

Senator Carroll, as always, has been skillful in the enunciation of numbers. I notice he carries...compares spending to appropriation, never appropriation to appropriation. Bottom line is that this budget is still with this amendment below what was introduced by the Governor. Bottom line is that we all came down here this year saying this was the year of mental health. Bottom line is it seems it's never the year of mental health. It seems like mental health is always the seventeenth priority in the state despite the

fact that the state has a principal responsibility, a far larger responsibility in the area of mental health than it does perhaps in education, particularly local education. It's always next year for mental health. It's always not quite high enough on the priority list. We've allowed our institutions to deteriorate in the last few years to something that I don't think any one of us is proud of. We've allowed the community based system to gradually...dry up on the vine and die at a time it should be expanding. Senator Carroll and I have just entered into a debate. He is not of my party. This is not a partisan issue. If there's anybody on my side of the aisle that's thinking about voting for this amendment because I'm a Republican and I'm offering it, that's not a good reason. There's a good reason to vote for this amendment and the reason is that the time is now and this is the right thing to do, this is the caring, decent thing to do, whether we pass a tax increase or not; and, Senator Carroll, no, I don't want to cut education, but I am prepared to cut education for this...this cause and this priority and that's what this General Assembly does, it sets priorities. This is something I personally believe is a high priority. This is something I believe that is right and this is the time to do it, and I hope every one of you will forget your party labels and vote on this amendment based on whether you believe as I believe that mental health deserves more of state revenues than it has been getting with or without a tax increase and that the system in this state should not be allowed to become an embarrassment and a national scandal. I would appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Schaffer has moved adoption of Amendment No. 2 to House Bill 783. Those in...those in favor will indicate by saying Aye. Opposed Nay. Ayes have it. Amendment No. 2 is adopted. Further amendments?



ACTING SECRETARY: (MR. HARRY)

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. All right...all right. 792, Senator Maitland. 792. All right, Senator Maitland seeks leave of the Body to return House Bill 792 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading is House Bill 792, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Amendment No. 6 offered by Senator Kustra.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President and members of the Senate. The appropriation for the Illinois Department of Public Health includes a three hundred and ninety thousand dollar appropriation to the Parents Too Soon Programs. There has been some concern expressed around the state that in our attempt to deal with teenage pregnancy, AIDS and a variety of other very difficult issues, we have failed to address and promote sexual abstinence programs among teenagers. What this amendment does, and I'll read it specifically, it says, "For expenses of Parents Too Soon Programs to include a program to promote sexual abstinence among teenagers reimbursable under the Social Services Block Grant." So, it doesn't affect the amount of dollars going to the Parents Too Soon Program at all. All it does is require that somewhere in the Parents Too Soon Program a specific sexual abstinence program for teenagers be included, and I urge adoption of Amendment No. 6.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? If not, Senator Kustra has moved adoption of Amendment No. 6 to House Bill 792. Those in favor

will indicate by saying Aye. Opposed Nay. The Aye have it.  
Amendment No. 6 is adopted. Further amendments?

ACTING SECRETARY: (MR. HARRY)

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 793, Senator Dudycz. Page 12 on your  
Calendar. Senator Dudycz seeks leave of the Body to return  
House Bill 793 to the Order of 2nd Reading for the purpose of  
an amendment. Is leave granted? Leave is granted. On the  
Order of House Bills 2nd Reading is House Bill 793, Mr.  
Secretary.

ACTING SECRETARY: (MR. HARRY)

Amendment No. 2 offered by Senator Carroll.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the  
Senate. Amendment No. 2 is to correct an error that was in  
Amendment No. 1. This will provide the actually monies for  
the local governments training of police up to the thirty  
percent level. I would move adoption of Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll has moved adoption of Amendment No. 2 to  
House Bill 793. Discussion? If not, those in favor will  
indicate by saying Aye. Opposed Nay. The Ayes have it.  
Amendment No. 2 is adopted. Further amendments?

ACTING SECRETARY: (MR. HARRY)

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 1018, Senator Kustra. House  
bills...Senator Kustra seeks leave of the Body to return  
House Bill 1018 to the Order of 2nd Reading for the purpose  
of an amendment. Is leave granted? Leave is granted. On  
the Order of House Bills 2nd Reading is House Bill 1018, Mr.

Secretary.

ACTING SECRETARY: (MR. HARRY)

Amendment No. 1 offered by Senator Kustra.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President and members of the Senate. Amendment No. 1 is what was the original House Bill 180, and although the original House Bill 180 is still alive, it has...it now has an amendment which deals with one of these college financing schemes. Consequently, it's going to get...hung up and take a lot longer to pass. In the meantime, the Illinois State Scholarship Commission needs the original House Bill 180 like now. What it does is set up the procedure for handling applications of the Merit Recognition Scholarship Program when appropriations are insufficient to cover all the eligible applicants. I know of no opposition to this bill. We've already passed it, I guess, through the General Assembly. I would urge...adoption of Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Kustra has moved adoption of Amendment No. 1 to House Bill 1018. Those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

ACTING SECRETARY: (MR. HARRY)

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 1072. Senator Jacobs seeks leave of the Body to return House Bill 1072 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. House bills 2nd reading, House Bill 1072, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Amendment No. 4 offered by Senator Jacobs.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jacobs. Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President. Amendment No. 4 is strictly technical in nature to correct and to...to make the language consistent as to the titles. It's strictly technical. Ask for its approval.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Jacobs moves adoption of Amendment No. 4 to House Bill 1072. Those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 4 is adopted. Further amendments?

ACTING SECRETARY: (MR. HARRY)

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senator Hawkinson seeks leave of the Body to...I beg your pardon. Senator Jacobs. Senator D'Arco, for what purpose do you arise?

ACTING SECRETARY: (MR. HARRY)

Amendment No. 5 offered by Senator D'Arco.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Okay, wait...wait...wait just a second now. We've moved the bill back to...to 3rd reading. So, for the...for the record, Senator Jacobs seeks leave to return, again, House Bill 1072 back to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? All right, leave is granted. On the Order of House Bills 2nd Reading is House Bill 1072, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Amendment No. 5 offered by Senator D'Arco.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. This bill raises the salaries for clerks of the circuit court which has to be approved by the county board from...it's about a twenty percent increase across the board for all counties throughout the State of Illinois. I would ask to adopt Amendment No. 5 to 1072.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator D'Arco has moved adoption of Amendment No. 5 to House Bill 1072. Is there discussion? If not, those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 5 is adopted. Further amendments?

ACTING SECRETARY: (MR. HARRY)

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Now, House Bill...1113, Senator Hawkinson seeks leave of the Body to return that bill to the Order of 2nd Reading for the purpose of an...of an amendment. Is leave granted? House bills 2nd reading is House Bill 1113, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Amendment No. 2 offered by Senator Hawkinson.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Mr. President. This is an amendment that I had filed yesterday to House Bill 1768 with the agreement of the House sponsor and the Senate sponsor. Because it was past three o'clock, we didn't get it on on the Agreed Bill List. I would now like to amend it to House Bill 113. What it does is it sets a sixty thousand population ceiling on the merits of 1768 which deals with the ability of a county board by resolution to abolish the jury commission.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, Senator Hawkinson has moved adoption of Amendment No. 2 to House Bill 1113. Those in favor will

indicate by saying Aye. Opposed Nay. The Ayes have it.  
Amendment No. 2 is adopted. Further amendments?

ACTING SECRETARY: (MR. HARRY)

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 1636, Senator Carroll. All right, page 21  
on your Calendar. Senator Carroll seeks leave of the Body to  
return House Bill 1636 to the Order of 2nd Reading for the  
purpose of an amendment. Is leave granted? Leave is  
granted. House bills 2nd reading is House Bill...is House  
Bill 1636, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Amendment No. 4 offered by Senator Etheredge.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President and Ladies and Gentlemen of the  
Senate. This is...the amendment which would eliminate fund-  
ing for the pretrial services program. This is a matter that  
we...this is a follow-up to the matter that we discussed  
yesterday.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Carroll.

SENATOR CARROLL:

Just to identify, Mr. President, instead of the 502 Plan,  
we are now at a plus 16.6 Plan. This amendment would take 3.4  
out of general revenue. We added twenty a few minutes ago,  
so...Republican proposal is now to add 16.6 to general  
revenue.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Rock.

SENATOR ROCK:

I...I'm not sure why we're doing this anyway. If there's  
no program, the appropriation falls of its own weight. I

HB 1684  
Recalled

mean, this is...frankly, there are some of us in...in both Chambers that wish to reinstate that program, but I...you know, this...this seems to me...I...I'd oppose this.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Etheredge.

SENATOR ETHEREDGE:

Well, the...the legislation has only passed...has passed the Senate. I...I think that this is a...a good step for us to take at this time to remove the...the funding for...for this program. I would ask for the...I...I move to accept Amendment No. 4.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge has moved adoption of Amendment No. 4 to House Bill 1636. Those in favor will indicate by saying Aye. Opposed Nay...opinion of the Chair, the...the Ayes have it. Amendment No. 4 is adopted. Further amendments?

ACTING SECRETARY: (MR. HARRY)

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further amendments? No further amendments. 3rd reading. 1684. Senator Carroll seeks leave of the Body to return House Bill 1684 to the Order of 2nd Reading for the purpose of an amendment...amendment. Is leave granted? Leave is granted. House bills 2nd reading, House Bill 1684, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Amendment No. 1 offered by Senator Carroll.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This would increase the bond authorization from the '87 level by one dollar. I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

HB 1854  
Recalled

Senator Carroll moves adoption of Amendment No. 1 to House Bill 1684. Discussion? If not, those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

ACTING SECRETARY: (MR. HARRY)

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 1781. Senator Etheredge seeks leave of the Body to return House Bill 1781 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. House bills 2nd reading, House Bill 1781, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Amendment No. 1 offered by Senators Keats and Mahar.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Keats.

SENATOR KEATS:

As you know, the state property may not be conveyed to other sources without legislative authorization...this just reconfirms this for state property...that's all it does. I'd appreciate...being put on.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Keats moves adoption of Amendment No. 1. Is there discussion? If not, those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

ACTING SECRETARY: (MR. HARRY)

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 1854. Senator Lechowicz seeks...leave of the Body to return House Bill 1854 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. House bills 2nd reading is House Bill 1854, Mr. Secretary.



ACTING SECRETARY: (MR. HARRY)

Amendment No. 1 offered by Senators Lechowicz and Degnan.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President and members of the Senate. Amendment No. 1 consists of a clean-up language to the Illinois Sports Facility Authority Act. It makes clear that all home games are to be played at the new stadium, that a stadium club need not have view of the field. The authority is a unit of the local government. The Governor can make...appointments and the members can serve consecutive terms. The authority can provide insurance against risk and hazards. Provides for a minimum of seven thousand parking spaces rather than eight thousand...the territory authority is...coterminous with the City of Chicago. Eminent domain cannot be used against property which on January 1st, 1987 was public property or a church. The new stadium as far as White Sox can have the lights, makes various technical changes to satisfy Bond Counsel requirements. I move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz has moved adoption of Amendment No. 1. Is there discussion? Senator Keats.

SENATOR KEATS:

While everyone sits here quietly, this authorizes the White Sox to have lights. Would that override home rule? 'Cause we couldn't do that before because Chicago was opposed. Would this be a thirty-six vote action?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz.

SENATOR LECHOWICZ:

First of all, the White Sox presently have the lights, and just to...to verify and clarify that subject matter, if

you recall when the Cubs...we specifically, by Statutes, provided a certain section within the City of Chicago. The White Sox always had that...prerogative and they always had lights, that's nothing new for Cominsky Park.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Keats.

SENATOR KEATS:

Then what has been the big thing in all the newspapers and in the Chicago City Council and Congress about the new White Sox Stadium needs the lights approval...put it this way, if the White Sox don't need an approval, the Chicago City Council, the US Congress, the Tribune and the Sun-Times are fools. They apparently think they do. Sorry about that, Trib. and Sun-Times.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Keats, what that a question or a...

SENATOR KEATS:

Yeah, I...I understand what he's saying but no one agrees with him. Could you explain why everyone else is wrong?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz.

SENATOR LECHOWICZ:

I don't believe they're wrong, I believe you're wrong, and the question before us is in reference to the White Sox and the difference...if you recall initially when the stadium was granted and the provisions were provided by the Federal Government, that was for Addison, Illinois, and when the change was made in Congress recently which provided the same type of taxing that was needed for the City of Chicago, this clarifies the language in the existing...or the one that we passed as far as the Illinois Sports Facility Authority Act as far as one making it...that it's strictly within the City of Chicago and not in...not in Addison. Two, as far as the parking that was originally provided was for eight thousand

automobiles because it wasn't Addison, it was a bigger tract of land. This has been worked out now that seven thousand parking...parking for automobiles because of a smaller tract of land. This is recommended by the Bonding Counsel. There is nothing sinister in reference to the lights at...presently at Cominsky Park. There's never been a problem in that community as far as lights at Cominsky Park. To answer your specific question, that's going to be contained in Senate Bill 958 which is on concurrence from the...from the House and that's strictly for play-off games...for Wrigley Field.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Netsch.

SENATOR NETSCH:

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Netsch.

SENATOR NETSCH:

For the record, Senator Lechowicz, this in no way affects the noise pollution standards as they apply to Wrigley Field and as this Legislature adopted sometime ago. Is that correct?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz.

SENATOR LECHOWICZ:

That is correct, ma'am.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Lechowicz has moved adoption of Amendment No. 1 to House Bill...I beg your pardon. Senator Keats.

SENATOR KEATS:

I would request a roll call because there is substantial question whether or not the bonds can be sold for the new Cominsky Park. The Bond Counsel wouldn't be requesting this if they really thought these bonds could be sold. I would

request a roll call 'cause there are many people who felt last year when the Cominsky Park thing, with no public knowledge, no public hearing, a bill that was poorly drafted was snuck through the Legislature at the last minute without public input that really perhaps...the people who were losing their homes due to quick-take that they weren't even aware was in the bill...should...should be...perhaps given another forum. I think this might be the time to do it, so I'd request a roll call on...on this bill because, obviously, Bond Counsel feels they can't sell the bonds without it and if many of you feel that the underhanded, sneaky thing done last fall, perhaps, ought to be reconsidered or at least people be given a chance to see that we do sometimes operate in the daylight and that we do sometimes allow citizens to have input, we don't normally give quick-take to steal homes out from underneath people, maybe we should put ourselves in a little better light and for that reason, I think a roll call should be used on this amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? If not, Senator Lechowicz may close.

SENATOR LECHOWICZ:

Well, Mr. President and Ladies and Gentlemen of the Senate, believe me there is no quick-take provisions in this amendment nor initially in the bill, and if you recall, that was specifically debated on this Floor and the question of eminent domain cannot be used to acquire property for this facility. That was a safeguard...that was a safeguard for the residents in that community, and if you don't believe that the residents of that community were considered, in the original presentation and the original authority that was worked out by the Governor of this state and the membership of this General Assembly, you're absolutely wrong, Senator Keats. This amendment makes sure...makes sure that the eminent

domain provisions...the safeguards are there for the residents of that community. As far as the question of lights, there was a question whether they could have lights or not. That was never discussed or never was authorized by this General Assembly with the idea of blacking out Cominsky Park. There's...this is a clean-up amendment which has been requested by the Illinois Sports Facility Authority and the Governor's Office. Now, if you want to support the agreement that was worked out by the administration and the people in that community, you'll vote Yes for this amendment, and I strongly encourage an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Keats has requested a roll call. Senator Lechowicz has moved the adoption of Amendment No. 1 to House Bill 1854. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 33, the Nays are 13, none voting Present. Amendment No. 1 is adopted. Further amendments?

ACTING SECRETARY: (MR. HARRY)

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 1937, Senator Marovitz. 2048, Senator Rock. 2048. On the...page 25 on your Calendar. Senator Rock seeks leave of the Body to return House Bill 2048 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading is House Bill 2048, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Amendment No. 3 offered by Senator Rock.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Thank...thank you, Mr. President and Ladies and Gentlemen of the Senate. House Bill 2048 is the appropriation to our legislative service agencies and this amendment is a transfer between two line items. There is no dollar change. It is a transfer from one account to another of some eighteen thousand dollars to provide for the printing unit. There's certainly no objection. I would move adoption of Amendment No. 3.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Rock has moved adoption of Amendment No. 3 to House Bill 2048. Those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 3 is adopted. Further amendments?

ACTING SECRETARY: (MR. HARRY)

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 2065, Senator...Senator Dunn. House...all right, Senator...on page 26 of your Calendar, Senator Dunn seeks leave of the Body to return House Bill 2065 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading is House Bill 2065, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Amendment No. 2 offered by Senator Thomas Dunn.

PRESIDENT:

Senator Dunn.

SENATOR TOM DUNN:

Thank you, Mr. President. Amendment No. 2 is at the request of the Department of Revenue and is worked out with them and has the concurrence of the veterans' organization as well as the chief sponsor in the House.

PRESIDENT:

All right, Senator Dunn has moved the adoption of Amendment No. 2 to House Bill 2065. Discussion? If not, all in

favor indicate by saying Aye. Opposed. The Ayes have it. The amendment is adopted. Further amendments?

ACTING SECRETARY: (MR. HARRY)

No further amendments.

PRESIDENT:

3rd reading. 2227, Senator Donahue. On the Order of House Bills 3rd Reading is House Bill 2227. Senator Donahue seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd, House Bill 2227, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Amendment No. 2 offered by Senator Carroll.

PRESIDENT:

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. The amendment that we've offered will delete the section that would have allowed multiyear payments of a single year's authorization...there's no reason that this agency should have the ability to have spending without appropriation. I would move adoption of Amendment No. 2.

PRESIDENT:

Senator Carroll has moved the adoption of Amendment No. 2 to House Bill 2227. Discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

ACTING SECRETARY: (MR. HARRY)

No further amendments.

PRESIDENT:

3rd reading. 2243, Senator Demuzio seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading is House Bill 2243,

Senator Demuzio.

SENATOR DEMUZIO:

Thank you, Mr...Mr...Mr. President. I...I would...having voted on the prevailing side, I'd move to reconsider the vote by which Amendment No. 2 was adopted for the purpose of Tabling.

PRESIDENT:

All right, Senator Demuzio has moved having voted on the prevailing side to reconsider the vote by which Amendment No. 2 to House Bill 2243 was adopted. All in favor of the motion to reconsider indicate by saying Aye. All opposed. The Ayes have it. The motion carries. The vote is reconsidered. Senator Demuzio now moves to Table Amendment No. 2 to House Bill 2243. Any discussion? If not, all in favor of the motion to Table indicate by saying Aye. All opposed. The Ayes have it. Amendment No. 2 is Tabled. Further amendments?

ACTING SECRETARY: (MR. HARRY)

No further amendments.

PRESIDENT:

3rd reading. We'll go back, Senator Demuzio, with leave of the Body, to 461. Top of page 6. On the Order of House Bills 3rd Reading, House Bill 461. Senator Demuzio seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading, House Bill 461, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Amendment No. 1 offered by Senator Demuzio.

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

Amendment No. 1...currently, high school vocational education teachers can qualify for two thousand dollar grant



awards when they're placed in short-term private sector positions. This amendment would allow the seventh and eighth grade vocational teachers to qualify for the awards also, and I would move its adoption.

PRESIDENT:

Senator Demuzio moves the adoption of Amendment No. 1 to House Bill 461. Discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments? Any further amendments?

ACTING SECRETARY: (MR. HARRY)

No further amendments.

PRESIDENT:

3rd reading. All right, middle of page 28, Senator Fawell, 2298. On the Order of House Bills 3rd Reading is House Bill 2298. Senator Fawell seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading, House Bill 2298, Madam...Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Amendment No. 1 offered by Senator Kustra.

PRESIDENT:

Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President and members of the Senate. This is a bill that would raise the compulsory school attendance age in Illinois from sixteen to seventeen. We debated this bill in committee. The bill then read from sixteen to eighteen and after a thorough debate, the vote was tied. I don't think it's unreasonable to take a year off of that bill, bring it back for age sixteen, raise it to seventeen and trying to offer it once again. The last time this state made a decision on when a kid can walk out of school without anybody doing anything about it was 1907, that's when we said

sixteen was a good age for a kid to stay in school. It doesn't seem unreasonable to me that in 1987 we would say that a kid ought to stay in school till age seventeen. The bill is written in about the most flexible approach you could possibly take. It does not force a kid to stay in regular school, in classroom. As you look at the second page of the amendment which has been distributed, lines 7 to 20, there is a list of optional education opportunities for the children, so the parents and the kids can sit down and work out some kind of a part-time or full-time program, evening school, summer school, community college courses, adult education, vocational skills oriented or academic skills oriented. I think it's important that we make a statement in this body as to just what time a kid can be allowed to walk out of school. The date for this to be...to go into operation is July 1st 1988. So, there's certainly time for school boards and teachers to work out whatever kinds of plans they think they need. I'll be glad to answer any question and I would urge adoption of Amendment No. 1.

PRESIDENT:

All right, Senator Kustra has moved the adoption of Amendment No. 1 to House Bill 2298. Discussion? Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. Ladies and Gentlemen of the Senate, I may be a voice in the wilderness arguing against two very important people that are supporting this amendment aside from the esteemed sponsor, Senator Kustra. Those two people that are supporting this amendment happen to be the Governor of the State of Illinois and the superintendent of the State Board of Education, two gentlemen who I respect greatly, but I think they're wrong, and let me tell you why I think they're wrong, and I ask you, my fellow members of the Illinois Senate, to vote what I would say is intelligently

rather than politically or just to cast a empty vote on something that, A, isn't necessary and, B, may, in fact, be harmful. Senator Kustra's amendment would change the mandatory, compulsory attendance age from sixteen to seventeen. Timing is everything in life and this is the worst time for this bill to be voted on. Ladies and gentlemen, we don't have the resources to do what we've already committed ourselves to do and what we've already committed ourselves to do is to say that children should stay in school till sixteen and we should give them a proper education through the age of sixteen. We've also said that if they can't stay in school, that we want to provide additional programs and we haven't even been able to fund those additional programs. This...amendment doesn't add any programs by mandate, but it holds out a promise, a promise that we cannot fulfill. It holds out a promise that says that they must stay in school through the age of seventeen and that we will provide the programs through the age of seventeen. We're not funding, we haven't provided the resources for those through age sixteen. How can we hold ourselves out as offering the programs through age seventeen? I don't know why this bill is here. The Governor in his February Message said we ought to raise it to age eighteen, but, ladies and gentlemen, there wasn't one bill introduced to do that; and you and I, in a responsible manner, if that bill would have been introduced, would have held hearings, we would have found out what the cost of this is and we would have been...able intelligently to determine whether we want to take resources that we don't have and take it from someplace else and commit it for this. No bill was introduced. The last day of committee in the Senate this amendment was tried, and as Senator Kustra said, it was not adopted in committee. I don't think that now is a better time and compromising, if that's the word, from eighteen to seventeen. I'm not sure what it accomplishes. We don't have

the resources to do what we're supposed to do. I think it's hypocritical to extend the age to seventeen. It's wonderful if we could do it, if we had the resources. What programs are we going to cut to take care of kids that we haven't committed ourselves to doing already? I offered in committee to Senator Kustra, I offer it again, send the bill back to committee, we'll hold hearings, we'll find out what ought to be done. The School Board Association is against this...this amendment. ED-RED is against this amendment. We don't know what it means costwise. I have filed a fiscal note in case this is...adopted, but let's be practical, let's be honest. The timing is not right. We don't have the resources to do what we're already committed to do. Let's not vote an empty commitment to raise the age. This is neither the time nor the...nor do we have the ability to do this. I urge a No vote.

PRESIDENT:

Further discussion? Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I rise to support Senator Kustra's amendment mandating children to stay in school until at least seventeen years of age. As you know, this was in the committee and got a tie vote on eighteen. I happen to think it's a reasonable compromise. I agree with the Governor and the state superintendent and this is a very broad, flexible, it says, "Optional education for academic or vocational skills, part-time or full-time, evening school, summer school, community college courses." It couldn't be any broader, any more flexible. You know, we're a hell of a lot better off having those kids out of the saloons and off the streets and in school.

PRESIDENT:

Further discussion? Senator Holmberg.

SENATOR HOLMBERG:

Thank you, Mr. President. As a counseling psychologist and having spent nineteen years in the school system, I realized that it would take a pretty dramatic kind of alternative program to change the course of a sixteen-year-old's life at that moment when he or she may have decided that school was no longer right for them. I really advocate programs like that. I think we can do better, not only with sixteen-year-olds but those much younger, to change the course of their lives and impress upon them the fact that they need many more years of education. I have voted time and time again to support such programs. Last year when we sent to the Governor's Desk increased funding for alternative programs and truancy and drop-out prevention programs, the Governor vetoed that money. We tried for a veto override and we failed. This year, on the other side of the aisle, in the 502 Plan, our colleagues came through with a plan that would do away with these programs entirely, and, yet, we're now advocating keeping students in school another year under these programs when there is no money for them. I think that this is entirely out of sequence. We first must have the money and, therefore, I cannot see how we can be advocating that this should be done.

PRESIDENT:

Further discussion? Senator Dudycz.

SENATOR DUDYCZ:

Thank you, Mr. President. Ladies and Gentlemen of the Senate, on both sides of the aisle, our educational experts have consistently stressed the need to improve the education of our children, whether it's in contraception or special school for the gifted or bilingual education or what have you. Well, for Christ sakes, if we're going to educate them, let's make sure that they go to school to receive this education. Now, Amendment No. 1 gives our youth a choice by

giving the dropouts a true alternative. We read figures that nine thousand sixteen-year-olds drop out every year from the school system. Well, Senator Berman, as you are aware, about half of those are from Chicago, our city. This amendment would allow these kids to stay in a school program, in a school system. The only option for these sixteen-year-olds right now is dropping out of school or remaining in the classroom that they wish not to. Amendment No. 1 requires the school district, the parents and the students to develop an individual plan for the student geared to his or her interests and needs and to keep the student in the educational system, not to chase them out. Let's tell our constituencies that we, in fact, are in favor of education for our children and let's adopt Amendment No. 1.

PRESIDENT:

Further discussion? Senator Collins.

SENATOR COLLINS:

Thank you, Mr. President and members of the Senate. I rise in strong...very strong support of this amendment and I may be the only vote on this side of the aisle...well, I got another one sitting beside me, but, anyway, I think that...that when we talk about drop-out prevention dollars in this state that first priority should go to keeping students in school, not providing a safety net outside to catch those who may or may not choose to continue their education through some alternative program. I am not saying that we should eliminate those programs because they are...those programs serve some good, but it would appear to me that our first priority would be geared toward programs and alternatives to keep students in school...high school until such time they graduate. It should, in fact, be until the age of eighteen. As a matter of fact, I didn't know anything about the Governor's initiative, but this was one of the initiatives put on my agenda when I began to sit down last year and put

together my agenda...legislative agenda for this year, and in communication with the State Board of Education, I was really shocked to see when the Governor came out with this initiative. It was one of the reasons why I didn't proceed at filing a bill myself for age eighteen, because I assume when he mentioned it that that was a part of his legislative agenda; however, no bill surfaced, but I am willing and ready to support this initiative and any other initiative geared toward or providing some alternatives to children dropping out of school. One of the districts that...in my district, I think, probably has the highest drop-out rate in the world. One school which sits in Senator Rock's district has seventy-nine percent drop-out rate. That is a disgrace. I say, yes, we should adopt this amendment.

PRESIDENT:

All right, there are five or six additional speakers indicated. Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President and members of the Senate. When this proposal was first brought to me with the mandatory attendance at age eighteen, I...I really had some concerns about it and for some of the same reasons that Senator Berman has mentioned, and I think that...Senator Kustra, this is a...is a step in the right direction...it's a compromise on...on what I consider to be a very, very important issue and I think the Body must understand that we still require the...the young men and young women to stay in the traditional classroom until age sixteen. That's sometimes confusing to some people, but they will stay in the traditional setting until they're...until sixteen. One more year to age seventeen, unlike what we thought we were going to have when we were talking about increasing the mandatory attendance age to eighteen, accompanying this is a very worthwhile program, a program that will...if that young person wants to drop out of

school, for whatever reason and some people simply don't want to stay in that traditional setting, they have one more year to attempt to get that diploma. I think it's a step in the right direction, I really do, and think the amendment ought to be supported.

PRESIDENT:

Further discussion? Senator Brookins.

SENATOR BROOKINS:

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

PRESIDENT:

Sponsor indicates he'll yield, Senator Brookins.

SENATOR BROOKINS:

Yes, Senator, if you graduate from high school at age sixteen...with a diploma, you would then be required to go to a school...for another year?

PRESIDENT:

Senator Kustra.

SENATOR KUSTRA:

No, Senator, the first page of the amendment deals with that and the answer is no.

PRESIDENT:

Senator Brookins.

SENATOR BROOKINS:

Thank you.

PRESIDENT:

Further discussion? Senator Poshard.

SENATOR POSHARD:

Well, thank you, Mr. President and Ladies and Gentlemen of the Senate. I...with all due respect to Senator Berman and Senator Holmberg, our committee chairman and vice-chair, I...I rise in support of this measure. I've watched for a number of years the children down in my end of the state...if you travel around at twelve or one o'clock at night in some of our small towns, you see these kids down on the corner



drinking their Busch with their buddies and they're not in the school system, they've dropped out for whatever reason, and I think we need to send a message to...to our kids that...you know, there's...there's a better way and...and another year's schooling with a lot of alternative...types of programs here to offer the kids seems to make sense to me. A lot of these children do not do well in the traditional academic structure of the classroom and these kinds of optional courses...may make sense to the kids. It may keep them in school a year longer where they belong and I'm willing to give it the chance. I say, why not be creative? Why not look at different ways to keep the kids in school? Seems far better to me to pay for them to be in the classroom than pay for them on the streets, because once they're on the streets, then the social service agencies have to come through every month with the checks to keep them going and that's not right either. I'd rather pay for them to be in school than to be out of school. So, for that reason, this makes a lot of sense to me and I rise in support of it.

PRESIDENT:

Further discussion? Senator Newhouse.

SENATOR NEWHOUSE:

Thank you, Mr. President. Here, again, I think that we are going through an exercise in absolute desperation and it's for that reason that I will vote for this amendment. The fact is that we know we're losing our kids at six, seven years old, we're not losing them in high school and what I see in this bill is a sort of a second chance. So, on the basis that it is a second chance bill, I plan to vote for it, but I think that we need to look very carefully at what's happening in our public schools in the early years because that's where the damage is being done and that's where the kids lose hope and that's where the drop-out session begins. They've shut down at age nine and ten, it's over. In this

bill, there is the opportunity for the second chance, and on that basis, I will vote for it. If we kid ourselves that this is really going to solve a very compelling problem, then the results of our having accept this...accepted this as a panacea is going to be a further downward spiral. I see this as a temporary measure, a holding action while we get down to the really basic program and I would hope that on both sides of the aisle, we can get cooperation in looking at that over the next short-term.

PRESIDENT:

Further discussion? Any further discussion? Senator Kustra, you may close.

SENATOR KUSTRA:

Thank you, Mr. President and members of the Senate. Just to make one final point and that is I wouldn't want the impression to be created that nowhere in the State of Illinois is there now the ability to fund and operate these programs. Many school districts across the state are doing this right now. They have local funding to do it. What we're suggesting is that when a kid walks out of school at age sixteen, there ought to be some opportunities for alternatives, and so this says that if the...that at least the child shall stay in till seventeen and in the meantime, a whole range of very flexible programs would be of...of availability for that child. I urge a favorable roll call.

PRESIDENT:

Question is the adoption of Amendment No. 1 to House Bill 2298. Those in favor of the amendment will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 46 Ayes, 10 Nays, none voting Present. Amendment No. 1 is adopted. Further amendments?

ACTING SECRETARY: (MR. HARRY)

No further amendments.

PRESIDENT:

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

SENATOR BERMAN:

I filed a fiscal note on the impact of that amendment.

PRESIDENT:

I...I beg your pardon. You are correct. The Chair acted a little too rapidly. A request for a fiscal note has been filed based on the adoption of that amendment...that is a good question. Senator Kustra.

SENATOR KUSTRA:

Two points,...Senator Rock. First of all, I'd like to question the germaneness of a fiscal note on a...on a House bill. Secondly, I believe when you had your bill up affecting judges, what you said was that you'd provide the financial information by the time the bill got to 3rd reading. I'm more than willing to comply with the same rules.

PRESIDENT:

If Senator Berman is satisfied, that certainly would be in order as it was in my instance. The...what we're dealing with, however, is a little used section of the Statute that says a majority of such House, which is us in this instance, may propose that no action be taken upon the amendment until the sponsor of the amendment presents to the members a statement of the fiscal effect. So, by virtue of the fact that Senator Berman did file that, he has...he is in a position if...if...majority agree with him that that bill will remain on 2nd until that fiscal information is provided. Senator Berman.

SENATOR BERMAN:

I...I certainly wouldn't want to hold up the consideration by the Senate of this measure. As long as Senator Kustra gets me a...you know, in essence a fiscal note

before...before it's called on 3rd reading, I have no objection.

PRESIDENT:

That is fine. The bill will be on 3rd reading. Senator Philip, we have about ten more of these. Would you rather do this in the morning? You want to do it now? That a boy. Okay, that's what I thought. All right, we do have some paper...ladies and gentlemen, let me propose that we...we will adjourn very shortly until ten o'clock tomorrow morning. I can just sense that we are winding down rather rapidly here. Everyone will have the opportunity to...to do what has to be done. We will have another recall list tomorrow. There are additional requests here, I'm told, so we'll just add them on there. We'll start at ten o'clock tomorrow morning and I'd ask the members to please be prompt. If we can get going right away, we can accomplish a good deal. Introduction of bills.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 1518 offered by Senator Luft.

(Secretary reads title of bill)

PRESIDENT:

Rules Committee. Senator Netsch, for what purpose do you arise?

SENATOR NETSCH:

Thank you, Mr. President. Some of us have wondered, will there be another Agreed Bill List?

PRESIDENT:

Well, we're...we're discussing that...it does not appear so because we're just simply running out of time to...to do it mechanically. So, my suggestion is, we...we'll be on 3rd reading again tomorrow and be on it most of the day, so I would hope that we just keep going. Committee reports.

ACTING SECRETARY: (MR. HARRY)

Senator J. J. Joyce, chairman of the Committee on Execu-

tive, makes the following report:

Senate Resolutions Noed. 152, 233, 274, 305, 325, 333, 357, 365, 367, 397 and 398 Do Adopt.

Senate...Resolution No. 280 Do...Do Adopt as Amended.

Senate Resolution No. 396 Do Not Adopt.

Senate Joint Resolutions Noed. 54, 57, 59 and 61 Do Adopt.

Senate Joint Resolution No. 72 Do Adopt as Amended.

And House Joint Resolutions Noed. 37 and 89 Do Adopt.

PRESIDENT:

Message from the Governor.

ACTING SECRETARY: (MR. HARRY)

Message for 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 by your Honorable Body.

PRESIDENT:

Committee on Executive Appointments. With leave of the Body, those motions in writing, Madam Secretary, that have been filed will be placed on the Calendar for action tomorrow. We have a number of motions in writing and we will take those up tomorrow. It appears to be...procedurally about the last time it can be done. Senator Topinka, for what purpose do you seek recognition?

SENATOR TOPINKA:

Yes, would it be the appropriate time at this point to be added on to bills?

PRESIDENT:

Sure.

SENATOR TOPINKA:

Very fine. Then I would ask to be added with...to Senator

Keats\* Senate Resolutions 395 and 396 and also to House Bill 2319.

PRESIDENT:

All right, the lady seeks leave to be added as a cosponsor on Senate Resolutions 395 and 396 and House Bill 2319. Without objection, leave is granted. Resolutions.

ACTING SECRETARY: (MR. HARRY)

Senate Resolutions 436 offered by Senators Rock, Philip and all members. Congratulatory.

PRESIDENT:

Senator...Senator Luft, if you would, please. Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. I'd move to suspend the appropriate rules for the immediate consideration of Senate Resolution 436 sponsored by Senator Rock and Senator Philip.

PRESIDENT:

All right, Senator Luft has moved to suspend the rules...with leave of the Body, in my...in my stead, for the purpose of the immediate consideration and adoption of this congratulatory resolution. All in favor of the motion to suspend indicate by saying Aye. All opposed. The Ayes have it. The rules are suspended. Senator Luft now moves the adoption of Senate Resolution 436. All in favor indicate by saying Aye. All opposed. The Ayes have it. The resolution is adopted. Further resolutions, Mr. Secretary?

ACTING SECRETARY: (MR. HARRY)

Senate Joint Resolution 75 offered by Senator Brookins.

PRESIDENT:

Executive. Further business to come before the Senate? Senator Dunn. Senator Dunn.

SENATOR TOM DUNN:

One second, Mr. President, will you? I ask leave to substitute Senator Luft for myself on House Bill 579.

PRESIDENT:

All right, the gentleman seeks leave to have Senator Luft shown as the chief Senate sponsor on House Bill 579. Without objection, leave is granted. Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, I would like to ask leave to suspend the rules to consider a...an honorary resolution, House...Senate Resolution 432.

PRESIDENT:

All right, Mr. Secretary, yes, if you'll put 432 on the board. Senator Geo-Karis has moved to suspend the rules for the purpose of the immediate consideration and adoption of Senate Resolution 432. All in favor of the motion to suspend indicate by saying Aye. All opposed. The Ayes have it. The rules are suspended. Senator Geo-Karis now moves the adoption of Senate Resolution 432. All in favor indicate by saying Aye. All opposed. The Ayes have it. The resolution is adopted. Senator Dudyycz.

SENATOR DUDYCYZ:

Thank you, Mr. President. I just seek leave to be added as a hyphenated cosponsor of...House Bill 2319.

PRESIDENT:

2319. The gentleman seeks leave to be added as the hyphenated cosponsor. Without objection, leave is granted. Senator Geo-Karis.

SENATOR GEO-KARIS:

I was just going to beat him to it. I would like to...be added as a cosponsor to...to House Bill 2319.

PRESIDENT:

The lady seeks leave to be added as the hyphenated cosponsor on House Bill 2319. Without objection, leave is granted. Senator Dunn.

SENATOR TOM DUNN:

I ask leave, Mr. President, to be a hyphenated cosponsor

of 2319.

PRESIDENT:

2-3-1-9?

SENATOR TOM DUNN:

Yes.

PRESIDENT:

2319. The gentleman seeks leave to be added as a cosponsor. Without objection, leave is granted. Further business to come before the Senate? All right, if not, Senator Dunn moves that the Senate stand adjourned until Wednesday, June 24th, tomorrow morning, at the hour of ten o'clock. Ten o'clock sharp tomorrow morning. Ladies and gentlemen, have a good evening. Senate stands adjourned.



01/13/88  
13:45

STATE OF ILLINOIS  
85TH GENERAL ASSEMBLY  
SENATE  
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