

85TH GENERAL ASSEMBLY

REGULAR SESSION

JUNE 23, 1988

PRESIDENT:

The hour of noon 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. Prayer this afternoon by the Reverend Dan Johnson, First Baptist Church, Shelbyville, Illinois. Reverend.

REVEREND DAN JOHNSON:

(Prayer given by Reverend Johnson)

PRESIDENT:

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

SENATOR SMITH:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Mr. President, I move that the reading and approval of the Journal of Tuesday, June 14th; Wednesday, June 15th; Thursday, June 16th; Friday, June 17th; Tuesday, June 21st and Wednesday, June 22nd, in the year 1988, be postponed pending arrival of the printed Journals.

PRESIDENT:

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

SECRETARY:

Senator J. J. Joyce, chairman of the Committee on Executive, reports Senate Resolutions Noed. 628, 844, 1126, 1188, 1212, 1225, 1226 and 1246 Do Adopt.

Senate Joint Resolutions Noed. 139, 144 and 146 Do Adopt.

Senate Joint Resolution 136 Do Adopt as Amended.

House Joint Resolutions Noed. 81, 94, 145, 188 and 199 Do Adopt.

And House Joint Resolutions Noed. 103 and 160...Do Adopt as Amended.

PRESIDENT:

Messages from the House.

SECRETARY:

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

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

House Bill 4293.

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

Mr. President - I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the passage...of a bill of the following title, to-wit:

Senate Bill 1532 with House Amendments 1, 2, 3, 4 and 6.

I have like Messages on Senate Bill...1592 with House Amendments 1, 15 and 17.

Senate Bill 1634 with House Amendments 1, 2, 3, and 4.

Senate Bill 1672 with House Amendments 2 and 3.

Senate Bill 1734 with House Amendments 1, 2, 3, 10, 11, 14, 16, 19, 20, 22, 26, 28, 29, 30, 32, 33, 34 and 36.

Senate Bill 1740 with House Amendments 1 and 3.

Senate Bill 1742 with House Amendments 1 and 2.

Senate Bill 1743 with House Amendment 1.

Senate Bill 1744 with House Amendment 2.

Senate Bill 1746 with House Amendment 1.

Senate Bill 1747 with House Amendments 1 and 2.

Senate Bill 1748 with House Amendments 1 and 2.

Senate Bill...pardon me, 1749 with House Amendment 2.

Senate Bill 1750 with House Amendment 1.

Senate Bill 1751 with House Amendments 1, 2, 3,  
8 and 9.

Senate Bill 1752 with House Amendment 1.

Senate Bill 1754 with House Amendments 1 and 2.

Senate Bill 1755 with House Amendments 1 and 7.

Senate Bill 1759 with House Amendments 1 and 2.

Senate Bill 1771 with House Amendments 1 and 3.

Senate Bill 1779 with House Amendments 2 and 4.

Senate Bill 1835 with House Amendment 1.

Senate Bill 1897 with House Amendment 1.

Senate Bill 2021 with House Amendments 1, 4, 5  
and 6.

Senate Bill 2022 with House Amendments 1  
through 11 and 13, 15 and 16.

Senate Bill 2052 with House Amendments 1 and 2.

Senate Bill 2079 with House Amendment 1.

Senate Bill...pardon me, 2112 with House Amend-  
ment 1.

Senate Bill 2136 with House Amendments 1 and 3.

And Senate Bill 2151 with House Amendment 1.

PRESIDENT:

Secretary's Desk.

SECRETARY:

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

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

House Joint Resolution Constitutional Amendment  
23.

PRESIDENT:

Executive Committee for that resolution. Leave of the  
Body, we'll move to page 8 on the Calendar, On the Order of  
House Bills 1st Reading, Madam Secretary.

SECRETARY:

House Bill 4293 offered by Senator Welch.

(Secretary reads title of bill)

1st reading of the bill.

PRESIDENT:

Rules Committee. Senator Demuzio, for what purpose do you arise?

SENATOR DEMUZIO:

Mr. President, I'd like to change sponsorship. House bill 3rd reading is House Bill 4180, I'd like to transfer sponsorship to Senator Zito...on page 8. Senator Zito on 4180.

PRESIDENT:

All right. The gentleman seeks leave of the Body to have Senator Zito assume the chief sponsorship of House Bill 4180. Without objection, leave is granted. If I can have your attention, ladies and gentlemen, we have a number of special guests with us and the Chair will yield to Senator Patrick Welch.

SENATOR WELCH:

Thank you, President Rock, Ladies and Gentlemen of the Senate. It's my pleasure to be here today with the Class A baseball champions from Saint Bede Academy located in Peru, Illinois. We...on June 10th, the Senate passed a resolution honoring these young men and the school itself and let me read part of that resolution to you.

(Senator Welch reads Resolution No. 1192)

This team did an outstanding job. Saint Bede is a small school, as you know, located in Peru, Illinois, in the northern part of Illinois. This is their first baseball championship. I'd like to have Father Ron Margario, the principal of Saint Bede Academy, come forward and accept this official resolution and to say a few words on behalf of the students and Saint Bede Academy. Father.

FATHER MARGARIO:

(Remarks given by Father Margario)

SENATOR WELCH:

Thank you, Father.

PRESIDENT:

All right. Ladies and gentlemen, if I can have your attention, WAND-TV has requested permission to shoot some videotape. Without objection, leave is granted. We will begin on the Order of Recalls. The Secretary informs me there have been additional inquiries. What we will do to...in an attempt to accommodate the membership is later in the day...we plan on working till about five o'clock. Later in the day we will have a supplemental recall list, if need be, to attempt at least to accommodate additional member requests. We will begin on the Order of Recalls, then go to House 2nd, and then begin on the Calendar calling those bills that were not subject to recall. With leave of the Body, we'll turn to page 2 on the Calendar, on the Order of House Bills 3rd Reading is House Bill 1576. 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 1576. 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 1576 represents the fruits of discussions between the car rental industry and the Department of Insurance. If you'll recall, Senator Schuneman was the sponsor of a Senate bill that addressed this same issue of a collision damage waiver coverage that is...has traditionally been sold by car rental

HB 1576  
Recall

companies. The National Association of Insurance Commissioners led by our own Insurance Department Director, John Washburn, has in the last year recommended a model law that requires that rental car companies provide this collision damage waiver coverage and what...what the...they permit is a liability on the part of the individual renter not to exceed two hundred dollars for the collision...collision damage coverage to the vehicle. In addition, the amendment requires car rental companies to advertise and charge a rate that represents the entire amount to be charged except for taxes and any mileage charge in...in excess of a minimum allowed. It also provides for minimum coverage liability coverage of a hundred thousand dollars to be provided by the rental car company. I'd try to answer any questions and otherwise urge the adoption of the amendment.

PRESIDENT:

All right. Senator Barkhausen has moved the adoption of Amendment No. 1 to House Bill...1576. Discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted...I'm sorry, Senator Jones.

SENATOR JONES:

...yeah, thank you, Mr. President. Will the sponsor yield?

PRESIDENT:

Indicates he'll yield, Senator Jones.

SENATOR JONES:

Is...this amendment the recommendation of the director of the Department of Insurance?

PRESIDENT:

Senator Barkhausen.

SENATOR BARKHAUSEN:

For the most part it is, Senator Jones. I'm...I'm, frankly, not sure that this is the final version of what

we're going to see on this...on this issue. There are apparently a few minor sticking points here and there, not...not all of which I am sure I can address. But this...this amendment at least keeps the process moving and...and allows the parties to continue to attempt to resolve their differences, if...if, in fact, they haven't already.

PRESIDENT:

Senator Jones.

SENATOR JONES:

Well, where did the amendment come from? Who recommended this amendment? Was it your idea or where did it come from?

PRESIDENT:

Senator Barkhausen.

SENATOR BARKHAUSEN:

It's a...it's sort of a combination of the Department of Insurance and the...the car rental industry which is mainly represented by an organization called CATRALA, Car and Truck Rental and Leasing Association.

PRESIDENT:

All right. Any further discussion? If not, Senator Barkhausen has moved the adoption of Amendment No. 1 to House Bill 1576. 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. Top of page 3, on the Order of House Bills 3rd Reading is House Bill 2755. Senator Savickas 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 2755. Madam Secretary.

SECRETARY:

Amendment No. 4 offered by Senator Savickas.

PRESIDENT:

Senator Savickas.

SENATOR SAVICKAS:

Yes, Mr. President and members of the Senate. As in all of these licensing bills, until the last minute you run in to individuals that are left out by the grandfather clause. This attempts to...take care of a few individuals that have been actively practicing for at least four years but that did not...meet the requirement that such practice being two of the last four years. I am aware of no opposition to amendment and I would move its adoption.

PRESIDENT:

Senator Savickas has moved the adoption of Amendment No. 4 to House Bill 2755. 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. 2909, Senator Netsch. On the Order of House Bills 3rd Reading is House Bill 2909. Senator Netsch 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 2909, Madam Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Netsch.

PRESIDENT:

Senator Netsch on Amendment No. 2.

SENATOR NETSCH:

Thank you, Mr. President. Amendment No. 2 deals with the basic subject matter of the bill which had to do with the home builders model home exemption, and as requested by the



Cook County Assessor, it would make it clear that the...the freeze in that assessment...applies to the 1988 assessment year. That was requested by the Cook County Assessor. I would move the adoption of Amendment No. 2.

PRESIDENT:

Senator Netsch has moved the adoption of Amendment No. 2 to House Bill 2909. Discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

Amendment No. 3 offered by Senator Netsch.

PRESIDENT:

Senator Netsch on Amendment 3.

SENATOR NETSCH:

Thank you, Mr. President. Amendment No. 3 is what came over from the House as House Bill 3864. We left it in the Rules Committee not because of any controversy but because we thought we could put it on another bill and just save an awful lot of paper work. It was requested by County Treasurer Rosewell and deals with the certificate of error and basically what it does is to allow the...the county offices there not to have to send out a notice while a certificate of error proceeding is pending before the courts. It mostly happens when there are homestead...senior homestead exemptions requested and that does have to be affirmed by the court and so there's a period of time in which that is in limbo. Under current law the offices...the county offices must continue to treat that property as delinquent and send out the so-called dunning notices until the court has finally adjudicated the certificate of error. And what it means is that a number of senior citizens will get a notice telling them that their property is tax delinquent and they may be losing it when, in fact, that really is not the case. So it both saves money to the county and saves a lot of

anguish to the taxpayers. When the adjudication is finally made, of course, they will then receive the official notice. I would move the adoption of Amendment No. 3 to House Bill 2909.

PRESIDENT:

All right. Senator Netsch has moved the adoption of Amendment No. 3 to House Bill 2909. 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 same Order, House Bills 3rd Reading is House Bill 2913. Senator Netsch 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 2913. Madam Secretary.

SECRETARY:

Amendment No. 3 offered by Senator Netsch.

PRESIDENT:

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. Amendment No. 3 was originally requested by Representative Didrickson in the House and I think got lost somewhere along the line over there. This is the Truth In Taxation Act and what the amendment does is to include bonds which might be issued for working cash fund within the taxing district's preceding year extension base so that if there is an increase in property taxation that exceeds the allowed limit of a hundred and five percent, the working cash fund debt service would be included within that amount. And I think that is a perfectly reasonable request and quite consistent with the Act. And I move the adoption

of Amendment No. 3.

PRESIDENT:

Senator Netsch has moved the adoption of Amendment No. 3 to House Bill 2913. Discussion? If not, all...Senator Hawkinson.

SENATOR HAWKINSON:

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

PRESIDENT:

Indicates she will yield, Senator Hawkinson.

SENATOR HAWKINSON:

Senator, does this amendment remove some objections we got earlier from the...the township officials of Illinois?

PRESIDENT:

Senator Netsch.

SENATOR NETSCH:

I would...I would doubt that this one addresses any of their objections. I do have another...the next amendment deals with at least...an objection that was made by the county clerks. And since I have never been presented with the township objection, I can't answer it, but the next one is the relevant amendment, I think, in any event, Senator Hawkinson.

PRESIDENT:

All right. Senator Netsch has moved the adoption of Amendment No. 3 to House Bill 2913. Discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

Amendment No. 4 offered by Senator Netsch.

PRESIDENT:

Senator Netsch on Amendment No. 4.

SENATOR NETSCH:

Thank you, Mr. President. This amendment does at least

address a concern that was raised by the county clerks. I am not prepared to say whether it totally satisfies them, I have not had an opportunity, but it certainly does address their concern. The...it makes it clear that where a taxing district has exceeded the one hundred and five percent limit that the county clerks are...don't...don't certify the tax levy only for that which is in excess of the authorized amount. I think that probably it takes care of their concerns, it...it takes a lot of the onus off of the county clerks in that respect. I would move the adoption of Amendment No. 4 to House Bill 2913.

PRESIDENT:

All right. Senator Netsch has moved the adoption of Amendment No. 4 to House Bill 2913. 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. 5 offered by Senator Netsch.

PRESIDENT:

Senator Netsch.

SENATOR NETSCH:

Thank you. Amendment No. 5 deals only with Cook County and requires that tax bills...property tax bills in Cook County disclose how much of the property tax extension is being imposed by a taxing district for pension and social security purposes. The point obviously is further disclosure about the nature of that which is subject to...or which is responsible for property taxation. We all know that pensions are a major factor and this would pull out from the property tax extension of the Cook County taxing districts that amount which is attributable to pension and social security costs so that taxpayers would have additional information and understanding about the nature of their tax bills. I would move

the adoption of Amendment No. 5 to House Bill 2913.

PRESIDENT:

All right. Senator Netsch has moved the adoption of Amendment No. 5. Discussion? Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. On the...on the amendment, will the lady yield to a question?

PRESIDENT:

Indicates she will yield, Senator Lechowicz.

SENATOR LECHOWICZ:

Whose responsibility would that be in Cook County?

PRESIDENT:

Senator Netsch.

SENATOR NETSCH:

Well,...the taxing district obviously has to indicate the amount that is for pension which presumably is in their...their ordinance in the...first place. The responsibility for putting it on the tax bill is the responsibility of...I think it's the county clerk who prepares the tax bill.

PRESIDENT:

Senator Lechowicz.

SENATOR LECHOWICZ:

If it's up to the county clerk, has he been advised of this amendment?

PRESIDENT:

Senator Netsch.

SENATOR NETSCH:

Not by me.

PRESIDENT:

Senator Lechowicz.

SENATOR LECHOWICZ:

Has the county board been advised of this fine amendment?

PRESIDENT:

Senator Netsch.

SENATOR NETSCH:

No, not by me.

PRESIDENT:

Senator Lechowicz.

SENATOR LECHOWICZ:

Well, Mr. President, reluctantly I'm going to have to speak against this amendment. I think that the lady may be...have every best intention but I believe that the elected official whose responsibility it is to gather and collect and collectively impose the multiplying tax in order to raise the revenue that is required by the county for all the taxing districts within the county should have at least the opportunity to review and to see if it's possible within his existing office staff to comply with the amendment. That has not happened nor has the courtesy been given to the membership of the county board to see if they could comply with this amendment. That has not happened. Until that does happen, I have some indication from the president of the county board, the membership or the county clerk, I'll be opposed to this amendment.

PRESIDENT:

All right. Senator Netsch has moved the adoption of Amendment No. 5 to House Bill 2913. Further discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. 2917, Senator Demuzio. All right. Roll call has been requested on Amendment No. 5. Those in favor of the amendment will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 22 Ayes, 8 Nays, none voting

Present. The amendment is again adopted. 3rd reading. 2917, 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 2917, Madam Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Demuzio.

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

Thank you...thank you, Mr. President. What Amendment No. 1 is is a...this bill actually is a vehicle bill, and Amendment No. 1 would recreate the Waste Water Pollution Control Revolving Loan Program. Just in case something might happen in the House that we might need a bill, I would move adoption of Amendment No. 1.

PRESIDENT:

Senator Demuzio has moved the adoption of Amendment No. 1 to House Bill 2917. 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. 3024 has been withdrawn. Is that correct? Yes. 3024, scratch it. 3085, Senator Savickas. Bottom of page 3, on the Order of House Bills 3rd Reading is House Bill 3085. Senator Savickas 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 3085, Madam Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Brookins.

PRESIDENT:

Senator Brookins on Amendment No. 2.

SENATOR BROOKINS:

Thank you, Mr. President. This amendment...will require the park commissioners to appoint the superintendent of employment to serve at the pleasure of the commission. This is to return the bill to the original form.

PRESIDENT:

All right. Senator Brookins has moved the adoption of Amendment No. 2 to House Bill 3085. Discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

Amendment No. 3 offered by Senator Savickas.

PRESIDENT:

Senator Savickas on Amendment No. 3.

SENATOR SAVICKAS:

Yes, Mr. President and members of the Senate, Amendment No. 3 will delete everything after the enacting clause and does the following. There are six items. It would eliminate the terms of office for the...the term appointments for the treasurer, the secretary, general superintendent and superintendent of employment; it...number two, it clarifies...the park district is subject to the investment of Public Funds Act; three, it clarifies that commissioners are entitled to receive reimbursement for reasonable expenses; four, it clarifies the park district is authorized to individually or jointly self-insured; number five, it provides that the park district is not required to publish appropriation ordinances in editions of newspapers distributed outside the City of Chicago; six, it removes the requirement that park district deposit funds after competitive bid to highest bidder and that is the general practice now for all other units of government. I would move its adoption.



PRESIDENT:

Senator Savickas has moved the adoption of Amendment No. 3 to House Bill 3085. Discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

Amendment No. 4 offered by Senator Savickas.

PRESIDENT:

Senator Savickas.

SENATOR SAVICKAS:

Yes, Mr. President, this is a...really the meat of long-term work product for the Chicago Park District and would authorize the Chicago Park District Act to authorize the park district to enact its own Personnel Code. And basically it would convert all applicable employees to career service status within five years. There are about four hundred positions for which tests must be developed and completed, and they feel that within the five-year plan that they can accomplish this. The Personnel Code is modeled after the State of Illinois Personnel Code. And I would seek your support for its adoption.

PRESIDENT:

All right. Senator Savickas has moved the adoption of Amendment No. 4 to House Bill 3085. Discussion? Senator Marovitz.

SENATOR MAROVITZ:

Thank you, Mr. President. Senator Savickas, can you just tell me with the adoption of...Amendment No. 4 is essentially the adoption of a new Personnel Code by the park district?

PRESIDENT:

Senator Savickas.

SENATOR SAVICKAS:

Yes, Senator Marovitz.

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

Can you tell me specifically what the ramifications of that are? What does that mean to...to present workers? What does that mean to present employment contracts? What...what does that mean in terms of a change of the present policy of the board?

PRESIDENT:

Senator Savickas.

SENATOR SAVICKAS:

At this point...at this point, they have a merit...or a civil service board; it's currently a Civil Service system and it's governed by the civil service and the Park Systems Act. And according to the...district, the Act system of civil service testing and scoring is antiquated, rigid, expensive and easy to evade and difficult to reconcile with state and federal employment discrimination laws.

PRESIDENT:

Senator Marovitz. All right. Senator Savickas has moved the adoption of Amendment No. 4 to House Bill 3085. 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. 5 offered by Senator Berman.

PRESIDENT:

Senator Berman on Amendment No. 5.

SENATOR BERMAN:

Thank you, Mr. President. Amendment No. 5 is a nonreferendum increase in the bond authorization for the Chicago Park District, one-fourth of one percent of their assessed valuation for shoreline protection projects and one-fourth of one percent for environmental quality projects. This would raise an approximate eighty million dollars by the

Chicago Park District. Move the adoption of Amendment No. 5.

PRESIDENT:

All right. Senator Berman has moved the adoption of Amendment No. 5 to House Bill 3085. Discussion? Senator Demuzio.

SENATOR DEMUZIO:

Well, Mr. President, I don't think anybody is listening but Senator Berman's amendment here authorizes the park district in Chicago to issue another eighty million dollars in bonds. I'm just wondering, how are these bonds going to be paid off, Senator Berman?

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

Probably from an increase in the levy of the Chicago Park District.

PRESIDENT:

Senator Dudycz.

SENATOR DUDY CZ:

Thank you, Mr. President. Has the amendment been distributed? I haven't seen it.

PRESIDENT:

Senator Berman, anything further? The question is the adoption of Amendment No. 5 to House Bill 3085. All in favor indicate by saying Aye. All opposed. Opinion of the Chair the Noes have it, the amendment fails. Further amendments?

SECRETARY:

Amendment No. 6 offered by Senator Jones.

PRESIDENT:

Senator Jones on Amendment No. 6.

SENATOR JONES:

Thank you, Mr. President, members of the...members of the Senate. Amendment No. 6 expands the board from five to seven and prohibit any official action taken by the board

from...increases that number from three to four and terminates all current members of the...of the board as of the effective date of this Act subject to the reappointment of the mayor within thirty days after...this bill becomes law. I move its adoption.

PRESIDENT:

All right. Senator Jones has moved the adoption of Amendment No. 6 to House Bill 3085. Discussion? Senator Marovitz.

SENATOR MAROVITZ:

Senator Jones, does this amendment get rid of all current commissioners, add two commissioners and let the mayor of the City of Chicago reappoint all the commissioners on the park board?

PRESIDENT:

Senator Jones.

SENATOR JONES:

Yes, as...as of the effective date of this Act, they would have to be subject to reappointment. Yes.

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

Well, no matter what the term of the commissioner is, that term would be ended and the mayor would have the opportunity to reappoint each and every member of the park board plus two new members.

PRESIDENT:

Senator Jones.

SENATOR JONES:

You are correct.

PRESIDENT:

All right. Senator Jones has moved the adoption of Amendment No. 6 to House Bill 3085. 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. 3125, Senator Welch. Senator Welch on the Floor? Senator Welch seeks leave of the Body to return 3125 to the Order of 2nd Reading for purposes of an amendment. Top of page 4, ladies and gentlemen. Is leave granted? On the Order of House Bills 2nd Reading, House Bill 3125, Madam Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Thomas Dunn.

PRESIDENT:

Senator Dunn.

SENATOR THOMAS DUNN:

Thank you, Mr. President. This amendment arises out of a situation which arose in Joliet at a landfill. And what this amendment would do would give the EPA the authority not to issue a permit to a landfill that is leaking.

PRESIDENT:

Senator Dunn has moved the adoption of Amendment No. 2 to House Bill 3125. Discussion? Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President and members of the Senate. I think, Senator Dunn, first of all, I don't think the Body could really hear your explanation very well. So, if you would speak up a little bit and...and better inform us as to what we're doing here.

PRESIDENT:

Senator Dunn.

SENATOR THOMAS DUNN:

This amendment would give the EPA the authority to deny an operating permit to a landfill that is leaking.

PRESIDENT:

Discussion? Senator DeAngelis. Oh, I'm sorry, Senator Maitland.

SENATOR MAITLAND:

Don't they now have the authority to do that, Senator Dunn?

PRESIDENT:

Senator Dunn.

SENATOR THOMAS DUNN:

No, they do not. As a matter of fact, this exact situation arose at the ESL landfill in my district, and because the language was so vague, the Supreme Court ordered the EPA to issue a permit to a leaking landfill in a separate trench.

PRESIDENT:

Senator Maitland.

SENATOR MAITLAND:

Okay. Thank you, Mr. President. Hasn't there been studies done though on the area now where the new permit would be issued? Isn't that...geologically sound?

PRESIDENT:

Senator Dunn.

SENATOR THOMAS DUNN:

The new studies came up with an agreement by waste management and the EPA that there was, in fact, contamination of ground water at the site.

PRESIDENT:

Senator Maitland.

SENATOR MAITLAND:

At the new area where they have done the study and they've already said that it is...it is okay for the...for the permit to be issued?

PRESIDENT:

Senator Dunn.

SENATOR THOMAS DUNN:

That's correct. The...the...the new section of the site

does not leak, it's the old section of the site that is leaking and causing contamination.

PRESIDENT:

Senator Maitland.

SENATOR MAITLAND:

...it's...it's our understanding that the new site has met all the siting criterion and it is...it is geologically sound and...and therefore the permit should be issued.

PRESIDENT:

Senator Dunn.

SENATOR THOMAS DUNN:

...you are correct, but if there is a spillage over from the old site that is causing the contamination, what does that do to the new site?

PRESIDENT:

Senator Maitland.

SENATOR MAITLAND:

Well,...I don't know...I don't know about that issue, but...I think Senator Demuzio would be very much interested in this language. This...this language...if you read the language clearly, I'm not sure we could ever site another landfill in this state. It is very broad, Senator, I don't think that's what you want to do. And I...I think this is a very serious amendment.

PRESIDENT:

Further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Question of the sponsor.

PRESIDENT:

Indicates he'll yield, Senator DeAngelis.

SENATOR DeANGELIS:

Senator...Dunn...Dunn, will this resolve the problem of the landfill that you're talking about in your district?

PRESIDENT:

Senator Dunn.

SENATOR THOMAS DUNN:

My judgment would be that it would not be retroactive, it would only be prospective; but certainly if someone had done this three years ago, we wouldn't have the problem today and have a leaking landfill that's been issued a permit.

PRESIDENT:

Senator DeAngelis.

SENATOR DeANGELIS:

Well, as Senator Maitland pointed out, however, you're...you are reacting to a problem that has already occurred that you can do nothing about but then you are, in fact, putting into law something that might make it extremely difficult in the future to do anything about a landfill that has legitimate cause and reason to expand its landfill. And I think you're being too harsh for no reason at all.

PRESIDENT:

Further discussion? Senator Schaffer.

SENATOR SCHAFFER:

Well, this is a...not...I'm not familiar with the problem that you're...have in your district, but as you just said, this is prospective, not retrospective. It's a short enough amendment, if I can, I'd kind of like to read it to the members. It says, "Notwithstanding any other provision of this section," which is the section on landfills, "no," emphasis on the word, "no permit shall be issued for any regional pollution control facility if the...agency has evidence that any...any portion of that facility has drainage problems, erosion, settling...settling ground or surface water pollution or other environmental or safety problems until remedial action has been completed to solve any such problems." I think on the surface that might sound reasonable but I've sat through quite a few landfill hearings and the experts tell us that any landfill you design is going to have leaking prob-



lems. We have not yet gotten to the point where we are requiring landfills to be sealed in titanium or some other metal that would prevent any conceivable form of leakage. I happen to be one who is rather steadfast in supporting...strong standards for landfills, but I happen to agree with Senator Maitland. This provision will guarantee that we will never site another landfill in this state because it is, at least in the state of the art, impossible to design a landfill that at least on a particular occasion might not have a little one of these problems and there'll always be someone who's immediately affected that would go after it. I'm sympathetic with the problem but I think this is a piece of massive overkill that would come back to haunt the General Assembly very quickly.

PRESIDENT:

Further discussion? Senator Woodyard.

SENATOR WOODYARD:

Yes, thank you, Mr. President. Question of the sponsor.

PRESIDENT:

Indicates he'll yield, Senator Woodyard.

SENATOR WOODYARD:

Did I understand this correctly that...your bill or the amendment would prevent a person who might have even had a joint application permit in an old landfill from permitting any other landfill?

PRESIDENT:

Senator Dunn.

SENATOR THOMAS DUNN:

No, that's not correct.

PRESIDENT:

Further discussion? Senator Macdonald.

SENATOR MACDONALD:

Thank you, Mr. President. I have not seen this amendment as yet, but from all of the discussion I can hear, I can tell

you that we have enough problems as it is now and certainly enough potential problems with the whole issue of landfills. But I think that the complication that this amendment would bring is just horrendous and I would hope that we would have a roll call and reject this amendment. It...it is an impossible amendment to abide by.

PRESIDENT:

Further discussion? Senator Joyce.

SENATOR JEROME JOYCE:

Thank you, Mr. President. Senator Maitland, you've made the point that this one wouldn't affect the other one and that...the study had been made saying that this one was safe. Well, there had been a study made saying the other one was going to be safe too but, of course, it wasn't. And Senator Schaffer,...you...your...I've heard you several times saying that you support these sorts of things, you know, that you're strong on that; try voting for them for a while.

PRESIDENT:

Further discussion? If not, Senator Dunn may close.

SENATOR THOMAS DUNN:

Well, thank you, Mr. President. I...I don't question that this is a serious issue but contamination...admitted contamination by one landfill portion of a site should not be the justification to issue another permit for the same site for enhancement of the problem. If a landfill has a leak and they want to make additions to the landfill and deposits, they ought to clean up the leak first before they're allowed to do that. And that's what this amendment calls for and I urge an Aye vote.

PRESIDENT:

The question is the adoption of Amendment No. 2 to House Bill 3125. Those in favor of the amendment will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish?

Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 26 Ayes, 31 Nays, and Amendment No. 2 fails. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. Top of page 4, on the Order of House Bills 3rd is House Bill 3216. Senator Berman 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 3216, Madam Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Berman.

PRESIDENT:

Senator Berman on Amendment No. 2.

SENATOR BERMAN:

Thank you, Mr. President. This amendment was requested by the Department of Public Health. It requires immunization screening in postsecondary educational institutions. There is a list of colleges and universities that have signed off on this. I move the adoption of Amendment No. 2.

PRESIDENT:

All right. Senator Berman has moved the adoption of Amendment No. 2 to House Bill 3216. Discussion? Senator Keats.

SENATOR KEATS:

Thank you, Mr. President. Apparently I was inadvertently voted on the last bill which I would have voted Present on had I been here to vote. Thank you, sir.

PRESIDENT:

All right. The record will so reflect. Senator Berman has moved the adoption of Amendment No. 2 to House Bill 3216. Discussion? If not, all in favor indicate by saying Aye.

HB 3379  
revised

All opposed. The Ayes have it. The amendment is adopted.

Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. 3379, Senator Brookins 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 3379, Madam Secretary.

SECRETARY:

Amendment No. 3 offered by Senator Demuzio.

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

Well, thank you, Mr. President and Ladies and Gentlemen of the Senate. This is an amendment that was brought to me by the Associated Firefighters. What it does, it makes the Continued Compensation Act applicable to all home rule units with the City of Chicago. In essence what it does, that it makes this compensation Act the same as the City of Chicago. Currently, any law enforcement officer, correctional officer, firefighter or an employee of a penal institution who is employed by the state, local government, a public college or any other public body who suffers an injury in the line duty is unable to perform his duty shall continue to be paid at his same salary. The Act, however, does...does not, however, apply to home rule units. According to the Department of...of Commerce and Community Affairs this amendment would constitute a reimbursement for the cost to local governments which would be required. I would move its adoption.

PRESIDENT:

Senator Demuzio has moved the adoption of Amendment No. 3 to House Bill 3379. Discussion? Senator Weaver.

SENATOR WEAVER:

Senator Demuzio, did you say that this applied to home rule units or nonhome rule units?

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

Would make the Act now applicable to all home rule units except the City of Chicago which, of course, is a home rule unit in itself.

PRESIDENT:

Further discussion? If not, Senator Demuzio has moved the adoption of Amendment No. 3 to House Bill 3379. 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. 3408, Senator Brookins 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 3408, Madam Secretary.

SECRETARY:

Amendment No. 4 offered by Senator Watson.

PRESIDENT:

Senator Watson on Amendment No. 4.

SENATOR WATSON:

Thank you, Mr. President. This amendment complies with language of the Federal Housing and Urban Development Authority. Changes two definitions to comply with this federal law in order to allow for state agencies to function properly and to participate. I move for its adoption.

PRESIDENT:

Senator Watson has moved the adoption of Amendment No. 4

to House Bill 3408. 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. 5 offered by Senator Maitland.

PRESIDENT:

Senator Maitland on Amendment No. 5.

SENATOR MAITLAND:

Thank you, very much, Mr. President and members of the Senate. Currently, Chapter 34 will allow counties to hold title to...to property which is located partly within and partly without on the outside of the county. But in the event of a park, if...if this land or this property is made into a road and falls into the other county, you cannot use Motor Fuel Tax to...to improve those roads, you can only use county funds. This would just simply make the Statutes consistent and I would seek your support and move for the adoption.

PRESIDENT:

Senator Maitland has moved the adoption of Amendment No. 5 to House Bill 3408. 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. 3499 has been pulled, I am told, has been withdrawn. 3548, the middle of page 5, Senator Karpziel...(machine cutoff)...Karpziel. On the Order of House Bills 3rd Reading is House Bill 3548. Senator Karpziel 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 3548. Madam Secretary.

SECRETARY:

Amendment No. 3 offered by Senator Karpziel.

PRESIDENT:

Senator Karpziel on Amendment 3.

SENATOR KARPIEL:

Thank you, Mr. President. Bottom line what...what the Amendment No. 3 to House Bill...3548 does is that it prevents statewide regulation of carbon disulfide emission regulations. Let me go through that one more time. It prevents regulation of carbon disulfide emissions. This is in response to a problem in...in Representative Madigan and Senator Savickas' district, I think it's a sausage casing factory that is having some difficulty with EPA and various regulations. And this is to prevent having them have to close or move out of the state, and that will be a loss of a thousand jobs.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Karpziel has moved the adoption of Amendment No. 3 to House Bill 3548. Is there discussion? If not,...(machine cutoff)...discussion? Senator Savickas.

SENATOR SAVICKAS:

Yes,...Mr. President, members of the Senate, this amendment was just shown to us just a few minutes ago and evidently Senator Karpziel's bill is the only one that can be amended at this time. I haven't heard anything at all from this company, but I guess it is a concern that if these exemptions aren't made we can lose about a thousand jobs. I would like to adopt amendment at this time and talk to these people to see if this is true or not and...before we go into final passage of it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Karpziel has moved adoption of Amendment No. 3 to House Bill 3548. Further discussion? If not, those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it.

Amendment No. 3 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 3570. Senator Smith seeks leave of the Body to return House Bill 3570 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 3570, Madam Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Smith.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Smith.

SENATOR SMITH:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Amendment No. 2 to House Bill 3570 merely deletes the section of the bill that requires DCFS to monitor the family of a child's abuse/neglect victim in any case pertaining to an indicated report of three types. This amendment will encourage...was encouraged by the House sponsor, significantly reduces the fiscal impact of House Bill 3570 as amended. I ask your adoption of this amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Smith has moved the adoption of Amendment No. 2 to House Bill 3570. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. House Bill 3592, Senator Dunn. Senator Thomas Dunn on the Floor? On...all right. 3683, Senator Welch. Senator Welch on the Floor? Senator Welch, do you wish to proceed? House bills...on recalls...House Bill 3683,



Senator Welch seeks leave of the Body to return that bill to the Order of 2nd Reading for the purpose of amendment. Is leave granted? Leave is granted. House bills 2nd reading is House Bill 3683,...Madam Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Welch.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. This amendment is a technical amendment suggested by ESDA to correct several technical flaws in this bill. And I would move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch has moved the adoption of Amendment No. 1 to House Bill 3683. Discussion? If not, those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

Amendment No. 2 offered by Senator Jones.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

Thank you, Mr. President. Amendment No. 2 create the Lake Calumet Enhancement Authority which was passed by this Body, only this amendment takes out the fifty percent fees that the district is supposed to retain. And I move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones has moved the adoption of Amendment No. 2 to House Bill 3683. Is there discussion? Senator Macdonald.

SENATOR MACDONALD:

Well, I rise in opposition to this amendment. It has been before us several times on several other bills this Session and I just...it...it...it is not possible for us, I

think, to go forward with this amendment with any kind of reasonable progress for our environmental system. So I urge its defeat.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not,...I'm sorry, I beg your pardon. Senator Welch.

SENATOR WELCH:

Well, Mr. President, I would rise in support of this amendment. We have been working for the last nine months under the authority of this State Senate and the House of Representatives to try to resolve an issue concerning the Lake Calumet area. What we are doing by this is moving forward in this process with Senator Jones' latest offering. This takes out many of the...objectional...objectionable provisions in a previous amendment he offered that Senator Macdonald referred to. That is not this amendment. This is a different...different amendment. And I would say that this is a reasonable amendment, this is an attempt to take care of an area that is highly populated but does not fit within the scope of the superfund list because of the original demographics used in drawing up that list. Now, recent articles in several newspapers indicate that superfund money has been spent not in all of the best places. Some of their criteria that they used originally to draw up these lists have eliminated population as a factor and that's what we're beginning to find out. They're not getting the best bang for the buck out of superfund money. What Senator Jones is trying to do here is to create an area wherein there's a recognizable highly densely populated area that needs remedial measures. And I think it's a good idea and I think we should support this amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, Senator Jones may close.

SENATOR JONES:

Yes, thank you, Mr. President and members of the Body. In response to Senator Macdonald, this is a...this amendment has not been before us several times. There was...Senate Bill 1600, that was the only bill that this...addressed this particular issue. We held several hearings over the past nine months...to deal with the critical problem in the Lake Calumet area, and due to a mix-up in the House the bill didn't get out of committee; however, many of the points that persons objected to, including yourself, Senator Macdonald, have been taken out of the bill. So I do ask for a favorable vote on this bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Jones has moved the adoption of Amendment No. 2 to House Bill 3683. Those in...in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 3752, Senator Smith seeks leave of the Body to return House Bill 3752 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...I'm sorry, 3752, Madam Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Smith.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Smith.

SENATOR SMITH:

Thank you, Mr. President, ladies and gentlemen. Amendment No. 2 to House Bill 3752 merely describes procedure for discharge and after care of recipients of mental health services who are discharged from Chicago Reed Mental Health Center, Elgin Mental Health Center, Madden Mental Health

AB 3770  
Recalled

Center and Tinley Park Mental Health Center. I ask for your adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Smith has moved adoption of...Amendment No. 2 to House Bill 3752. Is there discussion? If not, those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senator Savickas seeks leave of the Body to return House Bill 3765 to the Order of 2nd Reading for the purpose of an amendment. Leave granted? Leave is granted. House bills 2nd reading is House Bill 3765, Madam Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Savickas.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas.

SENATOR SAVICKAS:

Yes,...Mr. President and members of the Senate, this is the bill that I had discussed with Senator Watson and Senator Vadalabene and a few others. It relates to the quick take for an airport authority located in Madison County. And I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas has moved the adoption of Amendment No. 1 to House Bill 3765. Is there discussion? If not, those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. House Bill 3770. Senator Topinka seeks leave of the Body to return that bill to the Order of 2nd

HB 3858  
Recalled

Reading for the purpose of an amendment. Is leave granted? Leave is granted. House bills 2nd reading is House Bill 3770, Madam Secretary.

SECRETARY:

(Machine cutoff)...No. 1 offered by Senator Topinka.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka.

SENATOR TOPINKA:

Yes, Mr. President, Ladies and Gentlemen of the Senate, this amendment deletes references to the Nursing Home Care Reform Act because of technical problems with that. It also amends the Experimental Organ Transplantation Procedures Act and it extends indemnification to include situations where the board does not approve applications for transplantation because of notification from the Department of Public Health that funding has been exhausted. And that's the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...Senator Topinka has moved adoption of Amendment No. 1 to House Bill 3770. Is there discussion? If not, those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Second page, page 2, 3858, Senator Netsch. Senator Netsch seeks leave of the Body to return House Bill 3858 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 3858, Mr. Secretary...Madam Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Smith.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Smith.

SENATOR SMITH:

Thank you, Mr. President, ladies and gentlemen. Amendment No. 1 to House Bill 3858 merely provides a two-prong approach to strengthening the Minority and Female Business Enterprise Act in relations to, number one, professional and artistic contracts and, number two, enforcement of authority.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Smith has moved adoption of Amendment No. 1 to House Bill 3858. Discussion? Senator Karpziel.

SENATOR KARPIEL:

Thank you. Could...could Senator Smith...would you please go over that again? I'm sorry, I just got a copy of the amendment here.

PRESIDENT:

Senator Smith.

SENATOR SMITH:

Thank you, Mr. President. Senator Karpziel, it's a...provides a two-prong approach to strengthening the Minority and Female Business Enterprise Act in relations to, number one, professional and artistic contracts and, number two, enforcement authority. Now, I can go into more detail with it if you want me to, I'd be delighted to do so.

PRESIDENT:

Senator Karpziel.

SENATOR SMITH:

The professional...I can give...you want it...you want...

PRESIDENT:

...Senator Smith.

SENATOR SMITH:

The professional and artistic contract comprise the amendment of the Minority and Female Business Enterprises Council statutory mandate to include the design of appropriate strategies to "Enable minority and female owned businesses to assess an equitable portion of the professional and

artistic contracts awarded agencies under the jurisdiction of the Minority and Female Business Enterprise Act." The second, which is the enforcement authority, strengthens the Minority and Female Business Enterprise Council's enforcement authority by statutorily codifying the current practice of requiring all agencies affected by the Act to submit a compliance plan by September 1 of each new fiscal year...two, requiring the Minority and Female Business Enterprise Council to file an annual report with the Governor. And, three, to granting the Minority and Female Business Enterprise Council the authority to require an agency to come into compliance.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Davidson...Senator Karpziel.

SENATOR KARPIEL:

Yes, well, thank you, Mr. President. I'm sorry that I rise in opposition to House Bill 3858 but it seems to me, first of all, two things. Both of the parts of this bill, now that I've...had a chance to look at it and hear it explained, both parts of the bill are...are actually bills that did not make it out of Rules Committee, and for that reason alone, I would be opposed to it. After all, we have a Rules Committee to sift out those bills that are not considered emergencies. And secondly, our figures...CMS figures show that currently fourteen percent, way above our...our state guidelines of ten percent, fourteen percent of all state contracts dollar amounts were held by minority and female businesses in 1987. So, for those two reasons, I would oppose this bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Davidson.

SENATOR DAVIDSON:

Mr. President and members of the Senate, this is another end run by two bills that was held in Senate Rules Committee which did not feel and members of the committee which happens

to be chaired by President Rock as being apropos or emergency. Secondly, if I remember correctly, we all had some Senate bills that were defeated in Exec. Committee which is very similar to this. It has been the sponsor of the minority female business ten percent requirement four years ago with the help of President Rock and we held a bill in Exec. Committee this year because they're to get a report back to us and we'll take it up in '89. This absolutely is an end run trying to get around what's already in place. Central Management Service shows that currently fourteen percent of all state contract dollar amounts were held by minority and female business. This is absolutely unnecessary. I urge the defeat of this amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

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

SENATOR SMITH:

Thank you, Mr. President. I appreciate all that has been said, but this...two items here are needed in order to help the Minority and Female Women...Business Act to fulfill its commitment. And I'm not trying to highride or...rush anybody, but it's something that is sorely needed and if we can help these women...or the Act to qualify, to do better than what they are doing and to do more, I think that it's our place as legislators to try to do that for them. And that is why I come to you at this time. Everything that's talking about...is money and I don't see any money stated here at all.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Smith moves the adoption of Amendment No. 1 to House Bill 3858. A roll call is being requested by Senator Karpziel. All those in favor of adopting Amendment No. 1 to House Bill 3858 will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted



who wish? Take the record. On that question, the Ayes are 24, the Nays are 27, none voting Present. Amendment No. 1 having failed to receive a majority vote is declared lost. Further amendments? A verification of the negative vote has been requested. Will all the members please be in their seats. A verification of the negative vote.

SECRETARY:

The following...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Madam Secretary.

SECRETARY:

...the following members voted in the negative: Barkhausen, Davidson, DeAngelis, Donahue, Dudycz, Ralph Dunn, Etheredge, Fawell, Friedland, Hawkinson, Hudson, Karpziel, Keats, Kustra, Macdonald, Madigan, Mahar, Maitland, Philip, Raica, Rigney, Schaffer, Schuneman, Topinka, Watson, Weaver and Woodyard.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Smith, do you question any of the negative vote?

SENATOR SMITH:

...Senator Kustra.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Kustra...

SENATOR SMITH:

Kustra...

PRESIDING OFFICER: (SENATOR SAVICKAS)

...Kustra, he's standing there talking to the minority leader.

SENATOR SMITH:

Macdonald.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Macdonald. Is Senator Macdonald on the Floor? Senator Macdonald? Strike her name from the record.

SENATOR SMITH:

Senator Mahar.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Mahar is standing by his seat.

SENATOR SMITH:

Senator Hawkinson.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hawkinson is standing there with Senator Vadalabene. Question any...on a verified roll call, there are 24 Yeas, 26 Nays. The amendment having failed to receive the majority vote is declared lost. Further amendments?

SECRETARY:

Amendment No. 2 offered by Senator Demuzio.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

Well, thank you, Mr. President, Ladies and Gentlemen of the Senate. What this amendment is, this creates the State Government Procurement Code and establishes standardized procedures. It repeals the...the various purchasing provisions that has been commonly known around here as the Purchasing Act. This is the latest and most up-to-date rewrite of the state's Procurement Code as proposed by the Legislative Audit Commission. And the purpose of the rewrite is to coordinate and consolidate the state's procurement laws. Currently there are seventeen major Acts that regulate procurement and more than a hundred Statute references. This last week there was a question with respect to the...the distribution of the amendment. Senator Weaver, I will tell you that that has been complied with, the amendment has been, in fact, passed out. The synopsis indicates that this amendment is about ten pages long with provisions and it seems to me that we ought to put this on and talk about it for a couple of...for a day. Give you an opportunity to take it home, read it tonight and ask questions tomorrow. So...I

would...let me say also that you've been...Senator...DeAngelis and I have been cosponsors of this legislation on numerous occasions. It is...I say, it is quite lengthy; I think, quite frankly, it's...the time has come, it's overdue, we ought to do it. Been reading various newspaper publications about the way in which we go about our building purchases and our lease and our other...contractual arrangements. I think the time has come...it's been...been worked on now for about two years. And I would move adoption of Amendment No. 1...Amendment No. 2.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Weaver.

SENATOR WEAVER:

Well, thank you, Mr. President. I think everyone should read this. It's a long amendment, it pertains to every agency in the State of Illinois. It pertains to the Illinois State Senate and the House of Representatives. I think basically it just ties the hands of almost every agency and I certainly stand in opposition, for the second time, Senator Demuzio.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I certainly have to give Senator Demuzio and the Audit Commission members credit for their tenacity. This will be, I hope, the fifteenth time I have voted against this amendment in one form or another. It is currently now at sixty-six pages. I hope that everybody will have the opportunity to read it over the summer. But in the meantime, I think we ought to put it back in Senator Demuzio's drawer. So I would ask that we defeat Amendment No. 2.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Karpziel.

SENATOR KARPIEL:

Well, thank you, Mr. President. I'd like to request the opinion of the Chair whether or not this amendment is germane.

PRESIDING OFFICER: (SENATOR SAVICKAS)

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

SENATOR WEAVER:

Well, thank you. I was just going to say that, you know, this creates a new Act and to kind of help our Parliamentarian determine germaneness, why I think you ought to just look at the first paragraph.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Donahue.

SENATOR DONAHUE:

Yes, while we're waiting, Mr. President, may I rise on a point of personal privilege?

PRESIDING OFFICER: (SENATOR SAVICKAS)

State your point.

SENATOR DONAHUE:

In the gallery behind me we have two ladies from Quincy who are here touring the Capitol. We have an Earlean Mosley and Helen...Bumbrey and I'd sure like to have them rise and be recognized by the Senate.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Would they rise and be recognized. The Chair will rule at this point that it is germane dealing with expenditures and state purchasing. Is there further discussion? If not, Senator Demuzio may close.

SENATOR DEMUZIO:

Thank you, Mr. President. If we're looking for efficiency in government, this is it. I would move adoption of number...Amendment No. 2.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio moves the adoption of Amendment No. 2 to House Bill 3858. Those in favor indicate by saying Aye. Those opposed. In the opinion of the Chair, the Nays have it. Amendment No. 2 is defeated. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senator, are you joined by five other members? Seeing no other members, 3rd reading. House Bill...3931, Senator...Senator Maitland. Read the bill, Madam Secretary.

SECRETARY:

Amendment...Amendment No. 4 offered by Senator Maitland.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President and members of the Senate. Amendment No. 3 was technically incorrect, so I'm going to ask to move to...to Table Amendment No. 3.

PRESIDING OFFICER: (SENATOR SAVICKAS)

You've heard the motion. Senator Maitland having voted on the prevailing side moves to Table Amendment No. 3 to House Bill 3931. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 3 is Tabled. Further amendments?

SECRETARY:

Amendment No. 4 offered by Senator Maitland.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President and members of the Senate. Amendment No. 4 to House Bill 3931 is a technically correct amendment, I would move for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall Amendment No. 4 to House Bill 3931 be adopted. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 4 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 3938, Senator Marovitz. House Bill 3946, Senator Philip. Read the bill, Madam Secretary.

END OF REEL

HB 3928  
Recalled

REEL #2

SECRETARY:

Amendment No. 1 offered by Senator Philip.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the...of the Senate. Amendment No. 1 just simply...changes the title. Hopefully we'll get it in conference committee and Senator Rock and I can work out some kind of an agreement.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Philip moves the adoption of Amendment No. 1 to House Bill 3946. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

Amendment No. 2 offered by Senator Philip.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Philip.

SENATOR PHILIP:

All this does is add an effective date.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Philip moves the adoption of Amendment No. 2 to House Bill 3946. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. With leave of the Body, we'll go back to

*7B 4005  
Recalled*

3938 for Senator Marovitz. Read the bill, Madam Secretary.

SECRETARY:

Amendment No. 3 offered by Senator Marovitz.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much. This is an amendment that was requested by the Catholic Conference which would take clergy out of the definition of...psychotherapist and social workers doing work as a...as a social work professional. This is the Catholic Conference amendment. I would ask for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Marovitz moves the adoption of Amendment No. 3 to House Bill 3938. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 3 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 4005, Senator Watson. Read the bill, Madam Secretary.

SECRETARY:

(Machine cutoff)...No. 3 offered by Senator Watson.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. This amendment specifies that the individual requesting the HIV test or the AIDS test, and that individual could be an employee, a firefighter, police officer, EMT or health care provider, is responsible for paying for the cost associated with that test. I move for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

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



AB 4094  
2nd Reading

Amendment No...Senator Watson moves the adoption of Amendment No. 3 to House Bill 4005. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 3 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 4094, Senator Poshard. Senator Poshard, on 4094? Read the bill, Madam Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Poshard.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Poshard.

SENATOR POSHARD:

Thank you...thank you, Mr. President and Ladies and Gentlemen of the Senate. This amendment clarifies the intent of this bill in regard to the way in which a person can make his wishes known concerning whether or not the person would choose to have food or water continue to be administered to them in the event of a severely medically incapacitating situation where the person would perhaps be in a comatose or semicomatose state. Previous language says that there must exist clear and convincing evidence that the person while competent and with the understanding that death by dehydration or malnutrition would result specifically refused artificially administered nutrition or hydration. We eliminated with this new language clear and convincing evidence because it is a higher...legal standard of evidence than was the intent of the bill. Senator Hawkinson was kind enough to bring this to our attention. Under this language, if a person clearly told a relative, a member of the family, a close friend, the doctor, whatever, that he didn't want food or water, then it would not be administered to him. We also removed the reference to severe intractable and long

lasting pain and replaced it with significant pain that cannot be...alleviated. This is clarifying that language.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Poshard moves the adoption of Amendment No. 1 to House Bill 4094. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 4116, Senator Poshard. Read the bill, Madam Secretary.

SECRETARY:

Amendment No. 3 offered by Senator Marovitz.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very...thank you, very much, Mr. President and members of the Senate. Amendment No. 3 to House Bill 4116 deletes the portion of the bill which requires that a single finding of abuse resulting from the death of a child has to be sustained by clear and convincing evidence for a person to be adjudicated unfit to have custody of that child. This, as in the last amendment, clear and convincing evidence is a higher standard of evidence than preponderance and we would not want to have a higher standard of evidence to be necessary where a death of a child resulted for the parent to be found unfit. A preponderance of the evidence should be sufficient and it was...it was unclear in the bill and so we clarified it by saying it doesn't need to be a higher standard of evidence and I would ask for your adoption.

PRESIDENT:

All right, Senator Marovitz has moved the adoption of Amendment No. 3 to House Bill 4116. Discussion? Senator

Hawkinson.

SENATOR HAWKINSON:

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

PRESIDENT:

Indicates he'll yield, Senator Hawkinson.

SENATOR HAWKINSON:

...Senator, as I understood the purpose of the original amendment it was to clarify an appellate court...the Statute with an appellate court decision. Did the appellate court require that higher standard of evidence and does this action put us in...in conflict with that opinion or does this resolve it in your opinion and...and just overrule part of that decision?

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

...the appellate court didn't speak to this part of it at all. The bill had two portions in it; one had to do with two acts of...of...two acts by the parent of...of abuse and that is what the appellate court spoke about in the Ennis case. This has to do with the death of a child. The appellate court did not speak to that at all.

PRESIDENT:

Further discussion? If not, Senator Marovitz has moved the adoption of Amendment No. 3 to House Bill 4116. 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. Middle of page 8, 4220. 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 2nd Reading is House Bill 4220, Madam Secretary.

SECRETARY:

Amendment No. 3 offered by Senator Philip.

PRESIDENT:

Senator Philip. Senator Weaver, you want to...oh, there he is. Senator Philip.

SENATOR PHILIP:

...thank you, Mr. President and Ladies and Gentlemen of the Senate. I move to Table Floor Amendment No., I believe, 2 to House Bill 4220.

PRESIDENT:

All right, Senator Philip having voted on the prevailing side has moved to reconsider the vote by which Amendment No. 2 to House Bill 4220 was adopted. All in favor of the motion to reconsider indicate by saying Aye. All opposed. The Ayes have it. The motion carries. Senator Philip now moves to Table Amendment No. 2 to House Bill 4220. All in favor of the motion to Table indicate by saying Aye. All opposed. The Ayes have it. The motion prevails. Amendment No. 2 is Tabled. Further amendments?

SECRETARY:

Amendment No. 3 offered by Senator Philip.

PRESIDENT:

Senator Philip on Amendment No. 3.

SENATOR PHILIP:

Thank you, Mr. President. It's exactly the same amendment but there were two misspellings and all this does is change the two misspellings. I move the adoption of Amendment No. 3.

PRESIDENT:

All right, Senator Philip has moved the adoption of Amendment No. 3 to House Bill 4220. Discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have

*HB 253  
2nd Reading*

it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. All right, ladies and gentlemen, we'll go to the Order of House Bills 2nd Reading and I would just remind the members that tomorrow is the deadline for consideration of House bills on 3rd. 253, Senator Jones. On the Order of House Bills 2nd Reading is House Bill 253. Read the bill, Madam Secretary.

SECRETARY:

(Machine cutoff)...Bill 253.

(Secretary reads title of bill)

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

PRESIDENT:

Senator Jones on Committee Amendment No. 1.

SENATOR JONES:

Yeah, thank you, Mr. President...members of the Body. I...I'd like leave to Table Amendment No. 1.

PRESIDENT:

All right, Senator Jones has moved to Table Committee Amendment No. 1 to House Bill...Senator Jones has moved to Table Amendment No...Committee Amendment No. 1 to House Bill 253. 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:

Amendment...no further committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

Senator Jones offers Amendment No. 2.

PRESIDENT:

Senator Jones on Amendment No. 2.

SENATOR JONES:

Yeah, thank you, Mr. President and members of the Body. Amendment No. 2 makes various changes and benefits for...employees of the Chicago Park District. It put dangerous drug investigators in the Department and Alcoholic and Substance Abuse under retirement formula of the State Police, increase the membership of the board of trustees for state universities from eleven to fifteen and makes six members elected. It make changes to put teacher retirement systems and Chicago Park District...retirement systems in compliance with federal regulations...on age discrimination and make other technical changes. I move its adoption.

PRESIDENT:

Senator Jones has moved the adoption of Amendment No. 2 to House Bill 253. Discussion? Senator Davidson.

SENATOR DAVIDSON:

Question of the sponsor.

PRESIDENT:

Indicates he will yield, Senator Davidson.

SENATOR DAVIDSON:

Are you saying that these individuals will be under the State Police Retirement Plan which means that twenty years and out at...at full pension regardless of their age?

PRESIDENT:

Senator Jones. Senator Jones.

SENATOR JONES:

Yes, but it doesn't...they do not have twenty and out, they got to be fifty years of age.

PRESIDENT:

Senator Davidson.

SENATOR DAVIDSON:

...well, as you explained it, you said, under the State

Police Pension and as I understand it, I think we corrected the state police and correctional officers due to the danger of their job that...it's twenty and out at normal full pension. Is that not correct?

PRESIDENT:

Senator Jones.

SENATOR JONES:

Well, I was completely unaware that the state police had twenty and out. There's no such thing exists, so, therefore, it would not apply as such.

PRESIDENT:

Senator Davidson.

SENATOR DAVIDSON:

...who's picking up the cost, the state or the local government?

PRESIDENT:

Senator Jones.

SENATOR JONES:

It is only three employees that fall into this category and so the cost is rather minimum.

PRESIDENT:

Senator Davidson.

SENATOR DAVIDSON:

What cities?

PRESIDENT:

Senator Jones.

SENATOR JONES:

This is the state not local units of government, the state, DASA...DASA employees.

PRESIDENT:

Further discussion? If not, Senator Jones has moved the adoption of Amendment No. 2 to House Bill 253. All in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

Amendment No. 3 offered by Senator Schuneman.

PRESIDENT:

Senator Schuneman on Amendment No. 3.

SENATOR SCHUNEMAN:

Thank you, Mr. President. Amendment No. 3 seeks to make a change in our Pension Code which would be new for Illinois. The suggestion has been made by a number of the pension systems that we are often mandated by the federal government to change our pension systems and that because of the time that the General Assembly meets and because of our sometimes inability to come to an agreement that we should have a provision in our Pension Code which says, in effect, that those federally mandated changes can automatically be adopted by the pension systems providing they give notice to the Governor, to the four legislative leaders, to the Economic and Fiscal Commission and that those people...and the legislative leaders and the Governor have veto power. I agreed to offer this amendment. I know that there's been some concern raised about it because it does give up some of the power that we have now, and because of those concerns, Mr. President, I've decided to withdraw the amendment, so I would ask leave to withdraw it.

PRESIDENT:

All right, gentleman seeks to withdraw Amendment No. 3. Further amendments, Madam Secretary?

SECRETARY:

Amendment No. 3 offered by Senator Jones.

PRESIDENT:

Senator Jones on Amendment No. 3.

SENATOR JONES:

Thank you, Mr. President and members of the Senate. All Amendment No. 3 does is extends from ninety days to a hundred...hundred and twenty days the redemption notice for the



Israel bonds. I move its adoption.

PRESIDENT:

Senator Jones has moved the adoption of Amendment No. 3 to House Bill 253. 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. 3179, Senator Macdonald. 3739, Senator Degnan. On the Order of House Bills 2nd Reading is House Bill 3739. Read the bill, Madam Secretary.

SECRETARY:

House Bill 3739.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Are there amendments from the Floor?

SECRETARY:

Senator Degnan offers Amendment No. 1.

PRESIDENT:

Senator Degnan on Amendment No. 1.

SENATOR DEGNAN:

Thank you, Mr. President. Amendment No. 1 was requested by the Citizens' Council on Women. It creates a prerelease and postrelease reunification program for children of incarcerated single parents. I move its adoption.

PRESIDENT:

Senator Degnan has moved the adoption of Amendment No. 1 to House Bill 3739. 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 Degnan.

PRESIDENT:

Senator Degnan on Amendment No. 2.

SENATOR DEGNAN:

I'd like to withdraw that, Mr. President.

PRESIDENT:

All right, gentleman seeks to withdraw Amendment No. 2.

Further amendments?

SECRETARY:

Amendment No. 2 offered by Senator Degnan.

PRESIDENT:

Senator Degnan.

SENATOR DEGNAN:

Thank you, Mr. President. Amendment No. 2 adds Senate Bill 1987, which you will recall expanded the definition of home invasion, passed this Body 57 to 0 earlier this Session.

PRESIDENT:

Senator Degnan has moved the adoption of Amendment No. 2 to House Bill 3739. Discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

Amendment No. 3 offered by Senator Degnan.

PRESIDENT:

Senator Degnan on Amendment No. 3.

SENATOR DEGNAN:

Thank you, Mr. President. Amendment No. 3 requested by Sheriff O'Grady of Cook County and President Dunn of Cook County will permit any sheriff to do what the director of the Department of Corrections do...does and that is contract with other institutions like the Safer Foundation concerning prisoners who have been giving a sentence of periodic imprisonment. I move its adoption.

PRESIDENT:

Senator Degnan has moved the adoption of Amendment No. 3

*HB 4125  
2nd reading*

to House Bill 3739. 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. 4125, Senator Jones. On the Order of House Bills 2nd Reading is House Bill 4125. Read the bill, Madam Secretary, please.

SECRETARY:

House Bill 4125.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

Senator Jones offers Amendment No. 1.

PRESIDENT:

Senator Jones on Amendment No. 1.

SENATOR JONES:

Yes, thank you, Mr. President and members of the...of the Senate. Amendment No. 1 changes...changes the violation of this Act to a suspension rather than revocation for the first offense. I move its adoption.

PRESIDENT:

Senator Jones has moved the adoption of Amendment No. 1 to House Bill 4125. 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. Ladies and gentlemen, we'll begin on the Order of...House Bills 3rd Reading. We'll begin at the top

and we will skip those that have...have been recalled, obviously, for amendment and we will work till we conclude the...that order of business or five o'clock whichever comes first. House bills 3rd reading, 917, Senator Berman. On the Order of House Bills 3rd Reading, Madam Secretary, page 2 on the Calendar, is House Bill 917. Read the bill.

SECRETARY:

House Bill 917.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. This bill was debated slightly the other day. It was taken out of the record to address some of the concerns that were raised. This bill...licenses the agencies that service the fire equipment distributors. It's been approved by the State Fire Marshal's Office. Following our discussion of the other day, we got some additional information and I think that it's very enlightening as to the need of this legislation. Ninety-four percent of the fires that take place are extinguished with portable fire extinguishers. That shows the extent to which how...of the importance of these types of portable fire extinguishers. They in order to be properly serviced requires an investment of time, talent and equipment. This bill would license those persons that are authorized to service fire extinguishers. I'd be glad to respond to any questions, solicit your Aye vote.

PRESIDENT:

Discussion? Any discussion? Senator Poshard.

SENATOR POSHARD:

Yes, thank you, Mr. President. Will the sponsor yield?

PRESIDENT:

Indicates he'll yield, Senator Poshard.

SENATOR POSHARD:

Senator Berman, could you go over the fee structure for us, please, in regard to how much it will cost to license these distributors?

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

I'm looking for the paragraph, just one second. (Machine cutoff)...the distributors, it's a hundred dollar application and a thousand dollar annual fee. If they have fewer than five employees that actually service these...this equipment, the...the fee per year is five hundred dollars. For the fire equipment employees themselves who service this equipment, they must pass an exam and their fee is twenty...twenty dollars a year.

PRESIDENT:

Further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Well, thank...thank you, Mr. President. Ladies and gentlemen, this is the bill that earlier I questioned the sponsor and he was gracious enough to take it out of...out of the record. If you recall, I questioned what the impact would be on some of the smaller business people of the state if they sought to be licensed under this law. I'm thinking in terms of people in the small towns who might recharge fire extinguishers and that sort of thing, and it appeared to me at that time that the license fee under this bill was actually five hundred dollars for those people and I think that we have now verified that that is, in fact, the case. My concern about it, frankly, is that it may drive out some of those small service people that are doing this work around this state, and whereas this bill was intended to increase safety, it might, in fact, have just the opposite effect. I

think we ought to take a careful look at this bill. I think I have no problem with it if the sponsor would put an amendment on it that would exclude or give some kind of a waiver or very much lower license fee to people with, say, three or less employees. I...I think it's just too much of a...of a financial burden on some of those smaller business people in the state and I think we ought to look carefully at that.

PRESIDENT:

Further discussion? Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President. I, too, rise with some concern on this legislation as we raised the other day. While adding to what Senator Schuneman has talked about, I would like to talk a little bit about the board that would be appointed by the State Fire Marshal. As I understand it, it's six dealers and one public member. Is there any requirements in to where they come from different parts of the state or are they big dealers or little dealers or any type of requirements in to who those board members would be?

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

No, we've left that into the appointing authority.

PRESIDENT:

Further discussion? Senator Schaffer.

SENATOR SCHAFFER:

Well, I think the principal question is, is this a problem that we need to be involved with at all, and I...I've yet to hear anybody and I...including many of the members here that I think feel the same way that have asked the questions to find anybody that has had a problem in the entire history of the state in this industry. I mean, this is a...this is not a problem. This is a very clear-cut grab at restraint of trade to keep little people out of the business, to keep this

industry in the hands of a...a very small number of businesses. The consumers are effectively locked out of control of the board. I mean, this is a blatant...absolutely blatant attempt to restrain an industry and put it in the hands of a monopoly and there's no public justification at all or need to do it. It's goofy.

PRESIDENT:

Further discussion? Senator Dunn.

SENATOR RALPH DUNN:

Thank you, Mr. President and members of the Senate. I, too, rise...I rise in opposition to the bill. I've talked to the...some of the people and the people that have been working...about it and I can't see any justification for it except unless there are a bunch of people who want to get locked into their jobs and not allow little fellows back home to do the business they've been doing for years. Local fire department guys take care of the fire extinguishers. I think you ought to amend it, Senator, to counties of over three million or something like that. I'm...I'd urge a No vote.

PRESIDENT:

Further discussion? Any further discussion? Senator Berman may close.

SENATOR BERMAN:

Thank you, Mr. President. In the past week or two since this bill was first brought to the Floor, I have done some investigation myself and I've...really before this had really no exposure to the question regarding fire extinguishers, but I have been educated and let me tell you that what you have here is a fire extinguisher is a pressurized vessel. If it isn't properly serviced, what you have is a lethal bomb, a hand grenade that you may think is proper to be used and could have devastating effects if and when it is, in fact, has to be used. There are seventeen states that have a law similar to House Bill 917, including states such as Califor-

MB 2569  
3rd reading

nia, Florida, Massachusetts, Michigan, Ohio and Texas. You are dealing with a very sophisticated mechanism that requires expertise to safeguard the public interest. I solicit your Aye vote.

PRESIDENT:

Question is, shall House Bill 917 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 40 Ayes, 12 Nays, 1 voting Present. House Bill 917 having received the required constitutional majority is declared passed. 1491, Senator Jones. 2569, Senator Netsch, top of page 3. (Machine cutoff)...page 3, on the Order of House Bills 3rd Reading is House Bill 2569. Read the bill, Mr. Secretary, please.

ACTING SECRETARY: (MR. HARRY)

House Bill 2569.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. House Bill 2569 involves some amendments to the Freedom of Information Act which have been well worked over before the bill left the House, in committee and subsequent to committee, and to the best of my knowledge, there is unanimity now that these are good amendments. In a few cases they clarify parts of the Freedom of Information Act that were not clear. In a few cases they strengthened some positions. The one thing I should note particularly, I think, is that the amendments that were placed on the bill on the Floor here took care of the agency concerns that had been raised subsequently; for one thing, the presumption that the...FOIA request was in the public interest, which was



written into the bill as it passed the House, has been changed and, as a matter of fact, that whole provision has now been considerably clarified and it is made clear that there is more of a burden on the person who is requesting the waiver of fee. There was...and...and that request, by the way, was made by the Illinois Department of Public Aid, Public Health, Revenue, CMS and others and satisfies their concerns. The other change that was made on the Floor amendment had...relates to internal documents of the Department of Corrections and also took care of their concerns. Again, to the best of my knowledge, there are no objections to the amendments as they are now presented and I would solicit your Aye vote.

PRESIDENT:

Discussion? Is there any discussion? If not, the question is, shall House Bill 2569 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 55 Ayes, 2 Nays, 1 voting Present. House Bill 2569 having received the required constitutional majority is declared passed. 2906, Senator Marovitz. On the Order of House Bills 3rd Reading is House Bill 2906. Read the bill, Mr. Secretary, please.

PRESIDING OFFICER: (SENATOR DEMUZIO)

House Bill 2906.

(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. A registrar of titles whenever they issue a certificate or enter a memorial relating to any registered property

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has to perform a search for notices of liens found to be recorded by the Department of Revenue. This applies to notices of liens filed on or after 1-1-88 and requires the registrar to enter a memorial of such notice of liens on the register of titles. I know of no opposition at all and ask for your Aye vote.

PRESIDENT:

Discussion? Any discussion? If not, the question is, shall House Bill 2906 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. House Bill 2906 having received the required constitutional majority is declared passed. 2993, Senator Jacobs. On the Order of House Bills 3rd Reading, the middle of page 3, is House Bill 2993. Read the bill,...Mr. Secretary, please.

ACTING SECRETARY: (MR. HARRY)

House Bill 2993.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This bill just strictly redefines the board of the administrative Aledo-Mercer Community Center. The bulk of this bill is pertaining to the White Sox and I would yield my time to Senator Zito.

PRESIDENT:

Further discussion? Senator Zito.

SENATOR ZITO:

Yes, thank you, Mr. President and Senator Jacobs. As I explained on 2nd reading when the Senate adopted the amend-

ment that put the White Sox proposal on to House Bill 2993, I strongly believe that this is a viable and the only alternative to the one hundred and fifty million dollar tax spending plan to keep the Chicago White Sox in Illinois. It's a plan derived specifically from the overwhelming cries from our constituents who have said to us loud and clear, keep the Chicago White Sox in Illinois but don't use our hard earned tax dollar to do it, and I agree and I think you do as well. Those tax dollars in the other proposal, which we haven't seen in the form of legislation yet, would commit tax dollars that could far better be spent on education, mental health, developmentally disabled and so many other of the programs that we need here in Illinois. That's why, ladies and gentlemen, this bill is the only answer to our constituents and to the residents of Illinois. It does not use one dime of taxpayers' money. It does not call for the State of Illinois to own a baseball team. It does provide baseball fans an opportunity to own their team like the Green Bay Packers are owned in Wisconsin, like the Pittsburgh Pirates are owned in Pennsylvania and like the Boston Celtics are owned in Massachusetts. But...most importantly, I think it provides us, as elected representatives of those vocal constituents, an opportunity to keep our major league baseball club right here in the State of Illinois, and instead of wasting...wasting a hundred and fifty million dollars of taxpayers' money, putting that tax money to far better use. I'd be happy to answer any questions and I encourage your questions on the nuts and bolts of the proposal and would ask for the passage of House Bill 2993.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, discussion? Senator Newhouse.

SENATOR NEWHOUSE:

Thank you, Mr. President and Senators. I rise in support of this concept. It seems to me this is the most sensible

way for us to come out of a dilemma that assails from all sides. There have been all kinds of proposals for stadia and this and that and the other, most of it coming from the private sector whose bottom line is profits and that's quite all right, except for the fact that we're talking about something that is a community...a community organization, in a sense. It's a...it's a...it's a matter of civic pride and I think as a...as a...as an index of that city pride, citizens ought to have a chance to own a piece of the ball club that represents that city. So, I would...I would ask for an Aye vote on this bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? David Beaty has requested...permission to videotape. Is leave granted? Leave is granted. Senator Raica.

SENATOR RAICA:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senator Zito and I and a few other people have had great discussion regarding this bill, and it's our feeling that the...this is the answer to a problem that the citizens of the State of Illinois and particularly the citizens of the...City of Chicago need to have addressed and addressed here in this Body. I don't think anyone in the State of Illinois or particularly in the City of Chicago want to see the White Sox move, but it seems that with the negotiations and...and the talk that has gone on with the stadium committee that that is probably not the best way to go because it seems that the state is the one that is being taxed and particularly the taxpayers. If we need to go about this and...and look at it, we are looking at cutting a deal with the owners of the White Sox and I don't think that's the way that we should go, and I think a lot of the members of this Body were against the...the White Sox at first because of dealings with the owners and seeing that the...the...the

state was...the...the people that were taking the great risk in this endeavor. I think we should put it in the hands of the people and let the...people, so to speak, own a piece of the rock and let them...go out and...and actively pursue this and, therefore, I stand in support and ask the members of my side of the Floor to go behind Senator Zito on this piece of legislation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President and members of the Senate. I like the idea of public ownership of...of the White Sox, particularly if that means that we can keep them in Chicago. But I would like to ask Senator Zito about this sixty million dollar figure. How did you go about coming up with this figure to buy the White Sox and, if, in fact, does Mr. Reinsdorf, Mr. Einhorn, do they both...you know, have they more or less...have they been looking for a figure like this to sell the franchise?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Zito.

SENATOR ZITO:

According to the statistics that I have received from the...from major league baseball and individuals that are involved in setting and fixing prices and estimates of major league franchises, it is estimated that the ball club right now is worth between fifty and sixty million dollars and that is the figure that we have asked for in this proposal, that the Department of Commerce and Community Affairs be authorized to offer up to sixty million dollars for purchase of the baseball club.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kelly.

SENATOR KELLY:

Well, if it's a fair market value, I certainly think it's a excellent idea for having the Sox stay in Chicago. I think Senator Zito should be complimented for coming up with this excellent idea, and I'm very proud to support it and would ask to get leave to be added as a hyphenated sponsor of this bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Kelly has sought leave to be added as hyphenated cosponsor. Is there leave...leave granted? Leave is granted. Further discussion? Senator Hudson.

SENATOR HUDSON:

Would the sponsor yield?

SENATOR HUDSON:

Sponsor indicates he will yield. Senator Hudson.

SENATOR HUDSON:

Senator Zito, the...okay, the state purchases...the money comes out of Build Illinois? Where does the money...where does the money come from initially?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Zito.

SENATOR ZITO:

Senator Hudson, thanks for asking that question. I'd like to put that issue to rest. That is a misnomer. In order of the owners to realize that we are serious about the offer, we had to back that offer by some commitment...a commitment on our part to fund the program, but let me explain to you how I want the program to work and why I say that this proposal will not cost one dime of taxpayers' money. If the owners accept the agreed amount, and...and we'll use for the sake of argument sixty millions dollars, the owners accept that offer, DCCA would be authorized then to immediately sell shares of stock, open it up to the public. Marketing experts have told me that we can sell as much as twenty-four million dollars of stock in the first year. We would additionally

offer the owners a ten-year payment period where we would only have to spend...commit six million dollars a year for the next ten years, not state money, public money. As we sell shares, we would pay the owners. The owners should be attracted to that because it gives them tax incentives and tax breaks instead of collecting the money in one lump sum. It's better for us because we put no state money into it and it allows us an opportunity to sell the shares and turn that money over to the owners.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further...further discussion? Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. Well, we can all stand around and have a...have a nice time with this and have a lot of fun with this, but I...I would hope that nobody in this Body thinks that passing this legislation, which is...certain to happen, is going to resolve the ultimate...White Sox problem and determine whether the Sox stay here or not. It's not and this...this is...this is lighthearted and fun. I know it's not meant to be that way, but this bill is not going to mean anything, it's not going to resolve anything. The fact is, major league baseball would never allow this to happen and that's a fact. They would never allow this type of entity or ownership to occur. If you check with anybody from the commissioner's office on down, they will tell you that. So, while we pass this, it's not going to have one bit of effect. Number two, I don't know if...if the sponsor of...of this has checked with the ownership and decided whether the team is for sale...or whether this is the price or whatever, and I'm sure that there is a price and the owners would be willing to sell, but the fact is, this isn't going to resolve that problem. Major league baseball would never allow this to happen. It's...and...and they control that and so I think it's an

exercise in fun and futility, but I don't think anybody should think that passage of this is going to ultimately determine whether the White Sox stay in Chicago or move to St. Petersburg. We'll have an opportunity to do that or not do that next week but this is not the answer.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, Mr. President and Ladies and Gentlemen of the Senate, many things were founded in dreams but this dream might become an actuality. It's not impossible, it's very innovative. It could be a help and it's not going to cost the taxpayers money if the shares are sold and people are willing to buy them. It might send a...a message to the owners of the White Sox that we are sincere, we do care about keeping the team here; after all, the White Sox are known as the Chicago White Sox, not St. Petersburg or anything else. I think it's a...it's a new thing. It's innovative. It's worth taking a gamble on and I support this bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Poshard. Senator Poshard, pardon me just a moment. WCIA-TV has sought leave also to videotape the proceedings. Is leave...leave granted? Leave is granted. Senator Poshard.

SENATOR POSHARD:

Senator Zito, if...if I were a prospective buyer of White Sox stock, what would I be looking at in terms of their past year's profit and loss statement, their portfolio? Would this...would I be looking at a good investment here? A solid investment? And would I be likely to buy that stock? If we raise twenty-four million in the sale of the stock the first year and the Sox go belly up with forty-five and eighty-eight record the next year, are people going to be likely to go ahead and buy the rest of the stock in a losing team?



PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Zito.

SENATOR ZITO:

Senator, it's very difficult for me to speculate, but let me try to expound upon the examples...the living example of the Green Bay Packers. Not only does that club...public owned club thrive in the lowest sports media market in the country, it has reignited the faith in that club and the people that own the individual shares flock to the stadium. There's never a problem of filling a stadium when the Green Bay Packers play football in Wisconsin. I can tell you that I don't think there's an individual in the State of Illinois or the other state...surrounding states that wouldn't invest ten dollars to buy a share of stock to give, maybe, their son or daughter for their birthday a certificate saying that they own a piece of the White Sox and go to that game knowing and watching that club and knowing that they own a part of that club. I think it's a great marketing technique and I...I can't speak specifically to how it would work here, but I can tell you in the cities that it's in effect, it works extremely...extremely well.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Poshard.

SENATOR POSHARD:

Are there provisions within the bill if the stock is not sold, if sixty million dollars is not raised, are there provisions in the bill for the state to pick up the excess money? Are we backing the sale of the stock with...with state funds?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Zito.

SENATOR ZITO:

We are rhetorically backing the purchase price but there are several other steps I would take. First of all, this

General Assembly, if, in fact, we didn't sell one share of stock and the offer that we would make to the owners was agreed to, this General Assembly would have to come back on a separate appropriation and appropriate that money. The appropriation is not in this bill. That would have to be dealt with separately. My...my goal is to sell the stock, and I've been told by reliable sources, marketing experts, that that can be done. If, in fact, we fall short, I would first adjust the five percent cap that I've put on for any individual to own...right now the bill calls for a five percent cap any individual can own...in stock. We would raise that cap because I'm sure that there's a number of individuals that would like to own a lot more than five percent, but we've set it a five percent so that as many people as possible could participate in the purchase.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Further discussion? Senator Joyce.

SENATOR JEROME JOYCE:

Thank you, Mr. President. Just a couple of questions, and I intend to support this, but...did you find out who owns the...the White Sox yet?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Zito.

SENATOR ZITO:

Well, Senator, I haven't and I'm delighted that you have asked for a list of not only the owners of the club but the owners of the individuals that hold the title and the deed to the property of Comiskey Park and the surrounding parking lots. When you get that, Senator Joyce, if you'd share it with me, I'd be delighted to find out myself.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEROME JOYCE:

(Machine cutoff)...trying to buy these. I...I think we

ought to know who we're going to write the check out to.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Further discussion? Senator Dudycz.

SENATOR DUDY CZ:

Thank you, Mr. President. I think Senator Zito's position is a good one. It appears to be the only rational attempt to keep the Sox in Chicago. I think House Bill 2993 is not and should not be taken as a lighthearted effort and in fun. I think it should be taken very seriously. House Bill 2993 is the Legislature's way of telling the public that, yes, we are serious about keeping the Sox in Chicago but not at the taxpayer's expense, not to be intimidated by the current owners threatening to move to Florida. We want the team here and we are willing to do everything possible that is rational to keep them here but we will not be intimidated by threats to move to Florida, and I think that everybody should take House Bill 2993 very seriously and I think it deserves an affirmative vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Brookins.

SENATOR BROOKINS:

Question to the sponsor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Indicates he'll yield.

SENATOR BROOKINS:

Your five percent...what amount of money did...amount to in cash? Is...is...is your sale price of five percent? Each...each...each...you said each shareholder could buy up to five percent and what is that in money?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Zito.

SENATOR ZITO:

Well, that...that would depend on what the final purchase price is. It would be five percent of all...available stock

at ten dollars a share depending on the final purchase price.  
Could be anywhere up to sixty million dollars.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Brookins.

SENATOR BROOKINS:

I needed to know so I could write my check out.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Further discussion? If not, Senator Zito may close.

SENATOR ZITO:

Thank you, Mr. President and members. I appreciate the support that this proposal has garnished, its support because I think you all realize we have a problem here in Illinois but it is a very, very serious, viable alternative. I circulated today a copy of the U.S. Today sports that ran yesterday and I'd like to read that to you. It says, "The White Sox Sale. There's been proposed legislation Tuesday that would give the public a chance to buy baseball's Chicago White Sox for ten dollars a share." Senator Marovitz, I hope you're listening. "No individual could purchase more than five percent of the team. A vote could be taken as early as today. If approved, team owners, Jerry Reinsdorf and Eddie Einhorn, say they would pass up an offer to move to St. Petersburg, Florida." I think this plan affords all of us an opportunity to win. Illinois will get to keep a ball club. Tax money is not spent and could be spent on more pressing issues like education, mental health and the rest. Legislators, we could all go back and say that we have responded positively to our constituency and owners will get exactly what they want, money and a nice profit, and then they could take that money and if they'd like to move to St. Petersburg, do it with another ball club. I ask for your support. I'd appreciate a Yes vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Question is, shall House Bill 2993 pass. Those in favor

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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 38, the Nays are 18, none voting Present. House Bill 2993 having received the constitutional majority is declared passed. House Bill 3007, Senator Jones. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 3007.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Jones.

SENATOR JONES:

Thank you, Mr. President and members of the Senate. House Bill 3007 amends the Civil Administrative Code and requires the Department of Revenue at the request of a taxpayer to establish an...an informal assessment review process by an impartial department designee to...to...that designee should have the power and knowledge to recommend an appropriate conclusion to the tax matter. This piece of legislation came at the response and request of many small businesses who...businessmen across the State of Illinois who were concerned about this process being eliminated by the Department of Revenue. This bill is agreed by...to by the department and all those other interested parties concerned and I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. First of all, just a question. The amendment that is on the bill is the LRB one that ends LAM02, which is the one that was signed off on by Department of Revenue and everyone, is that correct? All right. Then just a brief comment. Once approved to fit in with the

department's procedures, I think this really is a good idea. Mr. President, it will appeal to you enormously because it cuts down on the use of lawyers and makes it possible for people to go into the Revenue Department and get their concerns taken care of without having to pay for high-priced lawyers. Some of us in the legal profession think that's a highly desirable goal when appropriate. I would move...or I would urge also the support of House Bill 3007.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, the question is, shall House Bill 3007 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 3007 having received the constitutional majority is declared passed. House Bill 3010, Senator Rock. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 3010.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Bill 3010, as sponsored by Senator Hall and myself, applies to every county in this state that is of the first or second class; that means it applies to every county in this state except the County of Cook. This does not apply to Cook County. And what it does essentially, you will recall, that we have set statutorily the fees that can be charged by the county clerk and by the recorder for the issuance of certain documents like fireworks permits, liquor licenses, the filing fees, etc. The Urban Counties' Council,

most particularly Chairman Costello from St. Clair County, has said that in some counties some of the county board members and county board chairmen are questioning whether or not these fees are sufficient to actually cover their administrative cost. And so what they have asked of us is that, yes, they will abide by the statutorily set fees except when increased by county ordinance pursuant to the provisions of this section; and what they are calling for is in individual instances, they would like to have a cost survey done of the...of the clerk and recorder's office and, in fact, they feel certain that they can determine and prove that some of the costs are...are actually more expensive than the fee that's charged. And what they further provided by amendment is that a statement of the cost of providing each service, program or activity shall be prepared by the county board and all the supporting documents shall be of public record and subject to public examination and audit. I think the idea is a good one and it will afford those counties that wish to participate, this is permissive, obviously, the opportunity to engage in a cost study of those offices and where appropriate by virtue of county board action raise the fee to meet the cost. I don't know of any objection except from some of the clerks who apparently don't want a cost study done of their office and that's understandable, but I think this offer is an option to the county board members that they currently do not enjoy and I would solicit your favorable vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Davidson.

SENATOR DAVIDSON:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR DAVIDSON:

Does this apply at all hundred and two counties or only

to a hundred and one?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

I started out by saying it applies to counties of the first and second class. It does not apply to Cook. Cook currently has this authority...this fee schedule is applicable only to counties of the first and second class. So, it's...it's a hundred and one counties.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Further discussion? If not, the question is, shall House Bill 3010 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, 1 voting Present. House Bill 3010 having received the constitutional majority is declared passed. House Bill 3024, Senator Jones. House...House Bill 3260, Senator Lechowicz. House Bill 3264, Senator Berman. House Bill 3297, Senator Luft. Luft. House Bill 3338, Senator Netsch. House Bill 3372, Senator Welch. House...House Bill 3442, Senator Madigan. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 3442.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Madigan.

SENATOR MADIGAN:

Thank you, Mr....thank you, Mr. President. House Bill 3442 as amended does three things. First of all, the original bill removes the limitations that presently exist on members of the...Health Facilities Planning Board. Secondly, it allows the county boards in the counties...in the collar



counties to establish compensation per county board of health members. And, thirdly, it allows local governments that have the...desire to do so to enforce the water well legislation passed last year instead of the Department of Public Health. I'd be glad to answer any questions and would ask for its favorable consideration.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall House Bill 3442 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 3442 having received the constitutional majority is declared passed. House Bill 3444, Senator Keats. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 3444.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Keats.

SENATOR KEATS:

The original bill was totally without controversy. We made a mistake last year in terms of dismiss and layoff notices. We signed the wrong way to mail it, so instead of...registered mail, it went the wrong way, cost about three times as much. Everyone agreed there was a mistake. We were going to clean it up. That was the original bill. That's a 59 to nothing. Now there's four amendments on it which shouldn't be a problem but I do want to at least take a moment and explain them. The first one was put on by Senator Dunn and it solves a problem with the...Kaskaskia School District that takes specific state legislation because this is a district that was started in about 1450 or something and they

are under a separate code from the rest of the world. Again, not terribly controversial but it was added because of the Kaskaskia problem. Then there was an amendment put on by Senator Schuneman that dealt with allowing downstate rural school districts to consolidate and take care of the financial problems. That bill passed the Senate 56 to nothing but got mixed up in the House. And a third amendment by Senator Weaver dealing with a problem in his area, a school that is closing its high school; and then a fourth amendment put on by Senator Berman which...deals with a Chicago problem, that allows Chicago board to receive an ownership interest in an entity leasing or purchasing school property, et cetera; allows the board to negotiate among the two highest bidders if more than one reasonable bid is received, allows the board to enter into lease purchase agreements and, again, that was a...a bill that had passed committee and...and passed the House, sorry, I don't have the vote, but it passed fairly comfortably. With that, I would ask for your affirmative vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. If the sponsor will yield, and perhaps it ought to be the sponsor of the amendment, I'm concerned particularly about Amendment No. 3 and would ask that that be explained.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Will the sponsor of Amendment No. 3...Senator Weaver.

SENATOR WEAVER:

Yes, Mr. President, Amendment...No. 3, as all of you know, there's been a lengthy strike in the Homer School District last year. Kids were bounced around very...tuitioned out some of them, some of them...most of them had three or four teachers in the same class, so they've...they're going

through a referenda in November to consolidate with the ABL School District to the south. That referendum will not solve the problem of this next school year. So, the board has asked that they be able to tuition out all of their high school students to other school districts and they're in negotiations with the ABL district to tuition out the entire high school class to ABL. The problems...it's kind of a holdover problem of some tenured teachers that have not been hired by ABL or by other school districts or put into the...the seventh and eighth grade classes or other classes that...that the school board has authority over. I say this, that there are some problems that we're trying to work out and the board is trying to work out. The IEA is concerned with these some...some four teachers, but I think they'll get these problems worked out but I don't think they should be at the expense of the entire Homer High School, so that's why I put the amendment on. The board...the board is a new board with the exception of one member. They're trying to solve the problems of the community and their...the community is divided even as to what school district to consolidate with, but that will be determined in November at...at the General Election. If you have any specific questions, I'll be happy to try to answer them, Senator Rock.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Thank you, Senator. I...I was not privy to the...to the committee hearing, but apparently this identical proposal was presented in the Senate Education...Elementary and Secondary Education Committee and was defeated. Can...can you explain that action? I mean, it doesn't sound at all unreasonable. What I...I guess what I'm saying is, this is a pretty drastic step to just abolish a...a district and then by operation of law reactivate it after a year. I...I can well presume that

the...the contractual employees would have some interest in this.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Weaver.

SENATOR WEAVER:

Let me explain. Under the School Code, they do not have the authority to tuition out all of the high schools, they can tuition out some but not all of the students. As to why it lost in committee, I followed you in that committee and you had a rather controversial bill that some Republicans didn't see eye to eye with; and I've had no experience in my twenty years around here, this is the first time I've ever had a bill in Elementary and Secondary Education and they killed it. I told them I'm never going to bring another bill back, but I would appreciate your reconsideration of a good bill and concurrence with Amendment No. 3.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Further discussion? Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President. Senator Dunn, could you explain your amendment just briefly?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Dunn.

SENATOR RALPH DUNN:

Thank you. Senate Amendment No. 1 was designed to solve a problem with the Kaskaskia School District. Kaskaskia School District is on the other side of the Mississippi River. The students...have about twenty students and they've been having trouble last year, they tuitioned them into...into Chester School District and some reason or other they can't do that very many years unless they abolish the district or unless they tuition them on in. The...the amendment is not perfect. I've had some problems with it with the...with the local regional superintendent, but it's the

best we can do. The State Board of Education drew the amendment for me, so that's the amendment that's on there. I'm not sure it's a good amendment or not, it's kind of controversial.

PRESIDING OFFICER: (SENATOR SAVICKAS)

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

SENATOR SCHAFFER:

Well, I'm...I was going to ask Senator Berman to explain the other amendment, but I don't see him at the moment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Further discussion? If not, Senator Keats may close.

SENATOR KEATS:

To quickly conclude, I'll say Senator Rock asked some very cogent questions, the reason he now understands what happened on the bill, we Republicans had bushwacked a Democrat bill and we were simply being taught a lesson of humility immediately after that; but there is a real technical kink, Homer cannot send all these kids out 'cause they're a unit district. In order to tuition them out and maintain their tax base, they have to maintain a unit district. If they simply close the high school, they're no longer a unit district and because of their...they won't have had time to hold the referendum, they won't have any tax at all 'cause they won't be unit district anymore; therefore, all the kids are left out in the cold. That's the reason that particular amendment is very important, and with that, I would solicit your Aye vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Question is, shall House Bill 3444 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 32, the Nays are 22, 1 voting Present. House Bill 3444 having received the constitutional

majority is declared passed. For what purpose Senator Demuzio arise?

SENATOR DEMUZIO:

I request a verification of the affirmative roll.

PRESIDING OFFICER: (SENATOR SAVICKAS)

A request of the...verification of the affirmative vote has been requested. Will all the members please be in their seat. Mr. Secretary, will you please read the affirmative vote.

ACTING SECRETARY: (MR. HARRY)

The following voted in the affirmative: Barkhausen, Berman, Brookins, Davidson, DeAngelis, Degnan, Donahue, Dudycz, Ralph Dunn, Etheredge, Fawell, Geo-Karis, Hudson, Jeremiah Joyce, Karpel, Keats, Kustra, Lechowicz, Macdonald, Maitland, Netsch, Philip, Poshard, Rigney, Savickas, Schaffer, Schuneman, Smith, Topinka, Watson, Weaver and Mr. President.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio, you question any of the affirmative?

SENATOR DEMUZIO:

Senator Brookins on the Floor?

PRESIDING OFFICER: (SENATOR SAVICKAS)

He just walked off, Senator.

SENATOR DEMUZIO:

Senator...Senator...Senator Brookins.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is Senator Brookins on the Floor? Strike his name from the record.

SENATOR DEMUZIO:

Okay, Senator Poshard on the Floor?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Poshard. Senator Poshard. Senator Poshard on the Floor? Strike his name from the record.

SENATOR DEMUZIO:

HB 3462  
3rd Reading

Senator Netsch.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch. Is Senator Netsch on the Floor?  
She...there she is.

SENATOR DEMUZIO:

Senator Jeremiah Joyce.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is Senator Jeremiah Joyce on the Floor? Senator Joyce.  
Senator Jeremiah Joyce. Strike his name from the record.

SENATOR DEMUZIO:

Senator Berman.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman is on the Floor.

SENATOR DEMUZIO:

That's it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

On a verified roll call the Yeas are 29, the Nays are 22,  
1 voting Present. Senator Keats.

SENATOR KEATS:

Could we stall about two more minutes while I round up  
one more? Other than that, could I have it on postponed,  
please?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Keats seeks leave to place House Bill 3444 on the  
Order of Consideration Postponed. Hearing no objection,  
leave is granted. House Bill 3462, Senator Joyce. Read the  
bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 3462.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEROME JOYCE:

Thank you, Mr. President. House Bill 3462 creates the Responsible Property Transfer Act requiring disclosure statements on the transfer of real property. The purpose of this Act is to ensure that parties involved in certain real estate transactions are made aware of the existing environmental liabilities associated with ownership of the properties as well as the past use in environmental status of the properties. Be happy to answer any questions.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall House Bill 3462 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 55, the Nays are none, none voting Present. House Bill 3462 having received the constitutional majority is declared passed. House Bill 3489, Senator Schaffer. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 3489.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schaffer.

SENATOR SCHAFFER:

Mr. President and members of the Senate, this bill is now identical to the Senate bill that we passed out that will allow forest protection...fire protection districts to provide training and to get equipment for emergencies involving hazardous materials. I don't think there's any opposition...with the amendment, it's identical to the bill the Senate sent out earlier.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall House Bill 3489 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 53, the Nays are none, none voting Present. House Bill 3489 having received the constitutional majority is declared passed.

PRESIDING OFFICER: (SENATOR DEMUZIO)

House Bill 3572, Senator Fawell. House bills 3rd reading is House Bill 3572, Mr...Mr. Secretary, please.

ACTING SECRETARY: (MR. HARRY)

House Bill 3572.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Fawell.

SENATOR FAWELL:

Thank you, very much. It basically does exactly what it says in the Calendar. It allows a local township to provide assistance to households under its general assistance program in the event of a declared major emergency. It's a permissive bill and it's a loan.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Vadalabene, on this bill? All right, question is, shall House Bill...3572 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 3572 having received the required constitutional majority is declared passed. Senator Vadalabene, for what purpose do you arise?

SENATOR VADALABENE:

Yes, I was absent from my seat on 3499 and I would be recorded...it wasn't called, I'm all right.

PRESIDING OFFICER: (SENATOR DEMUZIO)

House Bill 3587, on the Order of House Bills 3rd Reading,  
Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House bill 3587.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

Mr. President and members of the Senate, does exactly what the Calendar says. This is a request from the Secretary of State to clean up the problem in the Securities Act. Appreciate a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall House Bill 3587 pass. Those in favor 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 3587 having received the required constitutional majority is declared passed. House bills 3rd reading is House Bill 3590, Mr. Secretary, please.

ACTING SECRETARY: (MR. HARRY)

House Bill 3590.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. House Bill 3590 made some technical changes to the provision of the Insurance...Code that would relate to the prohibition of sales by companies that are in hazardous financial condition. In the Senate, the bill was amended to increase the fees for producers'

HB 3661  
3rd Reading

licenses. In effect, what the bill now does is increase the producer insurance license law from fifty dollars to seventy-five dollars, the temporary producers from ten dollars to twenty-five dollars, firm registration from twenty dollars to twenty-five dollars and the application to take the exam from ten dollars to twenty-five dollars. This is an increase that's agreed upon by the various producer organizations in the state. I know of no opposition and would be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall House Bill 3590 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. (Machine cutoff)...voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. House Bill 3590 having received the required constitutional majority is declared passed. Page 6. 3661, Senator Degnan. House bills 3rd reading is House Bill 3661, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 3661.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Degnan.

SENATOR DEGNAN:

Thank you, Mr. President. House Bill 3661 amends an Act in regard to the Attorney General and the state's attorneys and says investigators appointed by the Attorney General shall be peace officers under certain conditions. Those conditions include, he must have completed the basic police training course mandated by the local government Law Enforcement Officers Training Board or the board may waive the training requirement due to the investigators prior law enforcement experiencing or training; however, if that waiver

is granted, the investigator must have had at least five years experience as a sworn officer of a local, state or federal law enforcement agency, two of which must have been in an investigating capacity. There is no pension impact, no pension changes in the bill. I'd be happy to answer questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Dudycz.

SENATOR DUDY CZ:

Will the sponsor yield?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield. Senator Dudycz.

SENATOR DUDY CZ:

Senator Degnan, why do the Attorney General's investigators need to carry weapons?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Degnan.

SENATOR DEGNAN:

(Machine cutoff)...in normal course of their investigation, Senator Dudycz, the...we're talking about forty investigators on the staff now, potentially eighteen of them would qualify under this Act. In the normal course of their investigations, they do come across situations that would require they be armed.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dudycz.

SENATOR DUDY CZ:

Well, Senator, what would...what authority do they need to perform their duties that they do not have currently?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Degnan.

SENATOR DEGNAN:

I don't think they need any authority to...perform their duties.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dudycz.

SENATOR DUDYCHZ:

I'm sorry, Senator, I didn't hear your answer. Could you repeat it?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Degnan.

SENATOR DEGNAN:

I didn't quite understand the question. They don't need any new authority to perform their duties. This is asking for their granting of law...or peace officer status.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dudycz.

SENATOR DUDYCHZ:

Well, if they're going to be granted peace officer status, that means that they will be having the authority to make the arrests and to carry weapons and to use them if necessary. This...it's my understanding they do not have the authority to do that. Is that correct?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Degnan.

SENATOR DEGNAN:

I understand they don't need authority to make arrests now. This bill gives them authority to carry arms and I might add that investigators employed by the AG's Office under the terms of this legislation shall only exercise their powers after contact and in cooperation with local law enforcement agencies.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dudycz.

REEL #3

SENATOR DUDYCHZ:

...well, Senator, if they're in contact with these local law enforcement agencies, why do they need the additional authority to carry these weapons if these authorities have the..the police powers that are accompanying these investigators?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Degnan.

SENATOR DEGNAN:

I'm not sure, I'm getting through...my understanding is the local law enforcement authorities, namely, the Illinois Association of Police Chiefs are in favor of this legislation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dudycz.

SENATOR DUDYCHZ:

Think...well, I think, Senator,...Ladies and Gentlemen of the Senate, that this is creating a very bad precedent. A few days ago we defeated House Bill 3573 which would have granted the same authority to the fire marshal's employees and I think that this is doing the same thing. I cannot see a rational reason to create another Illinois Department of State Police. It is my understanding...my information was that the state police are opposed to this and I think that we should vote it down.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Rigney.

SENATOR RIGNEY:

Mr. President, this sounds like a bill that another member of this august Body had a few days ago on behalf of

the Fire Marshal's Office. You made the comment there would be no pension impact on this bill, can you explain why there is not any pension impact?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Degnan.

SENATOR DEGNAN:

Certainly. Senator Rigney, I'm reading the pension impact note from the IEFC, and it says, "The bill as amended by House Amendment No. 2 deletes all references to the State Employees' Retirement System alternative formula for investigators under the Attorney General that were contained in the original bill; therefore, the bill in its present form," that's what we have today, "has no impact under the Pension Code."

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Kustra. Senator Schuneman.

SENATOR SCHUNEMAN:

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Schuneman.

SENATOR SCHUNEMAN:

I heard what you said, Senator Degnan, but I don't think it quite answers the question. I...I...perhaps I should pose the question. Would the people affected by this bill have the right...the right, first of all, to request retirement under the alternate formula that is available to police officers?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Degnan.

SENATOR DEGNAN:

No.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schuneman.

SENATOR SCHUNEMAN:

So if it comes down to an interpretation of the intention that...the legislative intent is that these people shall not be eligible for the alternate formula?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Degnan.

SENATOR DEGNAN:

That is correct.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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

SENATOR DEGNAN:

Well, I think there is a small difference between 3573 which was debated and defeated last...earlier this week and that was for firefighters, as I understood, but I think 3573 was defeated more on the pension issue for arson investigators than anything else. I would urge your support for this bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall House Bill 3661 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? Take the record. On that question, the Ayes are 31, the Nays are 26, none voting Present. House Bill 3661 having received the required constitutional majority is declared passed. Senator Dudycz, for what purpose do you arise?

SENATOR DUDYCZ:

For a verification of the affirmative vote, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Dudycz has requested a verification of the members who voted in the affirmative. All members will be in their seats. Madam Secretary, please read the



affirmative roll call.

SECRETARY:

The following members voted in the affirmative: Berman, Brookins, Carroll, Collins, D'Arco, Degnan, del Valle, Demuzio, Thomas Dunn, Geo-Karis, Hall, Holmberg, Jacobs, Jones, Jeremiah Joyce, Jerome Joyce, Kelly, Lechowicz, Luft, Marovitz, Netsch, Newhouse, O'Daniel, Poshard, Savickas, Severns, Smith, Vadalabene, Welch, Zito and Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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

SENATOR DUDYCHZ:

Senator Jeremiah Joyce.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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

SENATOR DUDYCHZ:

Senator Jerome Joyce.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jerome Joyce on the Floor? Senator Jerome Joyce on the Floor? Senator Jerome Joyce on the Floor? Strike his name. Senator Dudycz.

SENATOR DUDYCHZ:

Senator Marovitz.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz on the Floor? Senator Marovitz is off to my left.

SENATOR DUDYCHZ:

Senator Jones.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones on the Floor? Senator Jones on the Floor? Senator Jones on the Floor? All right. Senator Jerome Joyce is off to my left. Restore Senator Jerome Joyce to the roll.

Senator Jones on the Floor? Strike his name. All right.  
Senator Dudycz, have you concluded? All right. On that  
question...on that question, there are 29 Ayes, 26 Nays, none  
voting Present. House Bill 3661...Senator Degnan requests  
postponed consideration? All right, postponed consideration.  
(Machine cutoff)...bills 3rd reading is House Bill 3662,  
Senator Newhouse. House Bill 3662, Madam Secretary.

SECRETARY:

House Bill 3662.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Newhouse.

SENATOR NEWHOUSE:

Take it out of the record.

PRESIDING OFFICER: (SENATOR DEMUZIO)

(Machine cutoff)...out of the record...Senator Newhouse,  
you want to put it back in the record? All right...all  
right...all right, House Bills 3rd reading, House Bill 3662,  
Madam Secretary. Read the bill.

SECRETARY:

House Bill 3662.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Newhouse.

SENATOR NEWHOUSE:

Thank you, very much, Mr. President. There was a problem  
with this bill yesterday, I understand it's been resolved.  
The bill is a regulatory bill and what it does is an attempt  
to protect the consumers against those who overreach  
on...as...who...who hold themselves out to be a job referral  
services. There's a good deal of...of abuse in this area  
such as a job referral service simply taking want ads out of

the newspaper and referring to...people to jobs for which they have no contact or which they have no responsibility. This is an attempt to make them responsibility...responsible. I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall House Bill 3662 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 none, none voting Present. House Bill 3662 having received the required constitutional majority is declared passed.

PRESIDENT:

(Machine cutoff)...might have your attention, ladies and gentlemen, we have with us today some special guests. As I'm sure you're aware, a...a little later this afternoon, the Governor and Senator Philip are hosting a reception at the Mansion and our guests has graced us with their presence here this afternoon. I'd ask Senator...yield to Senator Philip and ask him to properly introduce them.

SENATOR PHILIP:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. It's certainly a pleasure for me to introduce today the German General Consul from Chicago, Max Maldecker is here with a group from West Germany. The Governor and myself have had a chance in the last three months to tour Germany and had a great time, but it's with pride and pleasure that we have the opportunity to hear the Acting German General Consul from Chicago. Max.

GENERAL CONSUL MALDECKER:

(Remarks by General Consul Maldecker)

PRESIDING OFFICER: (SENATOR DEMUZIO)

Page 6...middle of page 6 is House Bill 3767, Madam Secretary.

SECRETARY:

House Bill 3767.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas.

SENATOR SAVICKAS:

Yes, Mr. President, before I get into the bill, I would like to just announce that today is Senator Demuzio and his wife, Deanna's, twentieth-sixth wedding anniversary, and I think we should at least congratulate Deanna for staying with him for twenty-six years.

PRESIDING OFFICER: (SENATOR DEMUZIO)

I would caution everybody to take a hard look at this bill. Senator Savickas.

SENATOR SAVICKAS:

In summary, House Bill 3767 in eminent domain proceedings to take or damage property, which is a common element, the board of managers shall be the sole named defendant. It authorizes unit owners to intervene on their own behalf. That's basically what it does and I would move its passage.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall House Bill 3767 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 51, the Nays are 3, none voting Present. House Bill 3767 having received the required constitutional majority is declared passed. 3870, Senator Lechowicz. 3888, Senator Geo-Karis. House bills 3rd reading is...Senator Netsch, for what purpose do you arise? Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. 3858 was not amended today,

all...both of the amendments failed. So can't it stay on the list then?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Why don't you discuss that with the President standing right behind you. House bills 3rd reading is House Bill 3888, Madam Secretary.

SECRETARY:

House Bill 3888.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, this bill had two amendments. The bill was made to state that...except for elected officials, wherever a county of officers, et cetera are required by law to obtain a fidelity or surety bond, the bonding requirement may be satisfied by a blanket bond; and the second amendment was the one that permitted DuPage County to impose a tax on motor fuel, and it applies strictly to DuPage County. I'm ready for questions, otherwise, ask for favorable consideration of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall House Bill 3888. Those in favor vote Aye. Those opposed vote Nay. The voting is open. (Machine cutoff)...all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 33, the Nays are 21 and 1 voting Present. House Bill 3888 having received the constitutional majority is declared passed. (Machine cutoff)...I think we'll have to wait another couple of minutes. Senate Bill...or House Bill 3891, Senator Marovitz. Read the bill, Mr. Secretary.

SECRETARY:

HB 3895  
3rd Reading  
efw

House Bill 3891.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President, members of the Senate. The time periods after which bank deposits must be available for withdrawal would be...are determined by the Federal Expedited Funds Availability Act and the Federal Reserve Board regulations under that same Act. Recently enacted federal legislation requires that the Federal Reserve Board promulgate rules to effect a more efficient system of check clearing. The federal law and...and the rules are preemptive of any state law unless such state law provides for a shorter time period and is in effect prior to 9-1-89. The board is in the process of holding hearings on proposed regulations and is required to have a temporary schedule of check clearing requirements in effect on 9-1-88. The board is required to adopt permanent requirements by 9-1-90 and that's what this bill does.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall House Bill 3891 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 53, the Nays are none, none voting Present. House Bill 3891 having received the constitutional majority is declared passed. House Bill 3895, Senator Demuzio. Read the bill, Mr...Madam Secretary.

SECRETARY:

House Bill 3895.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

Thank you, very much, Mr. President, Ladies and Gentlemen of the Senate. The House Bill 3895 is a...is a...for the State Treasurer's Office. Since 1966, elected units under the State Treasurer's Office has been covered by the Illinois Civil Service Code. What this in essence would do, it would be to combine the three or four different categories...distinct sets of compensation...policies that are in the Treasurer's Office into one new one. It is similar to what we have done for the Secretary of State's Office and the Comptroller's Office in the past, and I would ask for the support of the Senate with respect to House Bill 3895 today.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Davidson.

SENATOR DAVIDSON:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR DAVIDSON:

Senator Demuzio, there's a State Treasurer's employee's...I believe is still under consideration or maybe it's been decided by the Illinois Supreme Court concerning his termination under a...that four-year bit which fell by the wayside. Does this bill in any way, shape or form affect the position of employment of this person?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

Not to my knowledge. I...I don't think this bill was intended to get specifically at that case and I'm...I'm familiar with the one that you are...are...are...are talking about. I'm not sure exactly what the effective date of this

bill is either. It's...it...Amendment No. 1 with respect to some technical changes. It did change some of the dates from April 6th of 1917 through...November the 11th of 1918 and from December 4th of '41 through December 31st of '46 and from June 37th...27th of 1950 to, I think, current. Senator Davidson, it...it...it may have some affect with respect to this but is...it is not known to me.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Davidson.

SENATOR DAVIDSON:

Well, just for legislative intent say...say it would apply to this employee, and I don't think we should discuss the person's name, but just for legislative intent, let me ask you a hypothetical question. Does this bill, if it passes...become law, affect the status of the employee whose case is...is or just been decided by the Illinois Supreme Court?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

Well, Senator Davidson, there isn't anyone here from the Treasurer's Office at the moment to give me the specific answer to this question. My indication...my inclination would be that it is...does not; however, I am not an attorney and, therefore, I don't know if...and I know the...individual whom you're talking about and I do not want to any way...interfere with his current case with the State Treasurer's Office but, at the moment, I'm unable to give you a direct answer to your question.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Davidson.

SENATOR DAVIDSON:

Well, then, could I ask you the courtesy of...since we're going to be here tomorrow, take this out of the record until



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3rd Reading

you can get legal...or the people from the Treasurer's Office so we can get a response 'cause I don't think a person who's gone through the trials and tribulations of going through the Supreme Court and winning the case should be put in jeopardy by any action here.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

It is certainly not my intention to do that either. I have no difficulty in asking that this bill be taken out of the record...let me suggest, however, that perhaps if we could get a representative of the Treasurer's Office up here before we adjourn today that perhaps we might be able to get back to this bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

No. Take it out of the record. Senator Demuzio.

SENATOR DEMUZIO:

Do we have leave to come back to it later on this afternoon?

PRESIDING OFFICER: (SENATOR SAVICKAS)

If we're here, Senator, we have leave. Leave is granted. We have back with us now House Bill 3858. With leave of the Body, we'll return to that order. Madam Secretary, read the bill.

SECRETARY:

House Bill 3858.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

For what purpose Senator Schuneman arise?

SENATOR SCHUNEMAN:

Point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR SAVICKAS)

State your point.

SENATOR SCHUNEMAN:

In the gallery on the other side of the aisle...for the life of me, I don't know how he ever got over there but is a good friend of mine from Whiteside County, Mr. Bud Thompson, a member...a longtime member of the State Board of Education, also he's Republican County Chairman in Whiteside County, I'd like him to be recognized by the Senate.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Will you rise and be recognized. Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. The unamended, unadulterated House Bill 3858 was requested by the State Comptroller. It is a simple amendment to the Purchasing Act which increases from twenty-five hundred dollars to five thousand dollars, the amount of contracts of...that are covered by this, which are basically the professional, artistic and others for personal services that must be filed with the Comptroller. This bill is strongly supported by Central Management Services, the Department of Transportation, the Department of Mental Health, the Department of Corrections and others, and it has to do with saving the expense of going through all of the paper work of filing these contracts; and the bill was last amended in 1981, obviously there's been a long period of inflation since then. The estimate from the Comptroller's Office is that this would reduce paper work about fourteen percent, although the amount of money involved in the contracts would be reduced only .5 percent so that it is important, not in terms of dollars involved but certainly in terms of dollars saved for...through paper work. Be happy to answer questions; if not, I would solicit your support.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall House Bill 3858 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who

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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 3858 having received the constitutional majority is declared passed. House Bill 3896, Senator Berman. Read the bill, Madam Secretary.

SECRETARY:

House Bill 3896.

(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 does two things, in effect. It declares that the Illinois Revised Statutes are the property of the State of Illinois and are part of our public domain. It also calls upon the Legislative Reference Bureau to create and implement a plan for the comprehensive and systematic codification of Illinois statutory law. It further authorizes the...Legislative Reference Bureau to charge a fee in connection with the dissemination to nonpublic officials of all the...substantial part...part of any of the following: bills passed or enacted in the memory system which contains the Statutes and is maintained by the Legislative Reference Bureau. Be glad to respond to any questions and solicit your Aye vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Hudson.

SENATOR HUDSON:

Would the sponsor yield?

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will.

SENATOR HUDSON:

Senator Berman, is this part of the continuing...is this

part of the continuing discussion between the firms of Meade and West relevant to these Statutes?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR BERMAN:

Senator Hudson, this bill and the bill that we had last year were generated out of those discussions between those two firms. I have been advised that those two firms have reached some agreement. I don't know what the terms of that agreement are. I...I didn't want to know but the various sides that were pro and con, one group I think it's fair to say, have backed off and the other group is still in opposition. I like the bill, I think it serves our public purpose. It declares that what we have been using over all these years is the property of the people and we ought to make some revenue off of it and that's what the...the bill is. There is no tie-in today with any agreement whatsoever.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hudson.

SENATOR HUDSON:

Well, thank you. I...I wanted to be sure that...Senator Berman, that there is no tie-in, because I know there's been a great dispute about copyrights and about who owns what and so forth, and what you're saying is, just for clarification, that this bill has no implications as far as that long-running dispute is concerned between those firms. And this bill would...would you say that this bill would be signed off on by both of those companies that have been...no, that has nothing to do with them.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR BERMAN:

I...thank you. I...I don't want to be misquoted, let me say it again. Meade and West, I am told, have reached an

agreement between the...between them. I don't know what that agreement says. West was opposed to the bill last year and is opposed to the bill...to this bill now. Meade Data has backed off and has no position on this bill now. Notwithstanding the position of those two companies, I submit this bill to us because I think it makes sense and I don't care personally the impact on those two companies. On the merits, I suggest to this Body, that our Statutes, the numbering system should be owned or the property of the people of the State of Illinois; that the Legislative Reference Bureau ought to revise as it sees fit the numbering system, if it sees fit, and any use of our Statutes ought to be considered for purposes of revenue raising on behalf of the State of Illinois. That's what this bill does.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Further discussion? Senator Netsch.

SENATOR NETSCH:

I...thank you, Mr. President. I guess I'm...I'm getting even more confused, Senator Berman. I don't recall ever being involved in the prior Meade-West, and if I voted on a bill, I don't even remember for whom I voted at the time, to be perfectly honest. It was not the most important issue at the time it happened but it was a very messy thing in terms of the Legislature, and it...there may be some public policy issue involved but, mostly, it put us in the middle between two warring private factions, a position that happens to us occasionally down here and that most of us find very uncomfortable and very unpleasant and most of us resent being put in that position unless there is no way to avoid it. I guess my problem now is that if, as we all understood, the matter had been settled, everyone is happy, why should we kind of resurrect the issue and pass a bill that again puts us in the middle of that battle? And I...my feeling is that, fine, if they've solved it, good, go and be in peace, you

two, and don't come back and bother us again. And, my own feeling is, we ought not to...to vote one way or the other on this, just let it die.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Sponsor yield for a question?

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will.

SENATOR GEO-KARIS:

My understanding was that for West...that for years West Company had the codification of our laws, is that correct, and...

PRESIDING OFFICER: (SENATOR SAVICKAS)

...Senator Berman.

SENATOR BERMAN:

Would you state the question again, please?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

My...my understanding was that West Company would codify our laws, and although was a foreign corporation, didn't pay the unusual foreign fees attributable to it, is that correct?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR BERMAN:

West has developed the numbering system, I didn't hear the other part of the...of the question, I'm sorry.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis. Could we have a little quiet here.

SENATOR GEO-KARIS:

I understand that although they were a foreign corporation, they hadn't paid...fees to the State of Illinois...corporate fees...that...they're supposed to when they

are not a state corporation for many years. Is that correct?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR BERMAN:

I believe that's the charge and I believe that that issue is in litigation between the Attorney General and West regarding payment of franchise fees.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

(Machine cutoff)...your bill is trying...is attempting to do is saying that the Legislative Reference Bureau is going to submit the codification plan to the General Assembly and then charge a fee to whoever undertakes to put our laws together. Is that correct?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR BERMAN:

Yes.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the...Senate, I rise to speak in favor of the bill. I don't think it's going to hurt Illinois, it might bring some more revenue into Illinois once our Legislative Reference Bureau submits a codification plan to the General Assembly and decides what a fee...what fee to charge for providing the private access to its statutory memory system.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Jones.

SENATOR JONES:

Will the sponsor yield?

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will.

SENATOR JONES:

Senator Berman, this bill would have a profound effect if you...if you...if this bill will give the State of Illinois control of the numbering system. So, therefore, the net effect would have an impact who currently...on the firm who currently has the contract, am I correct?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR BERMAN:

Yes.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Jones.

SENATOR JONES:

Well, there was quite a controversy on this thing last year and this would put the General Assembly smack in the middle of this issue and I agree with Senator Netsch is that, I don't think we should be passing this legislation at this time, and maybe it's best that we just vote Present and stay out of it until this issue is officially resolved. So I plan to vote Present on this issue.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Further discussion? Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, as one of the original hyphenated cosponsors of the bill, along with Senator Berman, I'd like to urge the Body's support for it. I agree that the mere fact that these two companies are no longer in dispute on the matter and that there are no longer well-respected lobbyists representing them here before the General Assembly doesn't...doesn't mean that we should lose interest in this issue. I believe it's true that these two companies, West and Meade, are not necessarily the only ones who might now or at some point be interested in the issue. I posed the ques-



tion to one of the representatives as to whether there are companies who might also be in the business of taking this information from LRB after paying whatever the fee imposed might be and making it available through publication or through some computer service, and I know there is at least one other company that hasn't come to me or anyone else, I don't think, asking us to pass this. But what this legislation would accomplish is to...to make the body of the Illinois Revised Statutes and the chapter and number headings as widely available as possible and also, very importantly, as immediately available as possible so that LRB could turn this information over as...as soon as they possibly could and it would be on line with a computer system, and those...those people throughout the state, businesses and...and practicing lawyers and others, who...who have a real interest in getting immediate access to this information would obtain it sooner than they otherwise might. I think we can assume without anyone telling us that the agreement between West and Meade must involve an agreement whereby Meade pays a certain fee for getting this information from...from West, but that doesn't mean that LRB shouldn't be directed by means of this legislation to make...make this information public and as widely available as possible, and I urge your support for Senator Berman's bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

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

SENATOR BERMAN:

Thank you, Mr. President. I...I would just comment on Senator Jones and Senator Netsch, they said, why should we take a position. Every time we push our button, we take a position and I suggest to you that the position embodied in House Bill 3896 is the right one, not for Meade, not for West but for the people of the State of Illinois. It says, and

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for the first time it says, that the numbering system of our Statutes belongs to the people of the State of Illinois, and it...further says that we encourage the Legislative Reference Bureau to set up a fee system so that we can make some revenue off of that system that belongs to the people of the State of Illinois. I ask for an Aye vote for the people of the State of Illinois.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall House Bill 3896 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? (Machine cutoff)...the record. On that question, the Ayes are 48, the Nays are 3, 5 voting Present. House Bill 3896 having received the constitutional majority is declared passed. House Bill 3917, Senator Rock. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 3917.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 3917 was referred to obliquely a little earlier when we were discussing Senator Weaver's bill for the Homer School District. This is the bill that would authorize the Chicago Board of Education to enter into a multiyear agreement with the private sector in order to construct a school building. Now, we talked about this bill at some length in committee and let me just refresh the recollection of the members, and I want to point out something that I didn't adequately point out in the committee, that is to say, this is not a Chicago Board of Education proposal, I

repeat...this is not a Chicago Board of Education proposal. This is a proposal...this is a proposal from the Chicago Board of Trade. The Chicago Board of Trade has adopted this magnet school and wishes for the first time in the history of this country, certainly, for the first time in the history of our city and our school district are proposing a private/public partnership to build and finance a new school building. The proposal provides and the Board of Trade of Chicago has agreed to contribute approximately five million dollars for the start-up costs which will be matched by an additional five million dollars for investment because the Chicago Board of Education simply doesn't have the money to build a school. This school will expand, as under Amendment No. 1, to serve some six hundred students. The original plans for the ag. school were drawn up by the agricultural science experts at the University of Illinois. The fact of the matter is, the Chicago Board of Trade is...and its membership is willing, as Mr. Goldberg from the board testified so ably in committee, willing to commit ten million dollars virtually immediately to put this school together. What we are doing by virtue of House Bill 3917 is we are authorizing the Chicago Board of Education to enter into a lease purchase agreement. We are affording them the opportunity to float up to twenty million dollars in bonds depending on the cost of construction because they will after ten years receive title to this building and will pay off the bonds. And, yes, we are proposing a levy...a two-cent levy which will yield approximately four and a half million dollars annually, so I presume if you spread that across the one million two hundred and some thousand parcels in the City of Chicago, it doesn't amount to that much per household; but, yes, it is a levy authorization without a referendum and I will admit that. The fact of the matter is, this proposal is unique and we have men and women at the Chicago Board of

Trade with money in hand waiting to participate in this public/private partnership. I think it's an opportunity that we would be foolish to turn down. I have been asked by Mr. Tom Donovan who is the president of the Chicago Board of Trade to handle this proposal and to make this proposal to my colleagues in the Senate. I think this is a perfect example of what can be done when the private sector really expresses an interest in the educational system in any city. This is a first and one that I hope we will meet with great enthusiasm and majority approval, and I would solicit your Aye vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Discussion? Senator Newhouse.

SENATOR NEWHOUSE:

Thank you, Mr...Mr. President. I rise in support of this Senate Bill...House Bill 3917 and for several reasons. First, to commend the Board of Trade for entering into a public/private partnerships, a partnership that is much needed and should be replicated in the City of Chicago and elsewhere. Secondly, for its focus on a problem...a problem that's of a serious nature and that is the upstate-downstate split. My children in Chicago need to understand what is happening to farmers in this state, needs to understand their relationship, needs to understand where food comes from, how it's produced and what its background is. And, finally, it comes at a timely juncture when our farmers downstate are having tremendous problems that our youngsters need to understand have a great deal to do with our economy, have a great deal to do with what goes on in the City of Chicago and, therefore, they will come out of an educational experience with the background that prepares them for an understanding. I would ask that all of us join together and give this bill a unanimous vote out of here. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Raica.

SENATOR RAICA:

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

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will.

SENATOR RAICA:

Senator, would you know offhand how many people from the...or from the City of Chicago now go to these agricultural schools?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

This is one of a kind and at the moment there are but three grades, each containing approximately a hundred and fifty students. When completed, it will have a maximum of six hundred, but at the moment, I think it's...I think it's accurate to...to say that there are probably four hundred youngsters...enrolled in this school at...at this moment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Raica.

SENATOR RAICA:

I have heard a few property tax increases and different tax increases come through this Body but this is probably the first time that I've heard of a tax increase called unique. When I discussed this issue with a few other Senators, it was their feeling that they didn't really see any problem with this school. This is a good school from what I can see, so long it's not in their district so they have to impose a tax on their constituents. Being from the...City of Chicago and representing a portion of the City of Chicago, I have to feel that I don't think that the...the people from the city have to be taxed once again for a school. We're...we're looking at the educational system and we could say that this school system is unique, that we need to have our children aware of where food comes from and that they have a...no drop-out

rate, that this is attended every day and they have no problems with their student enrollment, but I don't...really think...we tried to pass this bill out of the General Assembly in the closing days, you know, last Session and it comes before us again this year, and...and I don't feel at this point in time that we have to go back to our constituents and say we're going to cause another tax increase for...for this type of school when we have our educational system in the Chicago school system and the type of situation that they're in now. And, therefore, I stand up and oppose this piece of legislation.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lechowicz.

SENATOR LECHOWICZ:

Well, Mr. President, Ladies and Gentlemen of the Senate, the previous speaker was absolutely correct as this matter was discussed before us last year. The only difference being that this proposal is financed with the cooperation of Board of Trade, and here having a business group are the City of Chicago realizing the fact that agricultural economics is a very important subject at the University of Illinois, at the Board of Trade, at...in the world markets. In order for the children of the City of Chicago to compete on an equitable level, they have to address and be able to...be admitted to the University of Illinois...for that school, be accepted at the Board of Trade or other training groups in order to participate in the worldwide market. The Tribune and the Sun Times both editorially endorsed the concept last year and I'm sure they would have...editorially endorsed this concept even more as we should...this afternoon. Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Dudycz.

SENATOR DUDYCZ:

Will the sponsor yield?

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will.

SENATOR DUDYCZ:

Senator Rock, it seems to me that the Senate debated and rejected this type of legislation several times in the last year or so, notably as House Bill 2190, the amendments last year. Can you tell me if House Bill 3917 substantively differs from House Bill...2190, and if so, how?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Yes, it...yes it does, Senator, at least in the respect that we put on Amendment No. 1 and limited the size of the proposed school to six hundred students.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Dudycz.

SENATOR DUDYCZ:

So you're limiting it, the ag. school, to six hundred students. Now, how much money is this tax supposed to generate 'cause you mentioned two figures, one, four million and, one, twenty million, could you please explain those?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

That...that is another substantive difference, as I understand it, between the prior proposal; the prior proposal kind of was an unlimited tax. This is two cents per hundred and will yield on an annual basis it is projected about four and a half million dollars, enough to pay the debt service and the operation of the school. And I might just say, Senator, as I was going to respond to what Senator Raica's concern was, that the average house in Chicago would be taxed an additional...it is estimated an additional three dollars annually for this purpose.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Dudycz.

SENATOR DUDYCH:

...under this bill, will the...will this bill authorize the Board of Education to ask the city council to approve...to approve a property tax to pay the interest and principle on the bonds?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Yes.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Dudycz.

SENATOR DUDYCH:

...ladies and gentlemen, at a time when the Legislature is debating Chicago school reform, House Bill 3917 is singling out one out...one school out of six hundred in the City of Chicago to receive millions of nonreferendum property tax dollars. And while the school's performance may be impressive with the no drop-out rate and that they're teaching the children how to grow corn and carrots and...and apples, I think that the priorities are lopsided here. I don't...do not think that the Chicago taxpayers, Senator Rock, whether we're talking about three dollars for home owner or...or twenty dollars or fifty dollars, I do not think that the taxpayers want us to authorize a nonreferendum property tax increase in the city for an ag. school, not any more than the...some of the downstate communities would wish a nonreferendum property tax increase in their area for a bilingual school. I think, should we put priority towards an ag. school for six hundred students over a school reform for over several hundred thousand students? And that's what we're doing, we're putting...we're...we're putting the issue of the ag. school now when we're still debating school



reform. We don't even know if there will be school reform this year. The Chicago Board of Education needed hundreds of millions of dollars before; now, they...they don't seem to need it. I think this is a bad idea and I think we should reject it overwhelmingly like we did several times before.

PRESIDING OFFICER: (SENATOR SAVICKAS)

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

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I did not mean to imply, Senator Raica, that this was a unique tax or a unique request for a levy. What I did say, I thought, was that this is a unique opportunity because we have a proposal from the membership of the Chicago Board of Trade to come in with an immediate infusion of some ten million dollars through grants and investments to build a school building to house this school that everyone recognizes is one of a kind and it's an opportunity we just can't afford to turn down. And I truly share your concern about a nonreferendum increase in the levy, but when you look, and I think when the people of Chicago, the people of your neighborhood and Senator Dudycz's neighborhood find out what we're getting for this miniscule investment, I think we should all agree that this is a unique opportunity and one that we ought not lightly turn down. We have a chance to literally...literally leverage twenty million dollars from the membership of the Chicago Board of Trade who really wants to get involved in a public/private partnership with the Chicago Board of Education, and let me repeat, please, we're all mad at the Chicago Board of Education and there will be school reform before we close our business on July 1st or June 30th, but this is not a Board of Education proposal. This is a proposal from the business community in the City of Chicago specifically the Chicago Board of Trade, and they are saying,

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here, we're ready with ten million dollars to invest...if you will just give the Board of Education the authority to do this. That's what we're asking for, the authorization, and I solicit your Aye vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall House Bill 3917 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? (Machine cutoff)...voted who wish? (Machine cutoff)...voted who wish? (Machine cutoff)...voted who wish? Take the record. On that question, the Yeas are 29, the Nays are 12, 13 voting Present. House Bill 3917 having failed to receive the constitutional majority is declared lost. Senator Rock, for what purpose do you arise?

SENATOR ROCK:

Well, I'd like further consideration to be postponed. I see at least one Present vote that I thought was going to go the other way.

PRESIDING OFFICER: (SENATOR SAVICKAS)

You've heard the motion on the...hearing no objection, leave is granted. House Bill 3917 will be placed on the Order of Postponed Consideration. House Bill 3918, Senator Rock. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 3918.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 3918 is a request from the Cook County Board of Commissioners and its president, and it would authorize an increase in fees to be charged by the court

clerk which will result in an infusion it is estimated of some thirteen million dollars into the County Corporate Fund, which thirteen million dollar...which would lead then to a thirteen million dollar abatement...abatement of property tax levy. I know of no objection. It is a straight fee increase that the county commissioners have asked us to impose. It...it is applicable to...all across the civil filings and increases the cost to the tune of an annual amount of about thirteen million dollars and I would solicit your Aye vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall House Bill 3918 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, none voting Present. House Bill 3918 having received the constitutional majority is declared passed. House Bill 3926, Senator Fawell. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 3926.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Fawell.

SENATOR FAWELL:

Thank you, very much. The major...the first portion of the bill basically does exactly what it says on the Calendar. It...it allows assessors to turn their assessment book in by November 15th. The other amendment that was added to it...allows the people who did not realize that they were entitled to a homestead exemption, circuit breaker or disabled veteran's exemption under the Homestead Act to go back three years and receive a credit towards their next year's taxes. I would be happy to answer any questions and I ask

for your favorable vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. Senator Fawell showed this to me just a few moments ago. The bill and the amendment neither had gone through Revenue, so I had not had an opportunity to see them before. The...the only thing that's a matter of concern on the second amendment, Senator Fawell, it seems to me, is that it does keep the...the tax roll sort of in limbo for a period of time; that is, there may be a...a necessity because of the three-year carry-back, if you will, to go back and...and if it becomes extensive and redo tax rates and...and make a number of other accommodations. I certainly am in sympathy with the idea that if someone was, indeed, entitled but missed it for whatever reason that they ought not to be denied it, and I'm probably going to vote for the bill, but I think that we just ought to be aware of the fact and sensitive to the fact that it could cost some very cumbersome administrative problems.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Fawell.

SENATOR FAWELL:

Yeah, well, I understand what you're saying. I...I think this is just a...a fair amendment. Apparently, there has...staff gave this to me; apparently, there have been some senior citizens who...and I suppose they're the little old ladies who used to be taken care of when their husbands were alive that just honestly didn't realize that they were entitled to these...these homestead exemptions and...and it's just a...I think it's fair.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, the question is, shall House Bill 3926 pass. Those in favor will vote Aye.

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3rd Reading

Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are 1, none voting Present. House Bill 3926 having received the constitutional majority is declared passed. House Bill 3931, Senator Rock. Read the bill, Mr. Secretary. Oh, that's on recall...the next three? House Bill 3987, Senator Demuzio. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 3987.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This would require the counties to assess a twenty-five dollar fee for probation services under the control of the chief judge. It was a...amended to indicate that the twenty-five dollar monthly fee could be also added or paid to by hospitals. I don't know of any known opposition. I think the amendment also took out the...the County of Cook, as I recall. So I would move for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will.

SENATOR GEO-KARIS:

This twenty-five dollar fee that you mentioned, who was it...assessed against?

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

It...it was to be assessed against the person who was sentenced under probation to defray expenses.

PRESIDENT:

(Machine cutoff)...discussion? If not, the question is, shall House Bill 3987 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, no Nays, none voting Present. House Bill 3987 having received the required constitutional majority is declared passed. 4009, Senator Etheredge. On the Order of House Bills 3rd Reading is House Bill 4009. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 4009.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President, Ladies and Gentlemen of the bill...of the Senate. This bill does several things. It defines ground water. It better clarifies the relationship between the Illinois Department of Agriculture and soil and water conservation districts in regard to the...implementation of the Ground Water Act that we passed last year...also, according to the amendment that we added yesterday, it said that the standards for the concentration of barium, radium and fluorine in our ground water will be the same...the state's standards will be the same as the federal standards. I'm not aware of any opposition to this bill. I'll...be happy to respond to any questions; if there are no questions, I would ask for a favorable roll call.

PRESIDENT:

Discussion? Any discussion? If not, the question is, shall House Bill 4009 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, 1 Nay, none voting Present. House Bill 4009 having received the required constitutional majority is declared passed. 4063, Senator Berman. 94, 13 and 16 are on the recall. Top of page 8...top of page 8, the Order of House Bills 3rd Reading, Senator Barkhausen, 4156. On the Order of House Bills 3rd Reading is House Bill 4156. Read the bill.

ACTING SECRETARY: (MR. HARRY)

House Bill 4156.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, House Bill 4156 is an administration bill from the Department of Alcoholism and Substance Abuse and the Department of Public Health. It was on the agreed bill list in the Public Health Committee. As you recall, we attempted a couple of controversial amendments yesterday neither of which were adopted. The bill itself should be completely noncontroversial and I ask your support.

PRESIDENT:

Discussion? Is there any discussion? If not, the question is,...shall House Bill 4156 pass. Those in favor vote Aye. Opposed vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. House Bill 4156 having received the required constitutional majority is declared passed. 4179, Senator Marovitz. On the Order of House Bills 3rd

Reading is House Bill...I'm sorry, Senator...House Bill 4179.

Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 4179.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

(Machine cutoff)...Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. This is a bill that was drafted in response to a problem in Senator Alexander's district, and in her absence, I, as a hyphenated sponsor, will be handling it in...in her stead. This bill increases the penalties for dumping of refuse without consent of the landowner. As you may or may not have read, this occurred in...in a rather tragic fashion in the City of Chicago causing tremendous damage and upheaval in a community...increases the penalty for dumping, depositing or placing garbage, rubbish, trash or refuse upon property without the consent of the owner or the person in possession and I would ask for your Aye vote.

PRESIDENT:

Discussion? Senator Hawkinson.

SENATOR HAWKINSON:

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

PRESIDENT:

Sponsor indicates he will yield, Senator Hawkinson.

SENATOR HAWKINSON:

Senator, you and I discussed this briefly a week or so ago, and...and I asked at that time that the section...an amendment amends the littering Statute as well and makes a minimum five hundred dollar penalty for any littering and makes a casual...although we're all against littering, it



makes a litterer a felon who's not dumping anything other than maybe a cigarette butt or a single soda can. I'm in complete harmony with your objectives in this bill. I think we ought to...to increase the penalties, as you've suggested, under the original section. I have some question about the minimums involved in the bill and...and I'm wondering if this bill will go to conference committee, maybe we can work something out in terms of the minimum penalty.

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

There is a minor technical amendment on the bill and I'm happy to work with you to...to correct that minor problem regarding littering, 'cause we're not trying to get at that, we're trying to get at the dumping problem.

PRESIDENT:

Further discussion? Senator Brookins.

SENATOR BROOKINS:

Thank you, Mr. President. I rise in strong support of this bill. I have a street in my district, Stoney Island, that runs from 95th to 127th and they have dumped so much on that street that it has closed the street where it will cost somewhere in the area of two to three hundred thousand dollars just to clean up the dumping...the...dumping that has been done. So I rise in strong support and would also request to be added, if possible, as a hyphenated cosponsor.

PRESIDENT:

All right. The gentleman seeks leave to be added as a hyphenated cosponsor on 4179. Without objection, leave is granted. Further discussion? If not, the question is, shall House Bill 4179 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 57 Ayes, no nays, 1 voting Present. House Bill 4179 having received the required constitutional majority is declared passed. Senator Zito on 4180. Senator Jacobs on 4192. On the Order of House Bills 3rd Reading is House Bill 4192. Read the bill, Mr. Secretary.

END OF REEL

REEL #4

ACTING SECRETARY: (MR. HARRY)

House Bill 4192.

(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 just clarifies licenses under the Consumer Installment Loan Act and includes the amendment that...that if they do sell insurance, they must be in accordance with the Insurance Code. Ask for its approval.

PRESIDENT:

Discussion? Any discussion? If not, the question is, shall House Bill 4192 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 4192 having received the required constitutional majority is declared passed. 4220 is...was on the recall. 4256 is a hold. All right, ladies and gentlemen, the Secretary has informed me that the recall list has been passed out...distributed. We have been through the Calendar once. Senator Demuzio, for what purpose do you arise?

SENATOR DEMUZIO:

(Machine cutoff)...earlier on 3895, on page 6, we had leave to get back to it. I'm...I'm ready to roll.

PRESIDENT:

Okay. All right, I'd just direct your attention for a

HB 3895  
3rd Reading

moment to the recall list. That's Senators Jones, Berman, Luft, Marovitz, Brookins, Tom Dunn, Jerome Joyce and Ralph Dunn. If you'd just...we will go through the recall list and then adjourn for the day. So if those members can just try to be on the Floor and ready to go. In the meantime,...leave having been granted, we'll move back to page 6 on the Calendar on the Order of House Bills 3rd Reading is House Bill...3895, Mr. Secretary. Read the bill, please.

ACTING SECRETARY: (MR. HARRY)

House Bill 3895.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

Well, earlier in the day, Senator Davidson had a question with respect to one of the employees with respect to a...a...a law case, and I am told that this would not affect him at all.

PRESIDENT:

Senator Davidson.

SENATOR DAVIDSON:

Well, when you get ready to make the motion, Senator Demuzio, if you would state that for the record in case anyone tries to play fun and games, we'd have that to take to court, I would appreciate it, that this does not affect that individual.

PRESIDENT:

All right. Any further discussion? Further discussion? Senator Demuzio, you wish to close?

SENATOR DEMUZIO:

I am told by the Treasurer's representative, Senator Davidson, who is standing next to me, that this does not at all involve the gentleman to which we are speaking with

respect to the...with a court case. This would, in fact, establish a Personnel Code for the Treasurer's Office. I would ask for support of the Senate to give the Treasurer the same right we have given the Comptroller and the Secretary of State in previous years.

PRESIDENT:

The question is, shall House Bill 3895 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 34 Ayes, 2 Nays, 17 voting Present. House Bill 3895 having received the required constitutional majority is declared passed. (Machine cutoff)...direct your attention to the recall sheet, ladies and gentlemen. We'll go through the recall sheet and handle whatever paper we have and then we're...we will have concluded. Bottom of page 2, on the Order of House Bills 3rd Reading is House Bill 1491. Senator Jones 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 1491, Madam Secretary.

SECRETARY:

Amendment No. 4 offered by Senator Jones.

PRESIDENT:

Senator Jones on Amendment No. 4.

SENATOR JONES:

Yeah, thank you, Mr. President. I'd like leave of the Body to reconsider the vote by which Amendment No. 3 was adopted and Amendment No. 4 will replace it.

PRESIDENT:

All right. Senator Jones having voted on the prevailing side has moved to reconsider the vote by which Amendment No. 3 to House Bill 1491 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 Jones now moves to Table Amendment No. 3 to House Bill 1491. All in favor of the motion to Table indicate by saying Aye. All opposed. The Ayes have it. The motion carries. Amendment No. 3 is Tabled. Further amendments?

SECRETARY:

Amendment No. 4 offered by Senator Jones.

PRESIDENT:

Senator Jones on Amendment No. 4.

SENATOR JONES:

Yeah, thank you, Mr. President and...members of the Senate. Last week the U.S. Congress passed the Medicare Catastrophic Care Act of 1988 which will greatly expand the basic Medicare benefits beginning...January 1, 1989. This amendment allows the Department of Insurance to promulgate rules providing for new...minimum standards for Medicare supplemental policies and I move its adoption.

PRESIDENT:

Senator Jones has moved the adoption of Amendment No. 4 to House Bill 1491. 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. Right across the page on page 3 is 3024. Senator Jones 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 3024, Madam Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Jones.

PRESIDENT:

Senator Jones on Amendment No. 1.

SENATOR JONES:

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

PRESIDENT:

(Machine cutoff)...Jones has moved the adoption of Amendment No. 1 to House Bill 3024. 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. Bottom of page 3, on the Order of House Bills 3rd Reading is House Bill 3096. Senator Jones 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 3096, Madam Secretary.

SECRETARY:

Amendment No. 3 offered by Senator Jones.

PRESIDENT:

Senator Jones on Amendment No. 3.

SENATOR JONES:

Yeah, thank you, Mr. President, members of the Senate. Amendment No. 3 is to...clear up a drafting error by LRB and to...it sets up the amendment...standards to provide hearing aid evaluation for...for Illinois citizens. I move its adoption.

PRESIDENT:

Senator Jones has moved the adoption of Amendment No. 3 to House Bill 3096. 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.

HB 3379  
out of record

PRESIDENT:

3rd reading. Middle of page 4, 3264. On the Order of House 3rd is 3264. Senator Berman seeks leave of the Body to return that bill...Senator Berman.

SENATOR BERMAN:

Thank you. I'm advised that there is a error in three words. Are we going to have a recall list tomorrow morning?

PRESIDENT:

I presume so and one Saturday and one Sunday...

SENATOR BERMAN:

Okay. I...I would...I want to put this on tomorrow morning's recall. Thank you.

PRESIDENT:

First thing. All right. 3297, Senator Luft. 3338, Senator Marovitz. That's also on Saturday's recall. 3379, Senator Brookins. Middle of page 4 on the Order of House Bills 3rd Reading is House Bill 3379. Senator Brookins 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 3379, Madam Secretary.

SECRETARY:

Amendment No. 4 offered by Senator Brookins.

PRESIDENT:

Senator Brookins.

SENATOR BROOKINS:

Thank you, Mr. President. What I have is a JCAR amendment that allow different agencies to do some of the things...or to legalize some of the things which they are already have been...already have been in the process of doing, and I ask for a favorable vote.

PRESIDENT:

Senator Brookins has moved the adoption of Amendment No. 4 to House Bill 3379. Discussion? Senator Karpel.



SENATOR KARPIEL:

Thank you, Mr. President. Would the Senator please explain what this does?

PRESIDENT:

Senator Brookins.

SENATOR BROOKINS:

Okay. It allows nonattorneys to practice before certain boards and present cases for...different cases. (Machine cutoff)...already being done right now according to departmental rules and this gives the statutory authority to do that.

PRESIDENT:

Senator Karpriel.

SENATOR KARPIEL:

I'm sorry, not only don't I have a copy of the amendment right at...I don't even have anything in front of me what...you know, the bill does. What committee did this bill go through?

PRESIDENT:

Senator Brookins.

SENATOR BROOKINS:

Yes, House Labor and Commerce.

PRESIDENT:

(Machine cutoff)...Karpriel.

SENATOR KARPIEL:

Could we just take this out of the record for just a minute till we can get an idea of what this amendment does? Is it all right? All right. Yeah, take it out of the record, please, until we have a chance to look at it.

PRESIDENT:

If...if the sponsor wishes to do that, it certainly will be done. Senator Brookins.

SENATOR BROOKINS:

Sure.

NB 3592  
Recalled

PRESIDENT:

All right, take it out of the record, Madam Secretary. 3592...3-5-9-2, the others have been scratched, I'm told. Scratch them off your list. 3-5-9-2, top of page 6, on the Order of House Bills 2nd...3rd Reading is House Bill 3592. Senator Dunn 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 3592.

SECRETARY:

Amendment No. 2 offered by Senator Thomas Dunn.

PRESIDENT:

Senator Dunn.

SENATOR THOMAS DUNN:

Thank you, Mr. President. Senator...or this amendment adds provisions revising the law in relation to detention of juveniles in counties and municipal jails. It was opposed and is opposed by the Sheriffs' Association. It's supported by the Illinois Juvenile Justice Commission and is at their request. Be happy to answer any questions.

PRESIDENT:

All right. Senator Dunn has moved the adoption of Amendment No. 2 to House Bill 3592. Discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

Amendment No. 3 offered by Senator Thomas Dunn.

PRESIDENT:

Senator Dunn on Amendment No. 3.

SENATOR THOMAS DUNN:

Thank you, Mr. President. This is at the request of DCFS and it authorizes the department to file a supplemental petition for review of shelter care orders within eighteen months of the order for the shelter care instead of eighteen months

*HB 3799  
Revised*

from the dispositional order.

PRESIDENT:

Senator Dunn has moved the adoption of Amendment No. 3 to House Bill 3592. 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. 3799, middle of page 6. Senator Joyce 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 3799, Madam Secretary.

SECRETARY:

Amendment No. 5 offered by Senator Jerome J. Joyce.

PRESIDENT:

Senator Joyce.

SENATOR JEROME JOYCE:

Thank you, Mr. President. Amendment No. 5 directs the Interagency Committee on Pesticides to report to the General Assembly by 3-1-89 the effects of agricultural pesticide on ground water. That was a bill...Senate Bill 1475, the date was...well, in fact, the bill just got passed in the House and the...of course, the...the reporting date was wrong, so that changes the reporting date on it. And the second part of it allows manufacturers of pesticides to comment on specific and technical justification of health...health problems and action levels prior to assuming liability for responsive costs based on noncompliance with advisories or levels. That is a...a provision that was requested by Monsanto and EPA and Monsanto came to that agreement. So I'd ask the adoption of the amendment.

PRESIDENT:

All right. Senator Joyce has moved the adoption of Amendment No. 5 to House Bill 3799. 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. 6 offered by Senator Thomas Dunn.

PRESIDENT:

Senator Dunn, Amendment No. 6.

SENATOR THOMAS DUNN:

This amendment ought to be entitled it's..."Just when you thought it was safe to go back into the leaking landfill," because it's exactly the same with the exception that it's been changed from using the word "completed" to the word "implemented" in...in providing for a remedial actual...action plan before a permit would be issued.

PRESIDENT:

Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President, members of the Senate. We just now have received this...this amendment and...and there really isn't much change in it, and...and I guess, once again, I think an...an issue like this, as major as this is, we ought to have been able to sit down and...and...and deal with this issue and attempt to...to resolve the problem. Senator Demuzio, this goes...this goes against...this goes against, in my judgment, the purport of...of 172. It simply does. I don't think this is good public policy. This...this, in effect, still absolutely will not allow any landfills in this state...we can't allow that to happen, we're all affected. Why do we want to go ahead and screw things up, something that we did quite well some years ago, and now come back and nit-pick at it and destroy the whole thing? I think, Senator Dunn, there are...there are other ways we ought to do it and this still...this still

violates the Supreme Court's order that that landfill be expanded in an area that is geologically sound...absolutely geological sound, and I...I really somewhat resent legislation like this that's going to affect every single legislative district in this state.

PRESIDENT:

Further discussion on Amendment No. 6? Senator Macdonald.

SENATOR MACDONALD:

This amendment really does not do anything substantially different than the former amendment did and...I...I certainly...without taking time of this Body at this late hour, I would certainly second everything that Senator Maitland said. This is no time for us to be entering into an amendment of this magnitude without more discussion and it...it just does violate the Supreme Court decision and other...for other reasons, I just strongly disapprove of this amendment and would ask for a roll call.

PRESIDENT:

Further discussion on Amendment No. 6? Senator Joyce.

SENATOR JEROME JOYCE:

Thank you, Mr. President. This doesn't have anything to do with 172. This is...is covered in...under a different section of the...the Act. You keep throwing 172 out here and...and I ask you, if...if you have a landfill operator and it...his...it's leaking, all right? And it's...everybody knows it's leaking and right next to it he wants to put another one in, should we go ahead and license him while the first one isn't working? That seems preposterous to me. I mean, all this does is says you can't license him while the other one is leaking. I mean, that's...that's very logical, it seems to me. I don't know what the big hullabaloo about that is. If he isn't doing the first one right, what makes you think he's going to do the second one right? I'd cer-

tainly ask for an Aye vote on this.

PRESIDENT:

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

SENATOR THOMAS DUNN:

Thank you, Mr. President. The language has been changed despite the comments from the other side that it's not any different. It...it is different. The first amendment that I had done earlier called for remedial action to be completed before a permit would be issued and that was rejected. I have now changed it so that the operator has a plan that is implemented, not completed but merely implemented. I don't think it's too much to ask him to stop his leaking landfill or at least try before we give him another shot at polluting us. I urge an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Dunn has moved the adoption of Amendment No. 6. Those in favor will...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 28, the Nays are 28, 1 voting Present. Amendment No. 6 fails. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. All right. Senator Dunn, for what purpose do you arise?

SENATOR THOMAS DUNN:

I'd like to verify the negatives.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Davidson, for what purpose do you arise?

SENATOR DAVIDSON:

Point of information, parliamentary inquiry. You've already announced it failed, and they didn't ask for the postponed consideration of the verification until after it had already been over and done with. This is a moot question.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson, I was not even...I was looking down at my Calendar here for the next bill and there was no intention whatsoever to speed up or slow down whatsoever, and I think the gentleman is entitled to his...to his verification. We've...we've done it for other members and I think it was done in a timely manner. Senator Davidson.

SENATOR DAVIDSON:

...if you're going to allow him to verify that, depending on what he accomplishes, I'll ask for the same thing in relation to the others.

PRESIDING OFFICER: (SENATOR DEMUZIO)

That is certainly...that is certainly in order. Senator Dunn has asked for a verification of the negative votes, Senator, or...Senator Dunn. All right. The Secretary will read the names of those members who voted in the negative.

SECRETARY:

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dunn, do you question the presence of any member that voted in the negative? (Machine cutoff)...Dunn.

SENATOR THOMAS DUNN:

Mr. Rigney.

AB 3938  
Recalled

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rigney on the Floor? Senator Rigney on...I'm sorry, he's sitting in his seat. It's hard to see that little fellow over that big...over that big desk there, I'm sorry. All right. Senator Dunn, do you question the presence of any other member voting in the negative?

SENATOR THOMAS DUNN:

No.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. On that question, the Ayes are 28, the Nays are 28, 1 voting Present. Amendment No. 6 fails. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 3938, Senator Marovitz. Senator Marovitz,...pardon? Senator Marovitz seeks leave of the Body to return House Bill 3938 to the Order of 2nd Reading for the purpose of Tabling an amendment. Is leave granted? Leave is granted. House bills 2nd reading is House Bill 3938, Madam Secretary. All right, Senator Marovitz.

SENATOR MAROVITZ:

(Machine cutoff)...much, Mr. President. Having voted on the prevailing side of the vote by which Amendment No. 2 was adopted, I move to reconsider that vote for the purpose of Tabling the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Marovitz having voted on the prevailing side moves to reconsider the vote by which Amendment No. 2 was adopted. Those in favor of...of the motion will indicate by saying Aye. Opposed Nay. The Ayes have it. The motion...the...Amendment No. 2 is reconsidered. Senator Marovitz now moves to Table Amendment No. 2, House Bill 3938. Those in favor will indicate by saying Aye. Opposed Nay.



*HB 3379  
reconsider*

The Ayes have it. Amendment No. 2 is Tabled. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 4113. Senator Ralph Dunn seeks leave of the Body to return House Bill 4113 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. House Bill 4113, Senator Dunn.

SENATOR RALPH DUNN:

(Machine cutoff)...Mr. President. I...I having voted on the prevailing side move to reconsider the vote by which Amendment No. 1 was adopted on Senate Bill...House Bill 4113.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Ralph Dunn moves to reconsider the vote by which Amendment No. 1 to House Bill 4113 was adopted. Those in favor of reconsidering will indicate by saying Aye. Opposed Nay. The Ayes have it. The vote is reconsidered. Senator Dunn now moves to Table Amendment No. 1 to House Bill 4113. Those in favor of Tabling Amendment No. 1 will indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is Tabled. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. (Machine cutoff)...Brookins, for what purpose do you arise?

SENATOR BROOKINS:

Yes, with leave of the Body, we'd like to return to House Bill 3379.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. With leave of the Body, on the recall list, we'll return to...Senator Brookins, we took it up earlier. House Bill 3379, Senator Brookins seeks leave of the Body to

return that bill 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 3379, Madam Secretary.

SECRETARY:

Amendment No. 4 offered by Senator Brookins.

PRESIDENT:

Senator Brookins.

SENATOR BROOKINS:

Thank you. This is the JCAR amendment that was just discussed and I think that it's been worked out now, and we ask that we get a favorable vote.

PRESIDENT:

All right. Senator Brookins has moved the adoption of Amendment No. 4 to House Bill 3379. 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 Lechowicz, for what purpose do you arise? (Machine cutoff)...Kelly.

SENATOR KELLY:

Yes, Mr. President, I...is it all right if I...I'd like to make an announcement right now for this evening. The House-Senate baseball game is at five o'clock in Iles Park on Ash and Fifth. We'd appreciate it very much if our players would be out there and...and last year we had a close game...fifteen to fourteen loss, we're getting a lot better and the House is getting a little worse, we're going to do it. Five o'clock it says on the ticket, if you'd be close enough to that, we'll practice a little bit. Thank you.

PRESIDENT:

Resolutions.

SECRETARY:

(Machine cutoff)...Resolution 1247 offered by Senator Poshard.

Senate Resolution 1248 offered by Senator Donahue.

Senate Resolution 1249 offered by Senator Ralph Dunn.

They're all congratulatory.

PRESIDENT:

Consent Calendar.

SECRETARY:

Senate Joint Resolution 152 offered by Senator Jerome J. Joyce, it is substantive.

PRESIDENT:

Executive.

SECRETARY:

Senate Joint Resolution 153 offered by Senator Woodyard, it is also...congratulatory.

PRESIDENT:

Consent Calendar. Messages from the House.

SECRETARY:

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

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

House Joint resolution 146, it is substantive.

PRESIDENT:

Executive.

SECRETARY:

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

Mr. President - I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the passage of a bill of the following title, to-wit:

Senate Bill 1563 with House Amendment 1.

I have like Messages with...on Senate Bill 1599 with House Amendments 2 and 4.

Senate Bill 1626 with House Amendments 2 and 3.

Senate Bill 1676 with House Amendments 5 and 6.

Senate Bill 1676 with House Amendments...5 and

6.

Senate Bill 1685 with House Amendments 3 and 4.

Senate Bill 1876 with House Amendments 1 and 2.

Senate Bill 1923 with House Amendment 1.

Senate Bill 2002 with House Amendments 1, 2, 3

and 4.

Senate Bill 2010 with House Amendment 1.

Senate Bill 2028 with House Amendments 1

through 6.

Senate Bill...2117 with House Amendment 1.

Senate Bill 2193 with House Amendment 4.

Senate Bill 2201 with House Amendments 1, 2 and

3.

Senate Bill 2257 with House Amendments 1 and 2.

PRESIDENT:

(Machine cutoff)...and gentlemen, any further business or announcements to come before the Senate? We will begin tomorrow on the Order of House Bills 3rd Reading and proceed through the Calendar, and at the conclusion of the Calendar, we will adjourn until Monday. (Machine cutoff)...o'clock tomorrow morning, start at nine o'clock tomorrow morning and we can conceivably be through by noon. Senator Philip, for what purpose do you arise, sir?

SENATOR PHILIP:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Purpose of an announcement to remind everybody that the Governor is hosting a cocktail party at the Mansion for the German General Consul, five o'clock.

PRESIDENT:

Five o'clock at the Mansion. Further business to come before the Senate? Any further business? If not, Senator Demuzio moves that the Senate stand adjourned until Friday, tomorrow morning, June 24th, nine o'clock. 9:00 a.m. sharp and we will attempt to conclude our business as rapidly as possible. Nine o'clock tomorrow morning.

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