

85TH GENERAL ASSEMBLY

REGULAR SESSION

JUNE 29, 1987

PRESIDING OFFICER: (SENATOR DEMUZIO)

The hour of ten o'clock having come and...the Senate will come to order. Our guests will...our members will be at their seats, our guests in the gallery please rise. Our prayer today is by the Reverend Thomas Burr, Director of the Catholic Charities, Diocese of Rockford, Illinois. Father Burr.

FATHER BURR:

(Prayer given by Father Burr)

PRESIDING OFFICER: (SENATOR DEMUZIO)

All...reading of the Journal. Senator Alexander.

SENATOR ALEXANDER:

Mr. President, I move that reading and approval of the Journals of Tuesday, June 16th; Wednesday, June 17th; Thursday, June 18th; Friday, June 19th; Monday, June 22nd; Tuesday, June 23rd; Wednesday, June 24th; Thursday, June 25th; Friday, June 26th; Saturday, June 27th and Sunday, June 28th, in the year 1987, be postponed pending arrival of the printed Journals.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. You've heard the motion as placed by Senator Alexander. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carried. So ordered. All right. We will begin on page 23...page 23 on your Calendar. All right. Message from the House.

SECRETARY:

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

Mr. President - I am directed to inform the Senate that the House of Representatives has refused to concur with the Senate in the adoption of their amendments to the following bills.

Senate Amendments 1 and 2 to House Bill 113.

Senate Amendment 1 to House Bill...126.

Senate Amendment 2 to House bill 513.

Senate Amendment 1 to House Bill 655.

Senate Amendments 1, 2 and 3 to House Bill 776.

Senate Amendments 1, 4 and 5 to House...House

Bills 777.

Senate Amendment 1 to House Bill 780.

Senate Amendments 1, 2 and 3 to...to House Bill

782.

Senate Amendment 2 to House Bill 783.

Senate Amendments 2 and 3 to House Bill...784.

Senate Amendments 1 and 2 to...to House Bill

789.

Senate Amendment 1 to House Bill 791.

Senate Amendments 1 and 2 to...to House Bill

793.

Senate Amendments 1 and 2 to House Bill 799.

Senate Amendment 1 to House Bill 960.

Senate Amendment 1 to House Bill 1023.

Senate Amendments 1, 2 and 3 to House Bill

1163.

Senate Amendments 1, 2 and 3 to House Bill

1234.

Senate Amendment 1 to House Bill 1275.

Senate Amendment 1 to House Bill 1368.

Senate Amendment 1 to House Bill 1421.

Senate Amendment 1, 2 and 4 to House Bill 1636.

Senate Amendment 1 to House Bill 1736.

Senate Amendments 1, 2 and 3 to House Bill

1897.

Senate Amendment 1 to House Bill 2021.

Senate Amendment 2 to House Bill 2050.

Senate Amendment 2 to House Bill 2070.

Senate...Senate Amendment 2 to House Bill 2190.

Senate Amendment 1 to House Bill 2353.

Senate Amendment 1 to House Bill 2756.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Secretary's Desk. 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 am instructed to ask the concurrence of the Senate, to-wit:

House Joint Resolution 94.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Executive. All right. On the bottom of page...we'll begin on the Calendar on page 23...23 on your Calendar. Senator DeAngelis, are you performing here today or what? Bottom of page 23 on Secretary's Desk Nonconcurrence. If any member...we'll start on page 23. We will take those members who wish to nonconcur with House amendments and...who will refuse to recede and seek a Conference Committee. So, you take a look at pages 23, 24 and 25, we will proceed down through there. Senator Marovitz, bottom of page 23, Secretary's Desk Nonconcurrence is House Bill 99. Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. I would move that the...Senate refuse to recede from...Amendment No. 1 to House Bill 99.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Bottom of page 23 is House Bill 99, Madam Secretary.

SECRETARY:

Senate Amendment No. 1 to House Bill 99.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Marovitz, would you restate your motion, please?

SENATOR MAROVITZ:

I would move that the Senate refuse to recede from Amendment No. 1 to House Bill 99.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Marovitz has moved that the Senate refuse to recede from Senate Amendment 1...from the adoption of Senate Amendment 1 to House Bill 99, that a Conference Committee be appointed. Discussion? If not, those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. Page 24. Let's see, Keith Todd of WPSD-TV,...Paducah, Kentucky, has requested permission to film during the Session today. Is leave granted? Leave is granted. Top of page 24 is House Bill 164, Senator Topinka. Wait a minute. All right. You ready? House Bill 164, Madam Secretary.

SECRETARY:

Senate Amendment 1 to House Bill 164.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka.

SENATOR TOPINKA:

Yes, Mr. President, Ladies and Gentlemen of the Senate, I would ask that the Senate do recede from Senate Amendment No. 1 because all the parties who originally had felt that there was a problem are now in agreement that it is not a problem and, therefore, we can concur with House Bill 164.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator, we're...we're only going to do the refuse to recede until...we got a couple of Conference Committees going on here and...okay. Let's take it out of the record and come back to it. 275, Senator Savickas. 394, Senator Holmberg. 421, Senator Marovitz. On the Order of Secretary's Desk Nonconcurrency, middle of page 24, is House Bill 421, Madam Secretary.

SECRETARY:

*AB H 74
Nonconcurrance*

Senate Amendment 1 to House Bill 421.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. I would move that the Senate refuse to recede from Amendment No. 1 to House Bill 421.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Marovitz moves that the Senate refuse to recede from the adoption of Senate Amendment No. 1 to House Bill 421 and that a Conference Committee be appointed. Discussion? If not, those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. 474, Senator Hawkinson. On the Order of Secretary's Desk Nonconcurrance, page 24, is House Bill 474, Madam Secretary.

SECRETARY:

Senate Amendments 1 and 2 to House Bill 474.

PRESIDING OFFICER: (SENATOR DEHUZIO)

Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Mr. President. I would move that the Senate refuse to recede with...from Senate Amendments No. 1 and No. 2 and would ask that a Conference Committee be reported.

PRESIDING OFFICER: (SENATOR DEHUZIO)

All right. Discussion? Senator Hawkinson has moved that the Senate refuse to recede from the adoption of Senate Amendments 1 and 2 to House Bill 474 and that a Conference Committee be appointed. All of those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. 479, Senator Luft. On the Order of Secretary's Desk Nonconcurrance is House Bill 479, Madam Secretary.

SECRETARY:

Senate Amendment 1 to House Bill 479.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. I would move that the Senate refuse to recede from Senate Amendment No. 1 to House Bill 479.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Luft has moved that the Senate refuse to recede from the adoption of Senate Amendment No. 1 to House Bill 479 and that a Conference Committee be appointed. All those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. All right. Bottom of page 24. Senator Poshard on 486. All right...House Bill, I'm sorry. Secretary's Desk Nonconcurrency, bottom of page 24, is House Bill 486, Madam Secretary.

SECRETARY:

Senate Amendments 1 and 2...to House Bill 486.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Poshard.

SENATOR POSHARD:

Yes, Mr. President, I'd like to refuse to recede on Amendments 1 and 2 and ask for a Conference Committee.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Poshard has moved that the Senate refuse to recede from the adoption of Senate Amendments 1 and 2 to House Bill 486 and that a Conference Committee be appointed. All those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. Top of page 25. House Bill 521, Madam Secretary.

SECRETARY:

Senate Amendment 1 to House Bill 521.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Karpriel.

SENATOR KARPIEL:

...thank you, Mr. President. I move to recede from Senate Amendment No. 1...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, we...

SENATOR KARPIEL:

...to House Bill...

PRESIDING OFFICER: (SENATOR DEMUZIO)

...we're only...we're only doing the refusals to recede to keep the paper work shuffling until the rest of the members who are...take it out of the record. House Bill 529. Senator Karpriel on that one...529? 612, Senator Davidson. On the Order of Secretary's Desk Nonconcurrency is House Bill 612, Madam Secretary.

SECRETARY:

Senate Amendments 1 and 2 to House Bill 612.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

I...Mr. President, I move that we not recede from...Senate Amendment 1 and 2 ask for a Conference Committee.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Davidson moves that the Senate refuse to recede from the adoption of Senate Amendments 1 and 2 and that a Conference Committee be appointed. Those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. House Bill 679, Madam Secretary.

SECRETARY:

Senate Amendment 1 to House Bill 679.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Woodyard.

SENATOR WOODYARD:

Thank you, Mr. President. I would move that the Senate refuse to recede from House Amendment...oh, I'm sorry, Senate Amendment No. 1 on 679.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Discussion? Senator Woodyard has moved that the Senate refuse to recede from the adoption of Senate Amendment No. 1 to House Bill 679 and that a Conference Committee be appointed. All those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries. The Secretary shall so inform the House. House Bill 724, Senator Savickas. House bill...on the Order of House Bills...oh, I'm sorry, on the Order of Secretary's Desk Nonconcurrency is House Bill 724, Madam Secretary.

SECRETARY:

Senate Amendments 1 and 2 to House Bill 724.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Savickas.

SENATOR SAVICKAS:

Yes, Mr. President, I would move that we refuse to recede from our position and have a Conference Committee called.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Savickas moves that the Senate refuse to recede from the adoption of Senate Amendments 1 and 2 to House Bill 724 and that a Conference Committee be appointed. Discussion? If not, those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. House Bill 848, Senator Collins. Senator Collins on the Floor? 982, Senator Netsch. 1038, Senator Poshard. Secretary's Desk Nonconcurrency, bottom of page 25, is House Bill 1038, Madam Secretary.

SECRETARY:

Senate Amendments 1 and 2 to House Bill 1038.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Poshard.

SENATOR POSHARD:

Mr. President, I'd like to refuse to recede from Senate Amendments 1 and 2 and ask for a Conference Committee to be appointed.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Discussion? Senator Poshard has moved that the Senate refuse to recede from the adoption of Senate Amendments 1 and 2 to House Bill 1038 and that a Conference Committee be appointed. Those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. 1055, Senator Netsch. Page 26. 1072, top of page...top of page 26 is House Bill 1072, Senator Jacobs. 1167, Senator Luft. On the Order of Secretary's Desk Nonconcurrency, top of page 26, is House Bill 1167, Madam Secretary.

SECRETARY:

Senate Amendments 1 and 2 to House Bill 1167.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. I would move that the Senate refuse to recede from Senate Amendments 1 and 2 and ask for a Conference Committee to be...

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Discussion? Senator Luft has moved that the Senate refuse to recede from the adoption of Senate Amendments 1 and 2 to House Bill 1167 and that a Conference Committee be appointed. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. House bills...Secretary's Desk Nonconcurrency, House Bill 1174, Madam Secretary.

SECRETARY:

HB 1237
Preconcurrence

Senate Amendment 1 to House Bill 1174.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. I would move that the Senate refuse to recede from Senate Amendment No. 1 and ask that a Conference Committee be appointed.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Luft has moved that the Senate refuse to recede from the adoption of Senate Amendment 1 to House Bill 1174 and that a Conference Committee be appointed. Those in favor of the motion indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. 1188, House bills...I'm sorry,...Secretary's Desk Nonconcurrence is House Bill 1188, Madam Secretary.

SECRETARY:

Senate Amendment No. 1 to House Bill 1188.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

Mr. President, I move that the House...excuse me, that the Senate refuse to recede from Senate Amendment 1 to House Bill 1188.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson has moved that the Senate refuse to recede from the adoption of Senate Amendment No. 1 to House Bill 1188 and that a Conference Committee be appointed. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carried and the Secretary shall so inform the House. 1237, Senator Barkhausen. All right. House bills...I'm sorry, Secretary's Desk Nonconcurrence is House Bill 1237, Madam Secretary.

SECRETARY:

HB 1212
Refer to the code

Senate Amendments 1 and 2 to House Bill 1237.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President, I move that the Senate refuse to recede from Senate Amendments 1 and 2 and ask that a Conference Committee be appointed on House Bill 1237.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Barkhausen moves that the Senate refuse to recede from the adoption of Senate Amendments 1 and 2 to House Bill 1237 and that a Conference Committee be appointed. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. 1312, Senator Luft. Senator Luft, would you handle...House Bill 1312?...with leave. On the Order of Secretary's Desk Nonconcurrency is House Bill 1312, Madam Secretary.

SECRETARY:

Senate Amendment No. 1 to House Bill 1312.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. I would move that the Senate...refuse to recede from Senate Amendment No. 1 to House Bill 1312 and ask for a Conference Committee to be appointed.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Luft has moved that the Senate refuse to recede from the adoption of Senate Amendment No. 1 to House Bill 1512 and that a...I'm sorry, to 1312 and that a Conference Committee be appointed. All those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. 1597. On the Order of Secretary's Desk is House Bill 1597,

Madam Secretary.

SECRETARY:

Senate Amendment No. 1 to House Bill 1597.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. I would move that the Senate refuse to recede from Senate Amendment 1 to House bill 1597.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator D'Arco has moved that the Senate refuse to recede from the adoption of Senate Amendment No. 1 to House Bill 1597 and that a Conference Committee be appointed. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. All right. With leave of the bodies, Senator Karpziel has indicated that she wishes to take up House Bill 529. So with leave, we will return to page 25. Madam Secretary.

SECRETARY:

Senate Amendment 1 to House Bill 529.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Karpziel.

SENATOR KARPIEL:

Thank you, Mr. President. I move that we refuse to recede from Senate Amendment No. 1 on House Bill 529 and ask for a Conference Committee...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Karpziel moves that the Senate refuse to recede from the adoption of Senate Amendment No. 1 to House Bill 529 and that a Conference Committee be appointed. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. All right. Page 26, the middle of page 26, is House Bill 1616. Senator Raica. Madam Secretary,

House Bill 1616.

SECRETARY:

Senate Amendment 1 to House Bill 1616.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Raica.

SENATOR RAICA:

Yes, sir, Mr. President and Ladies and Gentlemen of the Senate, I move that the Senate refuse to recede...from Senate Amendment No. 1 and request a Conference Committee be appointed.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Raica has moved that the Senate refuse to recede from the adoption of Senate Amendment No. 1 to House Bill 1616 and that a Conference Committee be appointed. Those in favor of the motion indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. House bill 1701, Madam Secretary.

SECRETARY:

Senate Amendment No. 1 to House Bill 1701.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Degnan.

SENATOR DEGNAN:

Thank you, Mr. President. I move the Senate refuse to recede from Senate Amendment No. 1, then ask a Conference Committee be appointed.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Degnan has moved that the Senate refuse to recede from the adoption of Senate Amendment No. 1 to House Bill 1701 and that a Conference Committee be appointed. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. 1763, Senator Zito. All right. House Bills...Secretary's Desk Nonconcurrency is House Bill

*HB 1859
nonconcurrance*

1763, Madam Secretary.

SECRETARY:

Senate Amendment No. 1 to House Bill 1763.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Zito. Page 26. Senate Amendment 1.

SENATOR ZITO:

Move to nonconcur.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Zito moves that the Senate refuse to recede from the adoption of Senate Amendment No. 1 to House Bill 1763 and that a Conference Committee be appointed. Those in favor of the motion indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. House Bill 1806, Madam Secretary.

SECRETARY:

Senate Amendment No. 1 to House Bill 1806.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Thank you. I would move that the Senate refuse to recede from Amendment No. 1 and that a Committee of Conference be appointed.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Welch moves that the Senate refuse to recede from the adoption of Senate Amendment No. 1 to House Bill 1806 and that a Conference Committee be appointed. Those in favor of the motion indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries. The Secretary shall so inform the House. House Bill 1859, Madam Secretary. Bottom of page 26, Secretary's Desk Nonconcurrance is House Bill 1859.

SECRETARY:

Senate Amendment 2 to House Bill 1859.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. I would move that the Senate refuse to recede from Senate Amendment No. 2 and ask for a Conference Committee to be appointed.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Luft has moved that the Senate refuse to recede from the adoption of Senate Amendment No. 2 to House Bill 1859 and that a Conference Committee be appointed. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. 1867, Senator Savickas. 1923, Senator Holmberg. Top of page 27 is House Bill 1923, Madam Secretary.

SECRETARY:

Senate Amendment No. 1 to House Bill 1923.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Holmberg.

SENATOR HOLMBERG:

I would recommend that we refuse to recede to the House on House Bill 1923, Senate Amendment 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Holmberg moves that the Senate refuse to recede from the adoption of Senate Amendment 1 to House Bill 1923 and that a Conference Committee be appointed. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. 1924...House Bill 1924, Madam Secretary.

SECRETARY:

Senate Amendment 1 to House Bill 1924.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. I move that we refuse to recede from Senate Amendment No. 1 to House Bill 1924.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Berman has moved that the Senate refuse to recede from the adoption of Senate Amendment No. 1 to House Bill 1924 and that a Conference Committee be appointed. Those in favor of the motion indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries. Secretary shall so inform the House. 1940, Senator D'Arco. 2034, Senator Jones. 2102, Senator Watson. 2180, Senator Barkhausen. Middle of page 27 is House bill 2180, Madam Secretary.

SECRETARY:

Senate Amendment No. 1 to House Bill 2180.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President, I move that the Senate refuse to recede from Senate Amendment 1 and ask that a Conference Committee be appointed on House Bill 2180.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Discussion? Senator D'Arco, on this motion?

SENATOR D'ARCO:

No, I...I had a motion...

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Barkhausen has moved that the Senate refuse to recede from the adoption of...of Senate Amendment 1 to House Bill 2180 and that a Conference Committee be appointed. Those in favor of the motion indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries. The Secretary shall so inform the House. Senator D'Arco, 1940, is that...is that...all right. Leave of the Body, we'll...on page 27, House Bill 1940, Madam Secretary.

SECRETARY:

Senate Amendment No. 1 to House Bill 1940.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. I would move to refuse to recede from Senate Amendment 1 to House Bill 1940.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Discussion? Senator D'Arco has moved that the Senate refuse to recede from the adoption of...of Senate Amendment No. 1 to House Bill 1940 and that a Conference Committee be appointed. Those in favor of the motion indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries. The Secretary shall so inform the House. 2201, Senator Geo-Karis. Middle of page 27. It's 2201, it's the middle of page 27. All right. 2222, Senator Schaffer. All right. House Bill 2222, Madam Secretary.

SECRETARY

Senate Amendment No. 1 to House Bill 2222.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Schaffer.

SENATOR SCHAFFER:

Mr. President, in accordance with the...the understanding we had when the bill passed, I move that we nonconcur and request a Conference Committee.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Discussion? Senator Schaffer has moved that the Senate refuse to recede from the adoption of Senate Amendment No. 1 to House Bill 2222 and that a Conference Committee be appointed. Those in favor...indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. Senator Geo-Karis,...are you ready? All right. House Bill 2201, Madam Secretary.

SECRETARY:

Senate Amendment No. 1 to House Bill 2201.

HB 2332
nonconurrence

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

I move to...I...I refuse to recede from Senate Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right...discussion? Senator Geo-Karis moves that the Senate refuse to recede from the adoption of Senate Amendment No. 1 to House Bill 2201 and that a Conference Committee be appointed. Those in favor of the motion indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. House Bill 2323, Senator Woodyard. Bottom of page 27. 2323? All right. House Bill 2323, Madam Secretary.

SECRETARY:

Senate Amendments 1 and 2 to House Bill 2323.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Woodyard.

SENATOR WOODYARD:

Thank you, Mr. President, members of the Senate. I would move to...recede...I would move that the Senate refuse to recede from...from Senate Amendments 1 and 2 and ask that a Conference Committee be appointed.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Woodyard has moved that the Senate refuse to recede from the adoption of Senate Amendments 1 and 2 to House Bill 2323 and that a Conference Committee be appointed. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. 2332. House Bill 2332, Madam Secretary.

SECRETARY:

Senate Amendments 1 and 2 to House Bill 2332.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. I move that the Senate refuse to recede from Senate Amendments No. 1 and 2 and that a Conference Committee be appointed.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Discussion? Senator Schuneman has moved that the Senate refuse to recede from the adoption of Senate Amendments 1 and 2 to House Bill 2332 and that a Conference Committee be appointed. Those in favor of the motion indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. Top of page 28 is House Bill 2354, Madam Secretary.

SECRETARY:

Senate Amendment No. 1 to House Bill 2354.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. I move that we refuse to recede from Senate Amendment No. 1 on...House bill 2354 and that a Conference Committee be appointed.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Discussion? Senator Berman has moved that the Senate refuse to recede from the adoption of Senate Amendment No. 1 to House Bill 2354 and that a Conference Committee be appointed. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries. The Secretary shall so inform the House. House Bill 2373. Senator Holmberg. House Bill 2373, Madam Secretary.

SECRETARY:

Senate Amendments 1 and 2 to House Bill 2373.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Holmberg.

SENATOR HOLMBERG:

I move that the Senate refuse to recede to Senate Amendments 1 and 2 and that a Conference Committee be...required.

PRESIDING OFFICER: (SENATOR DEBUZIO)

Discussion? If not, Senator Holmberg moves that the Senate refuse to recede from the adoption of Senate Amendments 1 and 2 to House Bill 2373 and that a Conference Committee be appointed. Those in favor of the motion indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. Well, ladies and gentlemen, we've had a request from the Southern Illinois University...University of Photocommunications to videotape the Session. Is leave granted? Leave is granted. House Bill 2591, Madam Secretary.

SECRETARY:

Senate Amendment No. 3 to House Bill 2591.

PRESIDING OFFICER: (SENATOR DEBUZIO)

Senator Degnan.

SENATOR DEGNAN:

Thank you, Mr. President. I move the Senate refuse to recede from Senate Amendment No. 3 and ask a Conference Committee be appointed.

PRESIDING OFFICER: (SENATOR DEBUZIO)

Discussion? Senator Degnan has moved that the Senate refuse to recede from the adoption of Senate Amendment No. 3 to House Bill 2591 and that a Conference Committee be appointed. Those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. 2607, Senator Barkhausen. House Bill 2-6-0-7, Madam Secretary.

SECRETARY:

Senate Amendments 1 and 2 to House Bill 2607.

PRESIDING OFFICER: (SENATOR DEBUZIO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President, I move that the Senate refuse to recede from Senate Amendments 1 and 2 and ask that a Conference Committee be appointed on House Bill 2607.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Discussion? Senator Barkhausen has moved that the Senate refuse to recede from the adoption of Senate Amendments 1 and 2 to House Bill 2607, that a Conference Committee be appointed. Senator Kelly on this motion? Senator Kelly.

SENATOR KELLY:

Not...not on this motion, afterwards.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Oh. All right. Senator Barkhausen moves that the Senate refuse to recede from the adoption of Senate Amendments 1 and 2 to House Bill 2607 and that a Conference Committee be appointed. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. Senator Kelly, for what purpose do you arise?

SENATOR KELLY:

Thank you, Mr. President and members of the Senate. I would like my colleagues to please when they work on these Conference Committee reports to...this is the period of the Session that concerns me and bothers me more than the entire Session of the General Assembly, and it happens in the last day or two, that these Conference Committee reports turn out to be brand new concepts and they've taken so many different considerations. I don't know about what the House is going to do but I'm going to ask my colleagues in the Senate, to the best of your ability, try to hold these bills into what they were intended to do; otherwise, you're going to bypass committee structure and everything else, and I just feel it's...something that we can be ashamed of rather than proud of. So please try to hold these conference reports to what

they're intended to be.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

2712, Senator Jones. House Bill 2712, Madam Secretary.

SECRETARY:

Senate Amendment No. 1 to House Bill 2712.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Jones.

SENATOR JONES:

Thank you, Mr. President. I move that the Senate refuse to recede in Senate Amendment No. 1 to House Bill 2712. I respectfully request a Conference Committee.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

All right. Discussion? Senator Jones moves that the Senate refuse to recede from the adoption of Senate Amendments No. 1 to House Bill 2712 and that a Conference Committee be appointed. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. 2713, Senator Jones. House Bill 2-7-1-3, Madam Secretary.

SECRETARY:

Senate Amendment No. 1 to House Bill 2713.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Jones.

SENATOR JONES:

Yeah, thank you, Mr. President. I move that the Senate refuse to recede in Senate Amendment No. 1 to House Bill 2713 and respectfully request a Conference Committee.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Discussion? Senator Jones has moved that the Senate refuse to recede from the adoption of Senate Amendment No. 1 to House Bill 2713 and that a Conference Committee be appointed. Those in favor of the motion indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. House Bill 2715,

Senator Jones. House Bill 2715, Madam Secretary.

SECRETARY:

Senate Amendment No. 1 to House Bill 2715.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Jones.

SENATOR JONES:

Yeah, thank you, Mr. President. I move that the Senate refuse to recede in...Senate amendment to House Bill 2715, respectfully request a Conference Committee.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Discussion? Senator Jones moves that the Senate refuse to recede from the adoption of Senate Amendment No. 1 to House Bill 2715 and respectfully request that a Conference Committee be appointed. Those in favor of the motion indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. 2746, Senator Hall. 2797, Senator Ralph Dunn. Bottom of page 28 is House Bill 2797, Madam Secretary.

SECRETARY:

Senate Amendment No. 1 to House Bill 2797.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Dunn.

SENATOR RALPH DUNN:

Thank you, Mr. President. I move that the Senate refuse to recede from Senate Amendment No. 1 and that a Conference Committee be called on House Bill 2797.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Discussion? Senator Ralph Dunn has moved that the Senate refuse to recede from the adoption of Senate Amendment No. 1 to House Bill 2797 and that a Conference Committee be appointed. Those in favor of the motion indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. House Bill 2307, Madam Secretary.

SECRETARY:

Senate Amendment No. 1 to House Bill 2607.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Mahar.

SENATOR MAHAR:

Thank you, Mr. President. I would move that the Senate refuse to recede from Senate Amendment No. 1 of House Bill 2807 and a Conference Committee be appointed.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Mahar has moved that the Senate refuse to recede from the adoption of Senate Amendment No. 1 to House Bill 2807 and that a Conference Committee be appointed. Those in favor of the motion indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. Top of page 29 is House Bill 2825, Senator Barkhausen. House Bill 2825, Madam Secretary.

SECRETARY:

Senate Amendments 1, 2 and 3 to House Bill 2825.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President, I move that the Senate refuse to recede from Senate Amendments 1, 2 and 3 and ask that a Conference Committee be appointed on House Bill 2825.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Barkhausen moves that the Senate refuse to recede from the adoption of Senate Amendments 1, 2 and 3 to House Bill 2825 and that a Conference Committee be appointed. Those in favor of the motion indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. 2838, Senator Barkhausen. House Bill 2838, Madam Secretary.

SECRETARY:

Senate...Amendment No. 1 to House Bill 2838.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President, I move that the Senate refuse to recede from Senate Amendment 1 and ask that a Conference Committee be appointed on House Bill 2838.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Discussion? Senator Barkhausen has moved that the Senate refuse to recede from the adoption of Senate Amendment No. 1 on House Bill 2838 and that a Conference Committee be appointed. Those in favor of the motion indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. With leave of the Body, we'll go back to 2101...I'm sorry, 2102. Page 27 is House Bill 2102, Madam Secretary.

SECRETARY:

Senate Amendment No. 1 to House Bill 2102.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. I move that the Senate refuse to recede from Senate Amendment No. 1 to House Bill 2102 and a Conference Committee be reported.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Discussion? Senator Watson has moved that the Senate refuse to recede from the adoption of Senate Amendment No. 1 to House Bill 2102 and that a Conference Committee be appointed. Those in favor of the motion indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. Senator Geo-Karis, for what purpose do you arise?

SENATOR GEO-KARIS:

Yesterday on Senate Bill 363, I should have voted Present

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concurrency

and I inadvertently voted No. So, if I had...hit the right one, I would have voted Present.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

All right. The record will so indicate. On top of page 8, Secretary's Desk Concurrence...Secretary's Desk Concurrence...this will be final action on Senate bills. All right. Senate Bill...2, Senator DeAngelis. Senator Netsch, for what purpose do you arise?

SENATOR NETSCH:

Thank you. I was off the Floor in a meeting on Revenue, I have two nonconcurrences if you would like to get those moving. I'm sorry, I just got here...for that purpose.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Well, we just went through that, we'll come back and pick you up. Senate Bill 2, Senator DeAngelis. Secretary's Desk Concurrence, Senate Bill 2.

SECRETARY:

House Amendments 1 and 2 to Senate Bill 2.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. I move to concur with House Amendments 1 and 2 to Senate Bill 2. Senate Bill 2 is the one that created the Baccalaureate Trust Authority, and discussions with other members who had similar bills...we decided that our bills were sufficiently different but there were some areas that we had common consent on, and Amendment 1 and 2 takes into consideration those common consents. They make the Trust Authority advisory, puts a cap of twenty-five thousand dollars on the amount that would be eligible for omission on the needs assessment, it sets a limit on how much...it gives the authority the authority to set a limit on how much of the contribution can be tax exempt. I move that we concur with those two amendments and this would be

final passage then.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Welch.

SENATOR WELCH:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield, Senator Welch.

SENATOR WELCH:

Senator DeAngelis, does this contain any of the trust provisions of the Michigan Statute that were objected to by all of the schools and many of our constituents?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

No, Senator Welch.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Secondly, does this contain any tax breaks for individuals, and if so, how much in tax breaks are involved?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

Yes, Senator Welch, there would be two types of tax breaks. One would be the procurement of tax exempt bonds which we would have no control over anyhow; in other words, those are tax exempt for everybody. It will allow, however, for those who wish to invest in other instruments that might be of a higher yielding nature because they're going to be in it for a shorter period of time. Some people the...the zero coupon bonds won't do much for, for instance, if you've got a kid that's fifteen years old and are only three or four years away from college. That is limited only to the amount of...well, the authority is going to set how much of that

would be tax exempt. The other thing, however, is that in the event those monies are not used for educational purposes, they would become taxable upon withdrawal. So, what we're using it is...as an inducement to ensure that the child does go to college and also as an inducement to invest in the program.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Welch.

SENATOR WELCH:

The...the money that you buy...that you purchase the bonds with, that income, is that to be reduced from your adjusted gross income similar to the Federal IRA provisions of past years? If I put two thousand dollars into one of these bonds, do I then report two thousand dollars less in adjusted gross income?

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator...Senator DeAngelis.

SENATOR DeANGELIS:

Yes, quite appropriately put it is an educational IRA.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Welch.

SENATOR WELCH:

Could I send my son to any school in the State of Illinois, public or private or throughout the United States? What are the limitations on that?

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

This would be only applicable for those schools in Illinois.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Welch.

SENATOR WELCH:

That's both public and private schools?

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concurrence*

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

Yes.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator DeAngelis. Further discussion? If not, Senator DeAngelis, do you wish to close? Senator DeAngelis. Question is, shall the Senate concur with House Amendments 1 and 2 to Senate Bill 2. 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? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. The Senate does concur with House Amendments 1 and 2 to Senate Bill 2 and the bill having received the required constitutional majority is declared passed. Senate Bill 28. On the Order of Secretary's Desk Concurrence is Senate Bill 28, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 28 with House Amendments 2, 5, 7 and 9.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Davidson.

SENATOR DAVIDSON:

Mr. President, I move that we concur in Amendment 2, 5, 7 and 9 on...to House Bill 28...I mean, Senate Bill 28. 20...House Bill No. 2 puts in the fact about speedy trial provision and sixty days which will be corrected with another one which will be ninety days which we all agreed on. No. 5 has to do with the speedy trial of No. 2 and transfers to sixty to ninety days which we agreed on. No. 7 has to do with fifty dollars a day will be reimbursed to the county for each person held awaiting trial on the bond, and No. 9 is...corrects the language from Amendment No. 2 that has some problems with the demand language. I move that we concur in

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Concurrence

Amendment 2, 5, 7 and 9 to Senate Bill 28.

PRESIDING OFFICER: (SENATOR DEMUZIO)

I would point out that the Calendar apparently is in error due to the fact that the House just has given us a corrected Message to the extent that House Amendment No. 3 was Tabled. That was just received today and, therefore, the Calendar is in error. So we want everybody to know that that's what we are doing. All right. There's...there discussion? We just went through that. Further discussion? The question is, shall the Senate concur with House Amendments 2, 5, 7 and 9 to Senate Bill 28. Those in favor will...will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. The Senate does concur with House Amendments 2, 5, 7 and 9 to Senate Bill 28 and the bill having received the required constitutional majority is declared passed. Senate Bill 39, Senator Brookins...Secretary's Desk Concurrence, Senate Bill 39, Mr. Secretary.

END OF REEL

REEL #2

ACTING SECRETARY: (MR. HARRY)

Senate Bill 39 with House Amendment 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Brookins.

SENATOR BROOKINS:

Yes, I move that the Senate concur with...Senate Bill 39...in the amendment...with the House.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator D'Arco.

SENATOR D'ARCO:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield. Senator D'Arco.

SENATOR D'ARCO:

You want to tell us what this amendment does, Senator?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Brookins.

SENATOR BROOKINS:

Yes,...okay...the injury resulted in death received...in the line of duty...an injury received resulted in...by another of an authorized firearm of an officer whether or not the officer is on duty or off duty when the injury is sustained. An injury sustained by an officer on a meal break or when he's technically on a break. That's what the amendment does. It gives him benefits.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator D'Arco.

SENATOR D'ARCO:

Well, Mr. President, we had a lengthy discussion the other day on what it means to be in the line of duty, but

this is really ridiculous. We took this amendment out of the House version of this bill. In committee, we took this amendment out because in the House version of the bill there's an amendment that says if he is not in the line of duty but at least...at least he's performing an act that is commensurate with his duties as a police officer, he would be entitled to pension benefits. This amendment says he doesn't even have to be performing any duties that are commensurate with his duties as a police office. If it...if it's an injury he receives whether by accident or whether deliberately and he's not in the line of duty, he's entitled to pension benefits or his widow is or his girl friend is or his children are. This is totally ridiculous. Now this is stretching it beyond the bounds of what is acceptable, ladies and gentlemen, and this amendment should not be concurred in. It should be nonconcurrent in.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Brookins.

SENATOR BROOKINS:

I'm sorry, I thought that...that was not a question, was it?

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator D'Arco.

SENATOR D'ARCO:

Thank you. I don't think it was a question, no, but I...I think Senator...Savickas has a question for you.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

All right. Further discussion? Senator Savickas.

SENATOR SAVICKAS:

Well, I think the question that Senator D'Arco and some of us have leaned to and asked is...as has happened in Chicago where a...an officer is off duty with a friend staying at her...or his house and...in a fit of emotion the...gun is taken and shoots the officer. This bill now wants to say

they're hurt in the line of duty. Is that right, Senator Brookins?

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Brookins.

SENATOR BROOKINS:

That is correct.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator D'Arco.

SENATOR D'ARCO:

No, I...I'm not saying a word. I...I...you know.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Savickas.

SENATOR SAVICKAS:

So, obviously, if there is a lover's quarrel and a...there is a problem, the officer is considered in the line of duty and I...I just don't think that this is a proper amendment that we should be considering. We should reject this bill and send it back.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Further discussion? Senator Fawell.

SENATOR FAWELL:

Thank you, very much. For those of us on...on our side of the aisle, I hope everybody is looking at the analysis. I do not have the language, but if you will read the last sentence on the analysis...I think maybe we ought to vote No on this amendment and send it back also.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Brookins.

SENATOR BROOKINS:

Mr...President, let's move to nonconcur in this amendment.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

All right, Senator Brookins has moved to nonconcur with House Amendment 1 to Senate Bill 39. Those in favor will

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Concurrence

indicate by saying Aye. Opposed Nay. The Ayes have it. Motion carries and the Secretary shall so inform the House. Senate Bill 43, Senator Berman. 63, Senator Kelly. 65, Senator Keats. 100, Senator Marovitz. Secretary's Desk Concurrence, middle of page 8, is Senate Bill 10...I mean...sorry, Senate Bill 100. 1-0-0, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 100 with House Amendments 1 and 7.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. I would move that the Senate do concur in House Amendments No. 1 and No. 7 to Senate Bill 100. We have the insurance company amendment which we went through here just a few days ago which is identical to the one we put on the House bill and also a clarifying amendment clarifying the type of services provided to an individual who voluntarily takes the AIDS test, and I would move we do concur with House Amendments 1 and 7 to Senate Bill 100.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Discussion? Senator Schaffer.

SENATOR SCHAFFER:

No, it's the other one.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Schuneman.

SENATOR SCHUNEMAN:

Question of the sponsor, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Indicates he will yield. Senator Schuneman.

SENATOR SCHUNEMAN:

Senator, there was House Bill 100 which we passed out of here a few days ago and Senate Bill 100 which were basically the same bills. Are they now identical?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Yes, they are and the same insurance amendment was put on both bills.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, the question is, shall the Senate concur with House Amendment 1 and 7 to Senate Bill 100. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record.

On that question, the Ayes are 55, the Nays are 1, none voting Present. The Senate does concur with House Amendments 1 and 7 to Senate Bill 100 and the bill having received the required constitutional majority is declared passed. Senate...Secretary's Desk Concurrence is Senate Bill 115, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 115 with House Amendments 1, 2 and 3.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Mr. President. I would move that the Senate concur with House Amendment No. 3. It's been my intention to move that we nonconcur in House Amendments No. 1 and 2 to Senate Bill 115, but I move that the Senate concur with House Amendment No. 3 to Senate Bill 115. What this amendment does is put in the aggravating factors and in some cases sentence enhancement under aggravated sexual assault if someone is a senior or is a handicapped individual...concur in this one.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, discussion? Senator Marovitz.

SENATOR MAROVITZ:

Maybe I didn't hear correctly, is this one of those ag.

batteries that were...I just heard the term and...senior and...and handicapped.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hawkinson.

SENATOR HAWKINSON:

It's ag. assault and it's aggravated criminal sexual abuse and robbery. It doesn't deal with ag. battery. I think in general and I've told the House sponsor that...that when we do the overall review that this ought to be included in it, but it's not the ag. battery Statute.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? All right, Senator Hawkinson has moved that the Senate concur with House Amendment 3 to Senate Bill 115. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, none voting Present. The Senate does concur with House Amendment No. 3. Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Mr. President. I would now move that the Senate nonconcur in House Amendments No. 1 and 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Hawkinson moves that the...that the Senate nonconcur with House Amendments 1 and 2 to Senate Bill 115. All those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. 158, Senator Lechowicz. Senate Bill 158, Mr. Secretary. Senator DeAngelis, for what purpose do you arise?

SENATOR DeANGELIS:

Thank you, Mr. President. Just as a matter of clarification. Some people are asking what happens when you concur with several amendments and nonconcur. Correct me if I'm

wrong. What we do is give the House an opportunity to recede from that amendment we don't concur with and then it would become final passage. Is that correct? Rather than not...than simply throwing the bill...simply not concurring with everything to begin with, you then make it easier for them to recede by concurring with the amendments that you concur with. Is that correct?

PRESIDING OFFICER: (SENATOR DEMUZIO)

That was excellent. Yes. Senate Bill 158, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 158 with House Amendment 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I move that the Senate do concur in House Amendment No. 1. Senate Bill 158 as passed by the Senate declares that DASA is the only agency permitted to regulate alcoholism treatment facilities. Amendment No. 1 which has DASA and Department of Public Health's support would mandate the transfer of certain personnel records, papers and documents from the Department of Public Health to DASA; makes provisions for DPH rules under the Act to remain in effect until certain action was taken by DASA. I move that we do concur with House Amendment No. 1 and urge your support for the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? All right, Senator Lechowicz...the question is, shall the Senate concur with House Amendment 1 to Senate Bill 158. Those in favor will indicate...those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes

are 58, the Nays are none, none voting Present. The Senate does concur with House Amendment 1 to Senate Bill 158 and the bill having received the required constitutional majority is declared passed. Senate Bill 165, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 165 with House Amendments 1 and 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Thomas Dunn.

SENATOR TOM DUNN:

Thank you, Mr. President. Amendment No. 1 reinstates real estate as a provision for determining the situs and confirms the bill to current law in this point, and Amendment No. 2 uses the personal estate for venue purposes supported by the Illinois State Bar Association. I move that the matters be concurred in.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Dunn has moved to concur with Amendments 1 and 2. Discussion? Senator Barkhausen.

SENATOR BARKHAUSEN:

Senator Barkhausen.

SENATOR BARKHAUSEN:

Senator Dunn, I just hadn't had a chance to focus yet on what the House amendments do...do they require any explanation or...briefly say what they do?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Thomas Dunn.

SENATOR TOM DUNN:

I just gave that but I'll be happy to do it again, Senator. House Amendment No. 1 reinstates the deleted provision of real estate and conforms the bill to current law on this point and is supported by the Bar Association. Amendment No. 2 does the same thing by the Bar Association and the...situs of the descendant...decedent's personal estate shall be considered for venue purposes.

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concurrency

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? The question is, shall the Senate concur with House Amendments 1 and 2 to Senate Bill 165. 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. The Senate does concur with House Amendments 1 and 2 to Senate Bill 165 and the bill having received the required constitutional majority is declared passed. Senate Bill 169, Senator Holmberg. Bottom of page 8, Secretary's Desk Concurrence, Senate Bill 169, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 169 with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Holmberg.

SENATOR HOLMBERG:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I wish to concur with House Amendment 1 to Senate Bill 169. What House Amendment 1 does...it's dealing with teacher shortage scholarships and it states that a teacher should be willing to accept assignment in the shortage field for which we have trained that teacher for up to two years. Previously, it said just one year. The House wished to expand that and I would like to concur.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall the Senate concur with House Amendment 1 to Senate Bill 169. Those in favor will vote Aye. Those opposed 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. The Senate does concur with House Amendment 1 to Senate Bill 169 and the bill having received the required constitutional majority is declared passed.

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concurance*

Page 9, Senate Bill 170, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 170...or Senate Bill 170 with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jacobs.

SENATOR JACOBS:

I would move that we concur with House Amendment No. 1 to Senate Bill 170. It deletes language pertaining to annual lists and public hearing to clean up some of the problems that we had earlier. Would ask for its passage.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall the Senate concur with House Amendment 1 to Senate Bill 170. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. The Senate does concur with House Amendment 1 to Senate Bill 170 and the bill having received the required constitutional majority is declared passed. Senate Bill 187, Mr...Senate...Senator Berman. Senator Berman.

SENATOR BERMAN:

Thank you...thank you, Mr. President. I move that we nonconcur in House Amendment No. 1 to Senate Bill 187.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senate Bill 187, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 187 with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman moves that the Senate nonconcur with House Amendment 1 to Senate Bill 187. Those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. If I

could have your attention, please, Senator Davidson has some special guests with us today.

SENATOR DAVIDSON:

Hello...ladies and gentlemen, it is my pleasure to present to you the AA champions in baseball for the State of Illinois today who happen to be a Springfield team. I'd like to present to you Springfield Griffin High School and their coach will give you a few words and introduce each one individually. Coach.

COACH RON WOJCICKI OF GRIFFIN HIGH SCHOOL:

Thank you, very much. I...I know you're extremely busy today, so I won't take much of your time at all. We certainly consider it an honor to be here. We are...from here in...in Springfield. We are the Griffin Cyclones. We ended up with a record of thirty-seven and four this year. Going to the state tournament we weren't given much credit for...or much chance to maybe to beat some of the Chicago burb schools. In the state championship game, we ended up defeating Barrington nine to one, set a few records along the way. I would just like to introduce the players and coaches, if...if I could. Starting over on my far right is our athletic director, Ken Leonard; our assistant coach, Ed House; Rich Weitzel, he's a senior; Jeff Swaney, a junior; Terry Williams, a junior; Greg Bernet, a junior; Jeff Sauer, a junior; Chris Bax, senior; Dave Saladino, a junior; Ed Gresham was a senior; Jeff Borski was the most valuable player of the tournament, he's a senior; Jim McMann set a record in the tournament, he's a senior; Brad Rotherham is a sophomore; Robbie Fix, a senior; Dave Manfredo, a senior; Tim Hull, was a senior and Donnie Hurrelbrink, senior. We thank you very much for your time and for your recognition. Hopefully, we can be back again next year. Thank you, very much.

SENATOR DAVIDSON:

Coach, on behalf of the Senate, we appreciate very much

you taking time out to bring the boys down here. We particularly appreciate seeing it and we'll see you all right outside here for a minute and we have a little presentation to each one of you. We'll see you all then. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

All right, the...we inadvertently skipped over Senate Bill 185. With leave of the Body, we'll go back and pick it up while we're here. Senate Bill 185, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 185 with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President and members of the Senate. I would move that the Senate concur with House Amendment No. 1 which does not have anything to do with the original bill. It requires notice by certified mail, return receipt requested when notifying teachers of dismissal prior to the end of their probationary term or of the extension of...their probationary term. Current law provides by...or for registered mail, that's a little more expensive. This saves the school districts some money and it is my understanding that the teacher organizations have signed off on it because it amounts to no difference to them. I ask for adoption...or concurrence to Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Discussion? The question is, shall the Senate concur with House Amendment 1 to Senate Bill 185. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. The Senate does concur with House Amendment 1 to Senate Bill 185 and the bill having received the required constitutional majority is

declared passed. 201, Senator Thomas Dunn. Page 9, Senate Bill 201, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 201 with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Thomas Dunn.

SENATOR TOM DUNN:

Thank you, Mr. President. House Amendment 1 is a technical amendment and puts the bill in the LRB format.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Discussion? Question is, shall the Senate concur with House Amendment 1 to Senate Bill 201. Those in favor will indicate...those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. The Senate does concur with House Amendment 1 to Senate Bill 201 and the bill having received the required constitutional majority is declared passed. The...the Chair would like to recognize the presence of...a great alderman from the City of Chicago, Bernie Hanson, who is with us today visiting. Welcome, Alderman. 218, Senator Schuneman...Senate Bill 218, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 218 with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. This will be final action on the bill that would outlaw the sale in Illinois of metal beverage containers with flip-top tabs. The House adopted an amendment which advanced the effective date of the bill from December of 1987 to June 30th of '88, and also clarified the fact that distributors and retailers with stock on their

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concur*

shelves on June 30th of '88 can legally sell that stock. I would move to...that the Senate concur with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEHUZIO)

Discussion? If not, the question...question is, shall the...Senate concur with House Amendment 1 to Senate Bill 218. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. The Senate does concur with House Amendment 1 to Senate Bill 218 and the bill having received the required constitutional majority is declared passed. Senate Bill 220, Senator Marovitz. Senate Bill 220, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 220 with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEHUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and Mr. Minority Leader. I move that the Senate do concur with House Amendment No. 1 to Senate Bill 220. It actually deletes a provision which Senator Fawell passed out regarding tenancy in the entirety...Senator Philip was standing right here. It deletes a provision...what Senator Fawell passed out regarding tenancy and entirety and that no...no...there would...not be a binding effect on a mortgage unless it was signed by both parties if it regarded the marital residents. That provision has been taken out of Senate Bill 220. I've spoken to Senator Fawell about it. She concurs and so I would that the Senate do concur with House Amendment No. 1 to Senate Bill 220.

PRESIDING OFFICER: (SENATOR DEHUZIO)

Discussion? Senator Welch.

SENATOR WELCH:

I have a question of the sponsor.

PRESIDING OFFICER: (SENATOR DEHUZIO)

He indicates he will yield. Senator Welch.

SENATOR WELCH:

If a husband and wife have a piece of property and the husband signs the mortgage which also has a waiver of homestead and the wife doesn't, this amendment...does it say that the mortgage is binding on both parties...and there's a lien on the property?

PRESIDING OFFICER: (SENATOR DEHUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

No.

PRESIDING OFFICER: (SENATOR DEHUZIO)

Senator Welch.

SENATOR WELCH:

It's binding on the property to the extent of their interest in the property, so if it's joint tenancy, the husband who signs a mortgage while the wife doesn't is bound on his undivided interest in the joint tenancy property. Is that what this does?

PRESIDING OFFICER: (SENATOR DEHUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

And he...and he could not dilute the interest of the wife, but that provision has been taken out so that this bill will do...have nothing whatsoever to do with that subject matter. It...that's current law. This will keep the current law in force and, in fact, not change current law whatsoever.

PRESIDING OFFICER: (SENATOR DEHUZIO)

We wish you guys would talk...when you're...further discussion? If not, the question is, shall the Senate concur with House Amendment 1 to Senate Bill 220. Those in favor

will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. The Senate does concur with House Amendment 1 to Senate Bill 220 and the bill having received the required constitutional majority is declared passed. Senate Bill 224, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 224 with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dunn.

SENATOR TOM DUNN:

Thank you, Mr. President. House Amendment 1 is a amendment as requested by the Comptroller's Office and is technical only.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall the Senate concur with House Amendment 1 to Senate Bill 224. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. The Senate does concur with House Amendment 1 to Senate Bill 224 and the bill having received the required constitutional majority is declared passed. Senate Bill 226, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 226 with House Amendments 1, 2, 5, 8 and 9.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Thomas Dunn.

SENATOR TOM DUNN:

Thank you, Mr. President. There are five amendments to this. I would like to take the ones that wish to concur in first. Amendment No. 2 increases the property tax exemption for disabled veterans from thirty thousand to forty-seven

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Concurrence

thousand five hundred. Amendment No. 1 reduces the equalized assessed valuation from five hundred thousand to three hundred and fifty thousand, and Amendment No. 9 requires DOR at the request of the local assessing official to assess a sanitary landfill in a downstate county with a population of less than two hundred and seventy-five thousand. I move to concur on those three amendments.

PRESIDING OFFICER: (SENATOR DEBUZIO)

All right, Senator Dunn...is there discussion? The question is, shall the Senate concur with House Amendments 1, 2 and 9 to Senate Bill 226. 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...beg your pardon, 3 voting Present...52-0-3. The Senate does concur with House Amendments 1, 2 and 9. Senator Dunn.

SENATOR TOM DUNN:

Thank you, Mr. President. On Amendment No. 5 is a amendment by the House that allows certain forestry land in Cook County to be assessed at one-sixth the assessed level of crop land within the county and it would apply to only four or five parcels, and Amendment No. 8...I don't understand what Amendment No. 8 does. It requires definition of...include the meaning of property taxes extended or estimated to be extended and it's unclear and I wish to put both back into a Conference Committee and nonconcur on both of them.

PRESIDING OFFICER: (SENATOR DEBUZIO)

All right, discussion? Senator Dunn has moved to nonconcur with House Amendments 5 and 8 to Senate Bill 226. Those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. Motion carries and the Secretary shall so inform the House.

PRESIDING OFFICER: (SENATOR SAVICKAS)

On the Order of Concurrence is Senate Bill 232.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 232 with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Luft. Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. I would move that the Senate concur in House Amendment No. 1 to Senate Bill 232. It's basically the same bill only there were some technical changes made. The amendment deleting a specific procedures for holding a township caucus, authorizes a central committee to promulgate the rules and those attending to approve them and allows a town clerk to cast the tie-breaking vote in the case of board meetings and other technical natures, and I would move that the...once again, that the Senate concur in House Amendment No. 1 to Senate Bill 232.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Schaffer.

SENATOR SCHAFFER:

Senator Luft, I've been trying to follow this bill as it moves through the process. We have a provision in the township law for a township party organization to opt to have a primary in lieu of a caucus. Is there anything in this legislation that in any way dilutes that ability?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Luft.

SENATOR LUFT:

No.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Fawell.

SENATOR FAWELL:

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

PRESIDING OFFICER: (SENATOR SAVICKAS)

Indicates he will.

SENATOR FAWELL:

I've been getting some letters from...couple of my townships about this provision that says that a township clerk can cast or vote in case of tie vote by the board of trustees. Is...is that still in there...is that still mandated or is it just may now except for vacancy?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Luft.

SENATOR LUFT:

In case the...it...the analysis says that in case of a tie vote by the township board of trustees, the town clerk shall be entitled to a vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Fawell.

SENATOR FAWELL:

So, if the townships are objecting to this...which is, I'm afraid, what I've got...it's still in there, it's not...it's...it's not going to by their own rules, it is a "shall." Is that right?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Luft.

SENATOR LUFT:

Yes, but I didn't explain it well enough. That only occurs that if there...if there is a vacancy in the...in a...one of the trustee's positions.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Fawell.

SENATOR FAWELL:

All right, that's what I'm asking. You know, in our analysis it says, "Makes a clarifying change to the original bill that a town clerk shall only vote in the case of a tie to fill a vacancy." But then in point six, it says, "Allows the township clerk to cast or vote in case of a tie vote by

the board of trustees." That's what I'm asking, is the one "shall" and...and the second provision "may"...is that the way the bill reads now?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Luft.

SENATOR LUFT:

Yes.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Further discussion? Senator Welch.

PRESIDING OFFICER: (SENATOR SAVICKAS)

I had a question of the sponsor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR WELCH:

Senator, the analysis says that in order to vote in a party caucus all you have to do is sign an affidavit on that date that you are registered voter affiliated with that political party as well as be a...within the territory. What happens if somebody comes in to vote in the Democratic caucus who is a Republican precinct committeeman or...has voted in every Republican Primary for the last twenty years and we have the printout from the county clerk showing that he has voted very twenty years, we have to allow him to sign an affidavit on the date of the caucus...even though the caucus may know they're showing up to vote for a slate of candidates the particular party doesn't want, we have to let him sign an affidavit and participate?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Luft.

SENATOR LUFT:

That's the present law. They can do that right now. What we do though in this bill is that...it says when you sign that affidavit, you automatically be a member...become a member of the party...so, if you're going into a Democratic

Caucus, no matter what party you belonged to before, when you sign that affidavit, you automatically become a Democrat.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 232. 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, none voting Present. The Senate does concur in House Amendment No. 1 to Senate Bill 232 and the bill having received the required constitutional majority is declared passed. Senate Bill 233, Senator Luft. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 233 with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. I would move that the Senate concur in House Amendment No. 1 to Senate Bill 233. The amendment deleted everything after the enacting clause and provides that local government agencies may provide for...in whole payments of premium and cost for life or group life, health, hospital and medical insurance or any such combination of insurance for employees and elected or appointed officials. It's my understanding the present law only permits the county...or local government to pay thirty percent of an elected official's salary. This allows the governing board...not "shall" but "may" pay for the whole amount.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Dudycz.

SENATOR DUDYCZ:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR DUDYCZ:

Senator, our...our analysis states that under current law, the local government unit is limited to paying a portion of the premium for elected officials; for example, the portion to be paid may not exceed thirty percent of the official's salary. Now...if that...official is a full-time employee, defined as more than twenty hours per week, there is no limit to the portion paid and no limit is stated currently for the employees appointed or retired. Is that correct?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Luft.

SENATOR LUFT:

The bill says that the governing...governing body "may" pay for all of it...of an elected official's salary. It's as simple as that. That elected official may work one day a week, maybe five days a week. I think the thing to look at here is that the township board or the county board or the municipal...board has the option to pay thirty percent, forty percent, fifty percent or a hundred percent. It's up to that board to decide what they wish to pay for insurance for elected officials.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Dudycz.

SENATOR DUDYCZ:

So, in other words, Senator, that means that a local...if elected official who, for example, makes two thousand dollars a year can have all of his insurance paid for, possibly even exceeding what he makes in his salary. Is that correct?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Luft.

SENATOR LUFT:

If the local board approves that type of policy, that's

correct.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Dudycz.

SENATOR DUDYCZ:

Just wanted to make my colleagues aware of that fact.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman.

SENATOR SCHUNEMAN:

Well, thank you, Mr. President. I...you know, as I look at this amendment, it seems to me we may be going a little bit far here. In my part of the state we have a lot of township officials who...township trustees, for example, who are only being paid a couple of hundred dollars a year or something like that, and as I read the bill, what this does is give the township board the right to buy group medical insurance which could easily run two thousand or more dollars per person out of township funds. Now, the current law limits payment for such benefits to thirty percent of the salary of those people and that seems to be reasonable. This seems to allow for opportunities where the...the perks or the...or the benefits might cost a whole lot more than the salary. I think this is going a little too far. The other thing that it does is provide the same kind of treatment for any retired employees of the township. For rural townships, I think this is a little excessive.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Karpiel.

SENATOR KARPIEL:

Thank you, Mr. President. Senator Luft, it says in our analysis that there is no limit stated currently for employees, appointed officials or retired employees. I can't quite remember definitely, but it seemed to me that we could not offer health insurance to employees unless they were considered...unless they were full-time employees and that

was considered thirty hours a week. Is that state law or was...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Luft. Senator Luft.

SENATOR LUFT:

Well, I think what I'll do, since this is not my proposal and I'm not going to kill myself in trying to get this passed, move to nonconcur in House Amendment No. 1 at this time.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Luft moves to nonconcur in House Amendment No...1 to Senate Bill 233. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. The motion fails and the Secretary shall so inform the House. Senate Bill 242, Senator Kelly. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 242 with House Amendment No. 2.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President and members of the Senate. I move that the Senate concur in House Amendment No. 2 to Senate Bill 242. This legislation permits summer day-camps to employ teenagers as counselors without being covered by the minimum wage law. The House added an amendment which exempted employees under the Job Partnership Training Act from...from obtaining employment certificates from minors. Was a small amendment that went on. This is a bill now that has been...reached an agreement on between the Department of Labor, between the labor unions and by the Jewish Federation who brought this legislation to my attention to begin with. I don't know of any opposition. I'd renew my motion.

PRESIDING OFFICER: (SENATOR SAVICKAS)

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

*AB 256
concurrency*

Senate concur in House Amendment No. 2 to Senate Bill 242. 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, none voting Present. The Senate does concur in House Amendment No. 2 to Senate Bill 242 and the bill having received the required constitutional majority is declared passed. House Bill 256, Senator Smith. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 256 with House Amendment No. 3.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Smith.

SENATOR SMITH:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I move that the Senate concur with the House Amendment No. 3 to Senate Bill 256. It's merely a technical change in structure.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall the Senate concur...Senator Fawell.

SENATOR FAHELL:

I note on our original analysis that there was supposed to be a...an amendment that the State Chamber of Commerce wanted that...the...the mandatory retirement age policy by private organizations would still be in effect. Was that Floor amendment ever put on?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Smith.

SENATOR SMITH:

Yes, it was. It's all clear.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, the question is, shall the Senate concur in House Amendment No. 3 to Senate

Bill 256. 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 1, 2 voting Present. House Bill 256 having received the...the Senate does concur in House Amendment No. 3 to Senate Bill 256 and the bill having received the constitutional majority is declared passed. House Bill 260, Senator Dudycz. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill...or Senate Bill 260 with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

On Senate Bill 260, Senator Dudycz.

SENATOR DUDYCZ:

Thank you, Mr. President. I move the Senate concur with House Amendment No. 1 to Senate Bill 260. It is a clarification amendment, clarifies that the...that a theft detection device remover must be specifically designed and intended to be used as such a remover. This is to avoid liability for common utensils such as a pocketknife.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall the Senate concur in House Amendment No. 1 to House Bill...to Senate Bill 260. 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. The Senate does concur in House Amendment No. 1 to Senate Bill 260 and the bill having received the...required constitutional majority is declared passed. Senate Bill 266, Senator Joyce. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 266 with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEROME JOYCE:

Thank you, Mr. President. This allows funds received from the Federal Highway Administration to implement the Federal Commercial Motor Vehicle Safety Act of 1986. This is asked for by the Secretary of State and I'd move for concurrence.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall Senate...shall the Senate concur in House Amendment No. 1 to Senate Bill 266. 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. The Senate does concur in House Amendment No. 1 to Senate bill 266 and the bill having received the required constitutional majority is declared passed. Senate Bill 289, Senator Etheredge. Senate Bill 291, Senator Vadalabene. Senate Bill 295, Senator Woodyard. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 295 with House Amendments 1 and 2.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Woodyard.

SENATOR WOODYARD:

Thank you, Mr. President and members of the Senate. I would move to concur with Amendments 1 and 2. The bill itself deals with...recording of beneficial interest of land trusts of less than a hundred dollars, and Amendment No. 1 exempts Cook County from the provisions of the bill and Amendment No. 2 merely establishes an immediate effective date.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Marovitz.

SENATOR MAROVITZ:

Just a question about...about exempting Cook County. Does that mean that in Cook County those that are under a hundred dollars would still have to be recorded?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Woodyard.

SENATOR WOODYARD:

That's...that's correct and that was Buz Yourell's request.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If...if not, the question is, shall the Senate concur in House Amendment No. 1...1 and 2 to Senate Bill 295. 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 48, the Nays are 7, 3 voting Present. The Senate does concur in House Amendments No. 1 and 2 to Senate Bill 295 and the bill having received the required constitutional majority is declared passed. Senate Bill 310, Senator Etheredge. Senate Bill 321, Senator Raica. Senate Bill 359, Senator Vadalabene. Senate Bill 360, Senator Luft. Senate Bill 370, Senator Welch. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 370 with House Amendments 1 and 3.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. House Amendment No. 1 reinstated the prohibition concerning liquor licenses being allowed to aldermen, members of the city council or commissions, village boards or other members of the county board. Amendment No. 1 reinstated the prohibition for counties over two million. Amendment No...House Amendment No. 3 included townships in the situations where a liquor license could be

allowed...or rather could be allowed to be sold in the building. So, I would move to concur with House Amendments 1 and 3.

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:

When this bill went out of here it permitted aldermen, city council members, members of the county board or members of village board of trustees to obtain a liquor license. Now, did they take that...did they put a prohibition against that in the House 'cause this...this slipped out without some of us...noticing it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

The prohibition added in the House is only to Cook County. The bill stays as it is otherwise with the exception of adding townships.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

In other words, it...any alderman of a...in my case, it would be a city commissioner, if he wanted to have a liquor license, which we don't have, but supposing we had liquor, he could go ahead and have a liquor license in the town?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

Subject to the Statutes or the ordinances of that municipality as to who could have a liquor license such as fitness,

et cetera, yes.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, Mr. President and Ladies and Gentlemen of the Senate, I...I feel that it is wrong to allow a public official, such as an alderman or a...a village board member or city commissioner, member of the...city council under commission form of government or a township trustee of a...of a...of a township to allowed...to be allowed to have a liquor license. I think we had that prohibition before and I...I would hope, Senator, that...put this bill in a Conference Committee because I don't think they should be allowed to have a license in a town in which they serve or in the city in which the serve.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Fawell.

SENATOR FAWELL:

Thank you, very much. As minority spokesman of this committee, if you will note on your analysis, I voted against this bill. I think it's a bad bill. I think it always has been a bad bill. I agree with Senator Geo-Karis that...that to allow aldermen and...and municipal people to be able to hold liquor licenses in their own municipalities is a bad idea. Senator Philip, you're the one that said that you have received numerous phone calls on this particular bill saying from some of your municipalities that they too thought it was a bad idea, and I personally think we ought to either throw it back in Conference Committee and get that...that portion of it off or kill it here.

PRESIDING OFFICER: (SENATOR SAVICKAS)

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

SENATOR WELCH:

Well, I'd just like to point out, Senator Fawell, that what the amendments do...the bill has already passed the Senate. The amendments do this, they take Cook County out of it. Secondly, they add townships...Representative Ewing wanted to added townships into this law. If we don't concur in this, the House will recede from these two amendments. The bill will go into effect and apply to Cook County, so you have your choice...I would move to concur so it doesn't apply to aldermen and commissioners in Cook County and county board members in Cook County. So, I would move for a favorable vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Question is, shall the Senate concur in House Amendments No. 1 and 3 to Senate Bill 370. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 31, the Nays are 23, 1 voting Present. The Senate does concur in House Amendments No. 1 and 3 to Senate Bill 370 and the bill having received the required constitutional majority is declared passed. Senator Geo-Karis, for what purpose do you arise?

SENATOR GEO-KARIS:

I'd like to have a verification, please.

PRESIDING OFFICER: (SENATOR SAVICKAS)

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

ACTING SECRETARY: (MR. HARRY)

The following voted in the affirmative: Alexander, Barkhausen, Berman, Brookins, Carroll, D'Arco, DeAngelis, Degnan, del Valle, Demuzio, Thomas Dunn, Friedland, Hall, Holmberg, Jacobs, Jones, Jeremiah Joyce, Jerome Joyce, Luft, Mahar, Marovitz, O'Daniel, Savickas, Schaffer, Severns,

Smith, Vadalabene, Watson, Welch, Zito, Mr. President.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis, do you question any of the affirmative votes?

SENATOR GEO-KARIS:

Yes, Watson.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is Senator Watson on the Floor? Senator Watson. Strike his name.

SENATOR GEO-KARIS:

Senator...Vadalabene.

PRESIDING OFFICER: (SENATOR SAVICKAS)

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

SENATOR GEO-KARIS:

Senator DeAngelis.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis. Senator DeAngelis is on the Floor waving his hand.

SENATOR GEO-KARIS:

Senator...Senator Severns.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Severns. Senator Severns on the Floor? Strike her name.

SENATOR GEO-KARIS:

Senator Barkhausen.

PRESIDING OFFICER: (SENATOR SAVICKAS)

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

SENATOR GEO-KARIS:

That's all.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Brookins wasn't questioned. He's just waving hello. On a verified roll call, there are 27 Yeas, 23 Nays.

The Senate having failed to receive the required constitutional majority is declared lost. Senator Welch.

SENATOR WELCH:

...I would now move to nonconcur in House Amendment...

PRESIDING OFFICER: (SENATOR SAVICKAS)

The motion to concur is lost. The bill stays on the Calendar.

SENATOR WELCH:

If it...if we loose, it stays on our Calendar. ✓

PRESIDING OFFICER: (SENATOR SAVICKAS)

On the Order of...it's too late...before we go to our next order of business, Senator Maitland has a group that he would like to introduce to the Senate. So, at this point...with leave of the Body, I will turn the Chair over to Senator Maitland for his introductions.

SENATOR MAITLAND:

Thank you, very much, Mr. President and members of the Senate. Representative Tom Ewing joins me at the Podium this afternoon to introduce to you a group of individuals from Monticello which is the county seat of Piatt County and they are celebrating their sesquicentennial during the month of...month of July, and I...as you know, there are a number of cities in this state that are celebrating this event and I thought you would like to meet the people from Monticello. Monticello was first settled in 1822 and both Abe Lincoln and Mr. Douglas campaigned there and debated there. It's in the heart of the finest farmland in the world and I...I view Monticello as one of the pearls of the prairie and...and with Representative Ewing and I this afternoon are Richard Lendsley who is the chairman of the event. The cochairman of the event is his wife, Hazel...we're delighted to have her here. Also, Judy Green who is the...is a member of the committee and County Clerk of Piatt County and Don Piatt who is the great-great-grandson of...of the gentleman to whom the

county is named after. We're delighted to have all of these. I'd like to ask Representative Ewing any comments and then also to present the copies of the resolution to these find people.

REPRESENTATIVE EWING:

(Remarks made by Representative Ewing)

SENATOR MAITLAND:

Thank you, very much.

PRESIDING OFFICER: (SENATOR SAVICKAS)

All right, now that everybody is calmed down, we have Senate Bill 382, Senator Vadalabene. Senate Bill 385, Senator Poshard. On the Order of Secretary's Desk Concurrence we have Senate Bill 385. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 385 with House Amendments 1, 2 and 3.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Poshard.

SENATOR POSHARD:

Thank you, Mr. President. I move to concur with House Amendments 1, 2 and 3. House Amendment 1 permits the county boards of a county not exceeding one million inhabitants to authorize the county clerk to impose an additional two dollar charge for certified copies of vital records to defray the cost of converting the county clerk's document storage system for vital records over to computers or micrographics and for maintaining those systems. A lot of the county clerk's offices simply don't have any storage space left and they have to convert over to computers and this is going to enable them to do that. House Amendment 2 prohibits a county board from reducing compensation payable by the county to the treasurer if the reduction is a result of his receiving...the three thousand five hundred dollar annual stipend that the state...makes payable to county treasurers. And House Amendment 3 divides the judicial districts...or judicial circuits

of the state into classifications so that they may be more easily standardized and converted to automated record keeping systems, that their training to maintain those systems can be standardized. It makes the uniform setting of fees of the clerks in each county. So, I would move for the adoption of all three of these...passage of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Keats.

SENATOR KEATS:

Looking at House Amendment No. 3, I'm not objecting or anything, we're just trying to figure it out. How did they pick these classifications, if the sponsor could explain?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Poshard.

SENATOR POSHARD:

Senator Keats, the classifications were decided...I don't know exactly. I can explain them to you. They went with Class AA, A, B, C and D, as you know. The largest circuit clerk being...circuit court being Cook County and that receiving the double AA classification. The letter classifications make it more easily to standardize the operation of the record keeping systems. That's all it's about. That's all it does. Rather than referring to counties of one million or more, it refers to Class AA counties, et cetera, et cetera, right down the line.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Keats.

SENATOR KEATS:

...you just...I see what you're saying but I mean...our analysis is saying the same thing, we're sitting here saying, how did they pick this? I mean, it...could maybe we just get some explanation? It doesn't appear to be money...you know, it doesn't appear to be size. I mean, did they just pick them out of a hat?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Poshard.

SENATOR POSHARD:

No, it's my understanding, Senator Keats, that it is based upon size and that the letter classifications relate in a descending order to the size of the judicial...circuit district.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Well, thank you, Mr. President. A question of the sponsor. Our analysis...our analysis indicates that...that this classification system would tend to differentiate between northern and southern Illinois, and I'm not sure exactly what the impact is on...on my community, but I...I guess my concern is are we being thrown into some kind of classification system that would apply to the City of Chicago and...and highly populated areas that would...would have an impact upon our communities and...and upon our governments?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Poshard.

SENATOR POSHARD:

Senator Schuneman, not...not to my knowledge or my understanding. The only thing that I have been told about this is that these classifications were developed, first of all, to accommodate the record keeping system necessitated by the computers and so on, that there's nothing there that would have anything to do with anything other than that.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman.

SENATOR SCHUNEMAN:

Well, this...this is your bill, is it not, Senator?...you know, why don't...why don't we just reject this if we don't know what we're doing and...at least they ought to have the

courtesy to come to you and explain to you what it is they're doing here.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Fawell indicates she knows what's going on with this bill. She's standing there waving her arm. Senator Fawell, maybe you can enlighten us.

SENATOR FAWELL:

Thank you, very much. I only know because I happened to talk to my...my circuit clerk about this. What they're trying to do is...set up a classification so that, for instance, if they want to raise their fees in Cook County to...to file something and they don't want to raise them down in southern Illinois because of the fact that...that it isn't as expensive to keep an operation going down there, they can do this with this classification system. This is a proposal that has come out of the Circuit Clerk's Association. They've been trying to set this up now for the last couple of years and it...it...that's all it is is a classification and it's really done not only by population but also by the number of cases that are...are filed and...and et cetera. It is an agreed...an amendment by the clerks. They all seem to want it in the state and I would suggest we vote Yes and continue with the business.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Poshard may close.

SENATOR POSHARD:

Well, Mr. President, just as I have stated in regard to that Amendment 3, it's simply a...a classification system to accommodate an automated record keeping system for the circuit clerks and there's nothing more to it than that and I feel it should be passed.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Question is, shall the Senate concur in House Amendments No. 1, 2 and 3 to Senate Bill 385. 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 46, the Nays are 3, 6 voting Present. The Senate does concur in House Amendments 1, 2 and 3 to Senate Bill 385 and the bill having received the constitutional majority is declared passed. Senate Bill 388, Senator Dunn. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 388 with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Dunn.

SENATOR TOM DUNN:

Thank you, Mr. President. House Amendment 1 allows local school boards and teacher representatives to negotiate the terms of absences relative to teacher institute days. This has been worked out between the IFT and the Illinois Association of School Boards.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Hudson.

SENATOR HUDSON:

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

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will.

SENATOR HUDSON:

Senator Dunn, I remember when we discussed this bill in committee and on the Floor as well, I believe, and there was quite a bit of discussion as to sick leave and limiting it to sick leave as you recall. Now...now does the House amendment affect that? Does it knock that out that we talked about?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Dunn.

SENATOR TOM DUNN:

Yes, Senator Hudson, we changed that from a mandatory shall to a may.

SB 400
concurrent

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hudson.

SENATOR HUDSON:

And the school board people are signed off on this?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Dunn.

SENATOR TOM DUNN:

The Illinois Association of School Boards is signed off on this, yes.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hudson. Is there further discussion? If not, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 388. 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. The Senate does concur in House Amendment No. 1 to Senate Bill 388 and the bill having received the constitutional majority is declared passed. House Bill 389, Senator Dunn. Read the bill...House Bill 400, Senator Luft. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 400...or Senate Bill 400 with House Amendments 1, 4, 5 and 6.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Luft on Senate Bill 400.

SENATOR LUFT:

Thank you, Mr. President. I would move that the Senate concur in House Amendments 1, 4, 5 and 6. Amendment No. 1 made the Department of Financial Institutions the depository of the information required rather than the Attorney General. Amendment No. 4 was a technical amendment and made no substantive changes. Amendment No. 3 deleted the...I mean...I'm sorry, Amendment No. 5 deleted the one thousand dollar busi-

ness offense for violation and empowered the Attorney General or a state's attorney to bring actions for violation which imposed a Class A misdemeanor for the violation rather than the business offense. And Amendment No. 6 exempts charge card issuers...requirement of disclosing the amount of interest rates charged and the length of grace periods if, in fact, there was no finance charge and/or installment payments that the credit card required. Once again, I would move to concur in the four amendments that I mentioned, 1, 4, 5 and 6.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Karpiel.

SENATOR KARPIEL:

Thank you. Senator Luft, with these amendments and the committee amendment in the Senate, did this take away the opposition of all the banking groups and Household Finance and all those people?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Luft.

SENATOR LUFT:

Those groups have not talked to me about this bill in three weeks to a month, so I'm assuming that they have no opposition.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Keats.

SENATOR KEATS:

As minority spokesman on Labor and Commerce, I've worked with Senator Zito and Senator Luft on this, and while the bill was excellent to begin with, the amendments are no problem whatsoever; and while I don't know the position of the financial community, from a legislative point of view, it is an excellent bill and I...I think we should all support it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

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

shall the Senate...concur in House Amendment No. 1, 4, 5 and 6 to Senate Bill 400. 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, none voting Present. The Senate does concur in House Amendments 1, 4, 5 and 6 to Senate Bill...400 and the bill having received the constitutional majority is declared passed. Senate Bill 417, Senator Watson. Senate Bill...no...no approps. Senate Bill...all right, we'll hold that, Senator. Senate Bill 418, Senator Zito. Senate Bill 427, Senator Maitland. Read...no. Senate Bill 432, Senator Woodyard. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 432 with House Amendments 2 and 3.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Woodyard.

SENATOR WOODYARD:

Thank you, Mr. President and members of the Senate. Amendment No. 2...or I move to concur with Amendments No. 2 and No. 3. Amendment No. 2 transfers Blackhawk State Park and Campbell's Island State Memorial in Rock Island County from Department of Conservation to Historic Sites Agency, and the money transfer that would accompany that transaction, we did yesterday afternoon. Amendment No. 3...actually puts the Wayne Fitzgerald State Park into the cash incentive program, and I would move for concurrence in Amendments No. 2 and 3.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Demuzio.

SENATOR DEMUZIO:

Senator Woodyard, is...is there an appropriation for this thirty-five percent incentive?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Woodyard.

SENATOR WOODYARD:

I am told there is not.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

So, if there's no appropriation, why there just simply is...is a...frankly, it becomes nonoperative, I assume. Is that correct? Okay.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr...President. A question of the sponsor, if he'll yield.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR SCHUNEMAN:

On the amendment that makes the transfer of Blackhawk State Park and Campbell's Island, you mentioned something about transferring some...some money...as I understood you. What...can you tell me a little bit about that?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Woodyard.

SENATOR WOODYARD:

It's my understanding...and, quite frankly, I don't know why the House sponsor wanted this done but Senator Jacobs and...and Representative Brunsvold have certainly been contacted on this, but it's my understanding by making this transfer from Department of Conservation to the jurisdiction of Historic Sites that the amount of money that would normally be used for those parks had to be also transferred from Conservation to Historic Sites Agency, and I believe we had a...an appropriation bill yesterday evening that contained that one hundred and sixty-nine thousand dollar transfer. Department of Conservation does approve of this transfer.

PRESIDING OFFICER: (SENATOR SAVICKAS)

At this point, I'd like to introduce a State Representative...former State Representative and also the Executive Vice President of Chicago Park District, Representative Jessie Madison standing in the rear of the...Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President. I'd just like to back up a little bit what Senator Woodyard said and this is something that is requested by the entities concerned and they are looking to get on the Historical Sites and that's why the transfer was made, and I thank the Senator for following through on that. Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, the question is, shall the Senate concur in House Amendments No. 2 and 3 to Senate Bill 432. 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. The Senate does concur in House Amendments No. 2 and 3 to Senate Bill 432 and the bill having received the constitutional majority is declared passed. Senate Bill 441, Senator Holmberg. Read the bill, Mr. Secretary.

END OF REEL

REEL #3

ACTING SECRETARY: (MR. HARRY)

Senate Bill 441 with House Amendments 1 and 2.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Holmberg.

SENATOR HOLMBERG:

Yes, I wish to concur with House Amendments No. 1 and No. 2. House Amendment No. 1 states that individuals denied access to inspect or copy school district records may file suit or the state's attorney may file suit pursuant to the Freedom of Information Act. Clarifies that the board president must report the status of freedom of information requests at each regular board meeting. House Amendment 2 applies the same provisions to...the Chicago district except the right to file suit under the Freedom of Information Act is not included in that case. This particular piece of...legislation was a reaction and a result of the very lengthy Homer strike, and I accept these amendments and would invite the concurrence of the Senate.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Dudycz.

SENATOR DUDYCZ:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He...she indicates she'll yield.

SENATOR DUDYCZ:

I just would like to know, Senator, why are you excluding Chicago in this provision?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Holmberg.

SENATOR HOLMBERG:

This was an agreement worked out with the...the state's attorney. Evidently they felt they couldn't...couldn't handle all of that...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, the question is, shall the Senate concur in House Amendments No. 1 and 2 to House Bill...or to Senate Bill 441. 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 46, the Nays are 7, none voting Present. The Senate does concur in House Amendments No. 1 and 2 and the...and Senate Bill...441 having received the constitutional majority is declared passed. Senate Bill 442, Senator Netsch. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 442 with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. I would move that the Senate concur in House Amendment No. 1 to Senate Bill 442. This is the toxic air pollution bill. The amendment which the House put on is the very same one that we had put on a different...an earlier version of the bill...the House version of the bill. It simply redefines the kind of...of result of pollution that will be covered by the rules to be ultimately promulgated. The amendment as well as the bill itself has been agreed to by all of the environmental interests and all the business interests for a first in history and it does, very importantly, start the state pollution agencies on the road to developing pollution standards. It is a very important piece of legislation for that reason, and I would move concurrence in the amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 442. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. The Senate does concur in House Amendment No. 1 to Senate Bill 442 and the bill having received the constitutional majority is declared passed. House bill 454, Senator Jones. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill...or Senate Bill 454 with House Amendments 1, 6 and 7.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Jones.

SENATOR JONES:

Thank you, Mr. President and members of the Senate. I move to concur in House Amendments No. 1, 6 and 7 to Senate Bill 454. Amendment No. 1 puts a barber on the Board of the Barbers and Cosmetology Committee. Amendment No. 6...prohibits cosmetologists and estheticians from performing any procedure which may puncture or...or abrade the skin or remove comedones, which are whiteheads, which may draw blood or severely...or serious body fluid. Amendment No. 7 is the...is the Farm Implement Buyers Act and this amendment is the same as Senate Bill 894, Senator Rigney passed. It requires manufacturers or dealers to make any repairs necessary to make a farm implement...conform to written warranties. It requires manufacturer dealer to replace the farm implement or refund the buyer's money less a reasonable allowance for prior use if repairs cannot be made within a year, authorizes consumers to bring civil action if replacement or refund is not made. It is a...it is an affirmative defense against any claim if the alleged nonconforming does not substantially...impair or use or is a result of abuse or

neglect or alteration authorized by the manufacturer or dealer. This is the...the Farmer's Consumer Protection Act, and I know Senator Rigney probably want to have some comments on this, but this is the Farmer's Consumer Act. It is a good consumer amendment and I support it as well. Ask for a favorable vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. One question of the sponsor. As I understand it, the...the Farm Implement Buyer Act amendment, which is Amendment No. 7, does not provide for any new form of licensing. It just simply sets up a whole series of consumer protection provisions. Is...is that correct?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Jones.

SENATOR JONES:

That is the way I read it, Senator.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

A question of the sponsor, Mr. President.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR SCHUNEMAN:

Senator, this...this enacts the Farm Implement Buyer Protection Act. Were there hearings conducted on that Act in the Senate or in the House?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Jones.

SENATOR JONES:

Yes, hearings were...conducted in the Senate...on that question, I will yield to Senator Rigney.

PRESIDING OFFICER: (SENATOR SAVICKAS)

*SB 469
concurrent*

Senator Rigney.

SENATOR RIGNEY:

To answer your question, Senator Schuneman, there certainly were hearings on that here in the Senate. It was my bill. It passed out of here; in fact, I think the...if I recall, the vote on it was unanimous. What happened over in the House was that it got into a little political snafu over there and my bill was killed. Another new Representative from over there picked up the bill in the form of an amendment and they needed a home for it and, so, it became a part of this bill. Inasmuch as this was a consumer oriented bill, the feeling was that since this is kind of consumer protection, maybe it was a logical place to amend on this piece of legislation, but I assure you, it's the same bill that we sent over to them.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, the question is, shall the Senate concur in House Amendments No. 1, 6 and 7 to Senate Bill 454. 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. The Senate does concur in House Amendments 1, 6 and 7 to Senate Bill 454 and the bill having received the constitutional majority is declared passed. Senate Bill 461, Senator Mahar. Senate Bill 469, Senator Dunn. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 469 with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Dunn.

SENATOR TOM DUNN:

Thank you, Mr. President. House Amendment 1 deletes the provision of the bill that made the offense nonprobationable.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 469. 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. The Senate does concur in House Amendment No. 1 to Senate Bill 469 and the bill having received the constitutional majority is declared passed. Senate Bill 478, Senator Etheredge. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 478 with House Amendment 1 and 2.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I move to concur with House Amendments 1 and 2. This is the licensing rewrite of the Podiatric Medical Practice Act. I'd be happy to respond to any questions.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall the Senate concur in House Amendments No. 1 and 2 to Senate Bill 478. 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, none voting Present. The Senate does concur in House Amendments No. 1 and 2 to Senate Bill 478 and the bill having received the required constitutional majority is declared passed. Senate Bill 482, Senator Etheredge. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 482 with House Amendments 1, 3 and 5.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Etheredge.

*SB 483
nonconcurrance*

SENATOR ETHEREDGE:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I move to concur with House Amendments 1, 3 and 5. This is the Act which provides for the...consolidation of alcohol and drug abuse counseling and I would be happy to respond to any questions.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Netsch.

SENATOR NETSCH:

...thank you, Mr. President. Just simply to add a strong vote of support for the bill and the amendments and a particular tribute to Senator Etheredge in the process. This is a bill that was worked out by the DASA Advisory Council and many others. It is one of the really significant pieces of legislation of the Session and all those involved went at it in good faith and we have a very, very good product, and we should give it a resounding send-off.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Okay, the question is, shall the Senate concur in House Amendments No. 1, 3 and 5 to Senate Bill 482. 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. The Senate does concur in House Amendments No. 1, 3 and 5 to Senate bill 482 and the bill having received the constitutional majority is declared passed. Senate Bill 483, Senator Etheredge. Read the bill, Mr. Secretary.

SECRETARY:

House Amendments 1 and 4 to Senate Bill 483.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President. I move to nonconcur with House

Amendments 1 and 4.

PRESIDING OFFICER: (SENATOR SAVICKAS)

You've heard the motion. Senator Etheredge moves to nonconcur in House Amendments 1 and 4 to Senate Bill 483. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. The motion carries and the Secretary shall so inform the House. Senate Bill 487, Senator Karpiel. Read the bill, Madam Secretary.

SECRETARY:

House Amendments 4 and 5 to Senate Bill 487.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Karpiel.

SENATOR KARPIEL:

Yes, thank you, Mr. President. I move to concur in House Amendments 4 and 5 to Senate Bill 487.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall the Senate concur in House Amendments 4 and 5 to Senate Bill 487. 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 and the Senate does concur in House Amendments No. 4 and 5 to Senate bill 487 and the bill having received the constitutional majority is declared passed. House Bill 492, Senator Hall. Read the bill, Mr. Secretary.

SECRETARY:

House Amendment No. 1 to...to Senate Bill 492.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hall.

SENATOR HALL:

...thank you, Mr. President and Ladies and Gentlemen of the Senate. I move to concur with...in Senate Bill 492...of House Amendment...No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

*SB 495
concurance*

Is there discussion? Senator Fawell.

SENATOR FAWELL:

...oh, you got...you had the wrong number up there.

PRESIDING OFFICER: (SENATOR SAVICKAS)

We have...492, House Amendment No. 1. Is there discussion? If not, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 492. 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. The Senate does concur in House Amendment No. 1 to Senate Bill 492 and the bill having received the constitutional majority is declared passed. Senate Bill 495, Senator Hall. Read the bill,...Hadam Secretary.

SECRETARY:

House Amendment No. 1 to Senate Bill 495.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I move to concur with amendment...let's see which one it is here...just got back here...Amendment No. 1 to Senate Bill 495, and what this does is...it's a technical change. It changes in line 3 on page 1, Section 401, it says that...instead of...it says, "have been met" instead of "exit" and that there are exit grounds for dissolution. With that, I would move for the passage of this amendment and the bill...of Senate Bill 485.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 495. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record.

On that question, the Ayes are 58, the Nays are none, none voting Present. The Senate does concur in House Amendment No. 1 to Senate Bill 495 and the bill having received the constitutional majority is declared passed. Senate Bill 497, Senator Alexander. Read the bill, Madam Secretary.

SECRETARY:

House...House Amendment No. 1 to Senate Bill 497.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Alexander.

SENATOR ALEXANDER:

Mr. President and to the House...I mean, to the Senate members, I move to concur with House Amendment No. 1 to Senate Bill 497. This amendment redefines when the income tax withholding process may begin. It also adds a notice provision to the new subsequent services, and this amendment is the results of a discussion with the Department of Public Aid, Illinois Task Force on Children, legal services and other groups. They all have agreed that this makes the bill more refined. I move for concurrence with this amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall the Senate concur with House Amendment 1 to Senate Bill 497. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, none voting Present. The Senate does concur with House Amendment 1 to Senate Bill 497 and the bill having received the required constitutional majority is declared passed. Senator Hawkinson, for what purpose do you arise?

SENATOR HAWKINSON:

Just to inform the Chair that my button is not working, if you'd take...yes, about five times.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Secretary's Desk Concurrence is...Senate Bill 505, Madam Secretary.

SECRETARY:

House Amendments 1, 2 and 3 to Senate Bill 505.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Friedland.

SENATOR FRIEDLAND:

Thank you, very much, Mr. President and Ladies and Gentlemen of the Senate. I move that we concur in House Amendments 1, 2 and 3. House Amendment 1 added numerous IDOT...conveyances. House...House Amendment 2 removed a controversial parcel, and House Amendment 3 authorized Department of Corrections to lease six acres...I'd urge that we concur in those...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Welch.

SENATOR WELCH:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield, Senator Welch.

SENATOR WELCH:

Senator Woodyard, is it your bill?

PRESIDING OFFICER: (SENATOR DEMUZIO)

No, Friedland.

SENATOR WELCH:

Friedland...sorry, Senator...has the...has the DOT and Department of Conservation signed off on all of these sales or releases of easements?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Friedland.

SENATOR FRIEDLAND:

Hello. Senator Welch, I'm not positive. If I could...I couldn't say that for a hundred percent sure on the House activity on this parcels.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Senator, do you know if appraisals...appraisals were done of each of these items...apparently thirty-one items, to determine if we're getting fair market value for this property or something?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Friedland.

SENATOR FRIEDLAND:

No, I don't know if appraisals were done on every parcel. You might want to check with some of the members from your side that have put some amendments in here, maybe I...sure they may know.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

One...one more question, Senator. The total income we're receiving for all of this property doesn't seem to be very much for all the acreage that we're giving away. Would it be possible to get back to this tomorrow after our staff does some investigation or...is that a possibility?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Friedland.

SENATOR FRIEDLAND:

No, I'd like to pursue it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Well, then I'd like to speak on the motion. There's twenty-nine different items that we're giving away here. No one seems to know what the value of it is. You know, there's...here's one, thirty-nine acres for a dollar. There's others, eight acres for a...in exchange for a

release; 2.8 acres for twenty thousand dollars. In the past we've always had appraisals when we gave property away was my understanding or at least inquired. Our side, I've been informed, number one, has not seen any appraisals and, number two, doesn't know if appraisals were done and, number three, this seems...this seems to be the new wish list for the year.

Instead of getting projects in Build Illinois this year, we are releasing property in thirty-two different areas, and I just wonder if we want to do it this fast without any background information? You know, I may be in support of this, but I think that we should at least have some more information before we do so.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

All right, further discussion? If not, Senator Friedland may close.

SENATOR FRIEDLAND:

Thank you, Mr. President. I'm advised that many of these parcels are added by the majority...

PRESIDING OFFICER: (SENATOR DEMUZZIO)

...wait a minute...wait a minute. Senator Schuneman, the gentleman was...was closing. Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. Just...just a quick question of the sponsor. While I have not been involved in this bill at all this year, I have been in other years and I know that the Senate committee very carefully goes over the list. There's no requirement that there be any appraisal if the General Assembly agrees to make these transfers. The appraisals are certainly required when the department makes the transfers. But my question to the sponsor is whether or not these House transfers were added in committee where they would have a hearing or if they were added on the Floor?

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Friedland.

SENATOR FRIEDLAND:

I'm...thank you, Mr. President and Ladies and Gentlemen of the Senate. I'm advised that the amendment in question, of course, is a majority amendment in the House and that the majority of those parcels were in other legislation that is passed, so I think we're making a lot of to-do about nothing. In many of these instances, these are property exchanges and...leases and...if...if you don't like it, vote No. I...I urge that we concur in...Amendment 1, 2 and 3.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Schuneman.

SENATOR SCHUNEMAN:

Well...simply to say that I think this...this is standard procedure. There's nothing unusual about what we're doing here and I suspect that we can vote Yes without any problem.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Further discussion? If not, Senator Friedland, do you wish to close? Senator Friedland.

SENATOR FRIEDLAND:

Briefly. I'd urge a favorable roll call on the House amendments and for this parcel which contains...bipartisan parcels throughout this state. I'm familiar specifically with the one in my district, as is the Presiding Officer...the one in his and Senator Joyce with the one in his, so on behalf of those...my colleagues, I'd urge that you support this measure.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

The question is, shall the Senate concur with House Amendments 1, 2 and 3 to Senate Bill 505. 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 53, the Nays are none, 4 voting Present. The Senate does concur

with House Amendments 1, 2 and 3 to Senate Bill 505 and the bill having received the required constitutional majority is declared passed. 508,...all right, House Bills...I beg your pardon, Senate Bill...Senate Bill...Senator Hawkinson, for what purpose do you arise?

SENATOR HAWKINSON:

Thank you, Mr. President. The electrician has now fixed my light and I wish the record to reflect that I did intend to vote Aye on the previous roll call which was the concurrence on Senate Bill 497.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, the record will so indicate. All right, Senate Bill 508, Madam Secretary.

SECRETARY:

House Amendments 1 and 2 to Senate Bill 508.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

Yes, sir, thank you, Mr. President. I move that the Senate concur with House Amendment 1 and 2 to Senate Bill 508. The first amendment is based upon language developed by the department in consultation with state's attorneys who have prisons in their county. It changes the possession of contraband offense to remove the intent of the possession as an element of...of the offense; however, it does create an affirmative defense for possession authorized by rule or regulation of the authority in charge of the penal facility. The reason for this is that we're trying to address...some concerns of the trial court. Some similar language passed out in a...in another bill but this should clear up that particular problem. Amendment No. 2 is a situation in which the department can reimburse the local counties for prosecuting services and related to...in relation to the prisons in that particular county. The state already has this fixed reim-

bursement but this would allow an increase in emergency situations. I move for the concurrence to both amendments to Senate Bill 508. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall the Senate concur with House Amendments 1 and 2 to Senate Bill 508. 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. The Senate does concur with House Amendments 1 and 2 to Senate Bill 508 and the bill having received the required constitutional majority is declared passed. 523, Senator Marovitz. Senate Bill 523, Madam Secretary.

SECRETARY:

House Amendments 2 and 3 to Senate Bill...1, 2 and 3 to Senate Bill 523.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. I would move that the Senate do concur with House Amendments 1, 2 and 3 to Senate Bill 523. The purpose of the amendment is to create a program to assist high-risk youth to obtain employment and careers. The program is totally subject to appropriation, so if there's no money appropriated, which is a distinct possibility, there will be no program. This is done on a pilot basis, community based programs that provide comprehensive, long-term intervention strategies to increase future employability and career development among high-risk youth, something that I think is and should be a priority of this General Assembly and I would move for concurrence.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Topinka.

SENATOR TOPINKA:

Yes, Mr. President and Ladies and Gentlemen of the Senate, when we originally dealt with the bill here, you know, there was a pretty straight roll call against this because the Department of Public Aid had objected to...either deniability in terms of what...if a person came in and...and...asked for a program, they allegedly would...might not know that there were other reasons that they were being denied. Now, the bill in its original form was bad. I think the amendments make it slightly better and, of course, now it does make it subject to appropriations. I don't think we've really accommodated the deniability factor of whether or not, you know, you really need this. I don't know that all of this is particularly needed. So, I would still voice somewhat of an objection to this particular bill and...amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, Senator Harovitz may close.
SENATOR HAROVITZ:

Well, just briefly. Amendment No. 2 to this bill...was...was...requested by the Department of Public Aid. They drafted it. We put it on. It prohibits a decision from being given for any assistance program for which the applicant has expressly refused in writing to apply. It's their amendment. We put it on. That makes the bill which we passed an even better bill and more acceptable to the department. Again, the other part of the bill is subject to appropriation. No appropriation, no program, and I'd ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall the Senate concur with House Amendments 1, 2 and 3 to Senate Bill 523. 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 41,

*SB 525
Concurrence
SB 524
Concurrence*

the Nays are 16, none voting Present. The Senate does concur with House Amendments 1, 2 and 3 to Senate Bill 523 and the bill having received the required constitutional majority is declared passed. 524, Senator Marovitz. Senator Marovitz, 524. Senate Bill 524, Madam Secretary.

SECRETARY:

House Amendment 1 to Senate Bill 524.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much. I would move that the Senate do concur with House Amendment No. 1 to Senate Bill 524. This is the bill which establishes powers of attorneys for health care decisions. The principal can amend or revoke to the agency through any communication to any person, that individual still controls, not somebody else. The person so informed shall make all efforts to inform the agent. I'd ask for an Aye vote for concurrence.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Discussion? If not, the question is, shall the Senate concur with House Amendment 1 to Senate Bill 524. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, 1 voting Present. The Senate does concur with House Amendment 1 to Senate Bill 524 and the bill having received the required constitutional majority is declared passed. Senate Bill 525, Madam Secretary.

SECRETARY:

House Amendments 1 and 18 to Senate Bill 525.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Marovitz.

SENATOR MAROVITZ:

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

Senate. I would move that the Senate do concur with House Amendments No. 1 and No. 18 to Senate Bill 525. Amendment No. 1 exempts units of local government from having to pay the dollar surcharge filing on the...put on the filing of pleadings and specifies that mediators will perform their duties as volunteers and not receive any...compensation. And Amendment No. 18 removes the provision which extends immunity from civil damages to dispute resolution centers and the mediators so that there will be not...will not be any immunity provision. Bar...has...Bar Association has agreed to this and I'd ask for a concurrence with these two amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Hawkinson.

SENATOR HAWKINSON:

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Hawkinson.

SENATOR HAWKINSON:

Under the original bill, was there provision for mediator salaries built in? Was that a substantial cost in the bill as it left the Senate?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

I don't think that was a cost as it left the Senate. There was no provision for a cost but I think what they have done is specified that the mediators will perform as volunteers and receive no compensation. There was no appropriation which adjoined to this bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Keats.

SENATOR KEATS:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Keats.

SENATOR KEATS:

I voted for the bill originally. I mean, I think it's a good bill, but are these House amendments basically killing us with kindness? The point of this was if a judge or attorney handles this, they get paid. Now, what they're saying is when you're taking this out of the courtroom and putting it among the real world saying no pay and you have a liability, now, needless to say, a judge cannot be held liable, but we're saying a mediator can; an attorney cannot be held liable, yet in this...and is reimbursed for it and in this case these guys are not reimbursed. Could it be that they were just attempting to destroy the bill, but rather than kill it, they just added these which would possibly kill it?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

I don't think that's the case because the Chicago Bar Association and the Illinois Bar Association were in favor of this and they helped to draft these amendments and so...since they wanted the bill and were part and parcel of the drafting of these amendments, I think that they feel it would...it would be...it would even make the bill even better and at no cost to the state.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Keats.

SENATOR KEATS:

Where will we get these volunteers who can be held liable in a lawsuit to help on this? Do you know anyone crazy enough to want to do that?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Two...there are two pilot projects going right now as we stand here, so I do think there are people who will volunteer. If there aren't, we won't have them. It's just that simple.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Further discussion? If not, Senator Marovitz,...do you wish to close? Senator Marovitz. All right, the question is, shall the Senate concur with House Amendments 1 and 18 to House Bill...to Senate Bill 525. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are 4, none voting Present. The Senate does concur with House Amendments 1 and 18 to Senate Bill 525 and the bill having received the required constitutional majority is declared passed. Senate Bill 537, Madam Secretary.

SECRETARY:

House Amendments 1, 2 and 3 to Senate Bill 537.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. I move that the Senate concur with House Amendments 1, 2 and 3 to Senate Bill 537. This is the Illinois Optometric Act and the House put some provisions in there that cleared up some concerns of the department. The ophthalmologists, the optometrists, the department, everybody is on board. I don't know of any objection and I'd be happy to answer any questions; otherwise, I'd move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Discussion? If not, the question is, shall the Senate adopt...I'm sorry, the question is, shall the Senate concur with House Amendments 1, 2 and 3 to Senate Bill 537. Those in

favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. The Senate does concur with House Amendments 1, 2 and 3 to Senate Bill 537 and the bill having received the required constitutional majority is declared passed. Senate Bills...Secretary's Desk Concurrence, Senate Bill 548, Madam Secretary.

SECRETARY:

House Amendment No. 1 to...to Senate Bill 548.

PRESIDING OFFICER: (SENATOR DEHUZIO)

Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Mr. President. This...the original Senate bill was passed out unanimously on our Agreed Bill List, a Department of Transportation bill. The House amendment is similar to Senate Bill 30 which also passed out of the Senate 59 to nothing dealing with control of Hoffman Dam to the Department of Transportation which was done at the request of the Village of Riverside. IDOT and the Chicago Metropolitan Sanitary District are neutral on the amendment. It did pass out of here but it was never heard in House committee, and I would ask to concur in House Amendment No. 1 to Senate Bill 548.

PRESIDING OFFICER: (SENATOR DEHUZIO)

Discussion? If not, the question is, shall the Senate concur with House Amendment 1 to Senate Bill 548. 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. The Senate does concur with House Amendment 1 on Senate Bill 548 and the bill having received the required constitutional majority is declared passed. Bottom of page...bottom of page 12 is

Senate Bill 549, Madam Secretary.

SECRETARY:

House Amendments 1, 3 and 4 to Senate Bill 549.

PRESIDING OFFICER: (SENATOR DEWUZIO)

Senator Friedland.

SENATOR FRIEDLAND:

Thank...thank you, Mr. President and Ladies and Gentlemen of the Senate. This is the annual IDOT conveyance and easement bill. I'm sponsor because I'm on the Transportation Committee. I'd urge that we concur with House Amendment 1, 3 and 4. House Amendment 1 is offered by...on behalf of the department, corrects some technical errors and adds a section authorizing the department to convey 2.32 acres in DeWitt County for thirty-nine hundred and fifty dollars. Amendment 3 offered by...in the House by Representative McPike changes a party...receive some land as...the department has no problem with this language. It's recommended we concur. Amendment 4 offered by...in the House by Representative Mulcahey authorizes the Historic Preservation Agency to exchange a small parcel of property near Grant's Home in Galena. Evidently some people are walking through a neighbor's yard and they want to kind of exchange this so it'll work out and make the entrance there very nice, and I'd urge that you act favorably on this issue. Thank you.

PRESIDING OFFICER: (SENATOR DEWUZIO)

Discussion? If not, the question is, shall the Senate concur with House Amendments 1, 3 and 4 to Senate Bill 549. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. The Senate does concur with House Amendments 1, 3 and 4 to Senate Bill 549 and the bill having received the required constitutional majority is declared passed. Top of page 13, Senate

Bill 551, Madam Secretary.

SECRETARY:

House Amendment No. 2 to Senate Bill 551.

PRESIDING OFFICER: (SENATOR DEMUZIIO)

Senator Davidson.

SENATOR DAVIDSON:

All this amendment does...it puts money in the State Treasurer's Office so that it can be enforced that way when there's a fine on that. Appreciate a...favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIIO)

Discussion? If not, the question is, shall the Senate concur with House Amendment 2 to Senate Bill 551. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. The Senate does concur with House Amendment 2 to Senate Bill 551 and the bill having received the required constitutional majority is declared passed. Senate Bill 597, Madam Secretary.

SECRETARY:

House Amendments 1 and 2 to Senate Bill 597.

PRESIDING OFFICER: (SENATOR DEMUZIIO)

Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. This is the bill that authorizes local school boards to join with other school boards in establishing cooperative high schools. The bill passed out of here, I believe, without a dissenting vote, as I recall. The House has adopted some amendments which...address some of the concerns of the teacher groups and, basically, what the House amendments do is say that this bill would only...could only be used by schools where the high schools do not exceed six hundred students. I find no objection with the House amendments. I would move that the Senate...concur in the House

Amendments No. 1 and No. 2.

PRESIDING OFFICER: (SENATOR DEHUZIO)

Discussion? The question is, shall the Senate concur with House Amendments 1 and 2 to Senate Bill 597. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. The Senate does concur with House Amendments 1 and 2 to Senate Bill 597 and the bill having received the required constitutional majority is declared passed. 630, Senator Carroll. Senate Bill 630, Madam Secretary.

SECRETARY:

House Amendments 1 and 2 to Senate bill 630.

PRESIDING OFFICER: (SENATOR DEHUZIO)

Senator Carroll, it's on page 13.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I would move that we do concur in House Amendments 1 and 2. The issue here was as to what the rate would be for the families of those who are within the CHIP service. We had said up to ninety percent. The industry had asked that it be ninety percent and that is basically the impact of...of one of the two amendments; the other one is strictly technical. So, it mandates that it be ninety percent of the rate for an eligible person. I would ask for concurrence in Amendments 1 and 2.

PRESIDING OFFICER: (SENATOR DEHUZIO)

Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. Well, while I concur with what the House did in their amendments, I simply want to point out to the members of the Senate that this sets up the final provisions in the comprehensive health insurance plan which

was adopted by the Legislature last year without any hearings, I might say, without legislative hearings of the typical kind. There has been a lot of input into the bill this year but I think that what we've wound up with is a system that's going to be very, very costly. This is one of those cases where we're going to feel the cost two or three years from now, hasn't cost us anything yet, and I think we're all becoming aware that as we do these things, it catches up with us in the future, so...with that, let your conscience be your guide.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Carroll may close.

SENATOR CARROLL:

Yeah, just to say I...I appreciate Senator Schuneman's comments and, of course, he was involved this year in all the discussions. He was part of the select committee that was created to work on the rewrite of the bill, to put it into technical shape and we appreciated the Senator's input at all of those very many meetings that we had because he was an integral part of all the debates and discussion. The original CHIPS was debate last year and, in fact, there had been a lot of public meetings on it. This is merely a clean-up bill and I would appreciate concurrence in Amendments 1 and 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall the Senate concur with House Amendments 1 and 2 to Senate Bill 630. 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 4, 1 voting Present. The Senate does concur with House Amendments 1 and 2 to Senate Bill 630 and the bill having received the required constitutional majority is declared passed. Senate Bill 650, Senator Smith. Senate Bill 650, Madam Secretary.

*SB 651
concurance*

SECRETARY:

House Amendment No. 1 to Senate Bill 650.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Smith.

SENATOR SMITH:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I would...that we would...that the Senate concur with the House Amendment No. 1 which merely deletes the council's duties and responsibilities included being responsible for the Civil Rights Commission component and...I wish that we would concur...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Discussion? If not, the question is, shall the Senate concur with House Amendment 1 to Senate Bill 650. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are 2, none voting Present. The Senate does concur with House Amendment 1 to Senate Bill 650 and the bill having received the required constitutional majority is declared passed. Senate Bill 651, Madam Secretary.

SECRETARY:

House Amendments 1 and 4 to Senate Bill 651.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. I move to concur with House Amendment No. 1 and House Amendment No. 4 to Senate Bill 651. Let me very quickly explain the two amendments. Amendment No. 1 made some technical changes, first, and the mechanics of reporting. It did include the local health departments in the process. It also expanded the definition of STD's to include HIV's, so it expanded the range of the bill consider-

ably. Amendment No. 4 which was entered after a hostile amendment had been taken off does provide for some language protecting in the...in the way that the Department of Public Health can bring somebody in for an examination. It eliminates the penalty for each violation but it substitutes in it some very strong language regarding the Illinois Department of Public Health's rules and regulation. These suggestions were made by the department. Fourth, it removes the penalty for failure to disclose the sexual partners in the contact tracing program. The rest of the bill is pretty much intact.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

...discussion? If not, the question is, shall the Senate concur with House Amendments 1 and 4 to Senate Bill 651. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are 1, 1 voting Present. The Senate does concur with House Amendments 1 and 4 to Senate Bill 651 and the bill having received the required constitutional majority is declared passed. Senate Bill 652, Madam Secretary.

SECRETARY:

House Amendments 1 and 23 to Senate Bill 652.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. I would move to nonconcur with House Amendments 1 and 23.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

I'm sorry, Senator D'Arco, I didn't catch your...all right, Senator D'Arco moves to concur. Is there discussion?

SENATOR D'ARCO:

No. Whoa...whoa...whoa, nonconcur.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Ab 670
concurance

All right. Senator D'Arco moves to nonconcur with House Amendments 1 and 23 to Senate Bill 652. Those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries and the bill...and the motion carries and the Secretary shall so inform the House. Senate Bill 653, Madam Secretary.

SECRETARY:

House Amendment No. 42 to Senate Bill 653.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. I move to nonconcur with House Amendment 23...oh, no, wait a minute, hold it. House Amendment 42, I'm sorry.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator D'Arco moves to nonconcur with House Amendment 42 to Senate Bill 653. All those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. Senate Bill 670, Madam Secretary.

SECRETARY:

House Amendments 1 and 2 to Senate Bill 670.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Brookins.

SENATOR BROOKINS:

Thank you, Mr. President. I move to concur with Senate Bill 670. What the House has did is put it in shape in that it allows...it takes away the...the...the evaluation by the recipients themselves and leaves it up to the department and that is an agreed bill...agreed position.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? The question is, shall the Senate concur with House Amendments 1 and 2 to Senate Bill 670. Those in favor will vote Aye. Those opposed will vote Nay. The voting

is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. The Senate does concur with House Amendments 1 and 2 to Senate Bill 670 and the bill having received the required constitutional majority is declared passed. Senate Bill 688, Madam Secretary.

SECRETARY:

House Amendment No. 1 to Senate Bill 686.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Poshard.

SENATOR POSHARD:

Mr. President, I move to nonconcur with House Amendment 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Poshard moves to nonconcur with House Amendment 1 to Senate Bill 688. Discussion? If not, those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. Senate Bill 690, Madam Secretary.

SECRETARY:

House Amendment No. 1 to Senate Bill 690.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. I would move that the Senate concur in House Amendment No. 1 to Senate Bill 690. House Amendment 1 excluded Cook County from the provisions of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall the Senate concur with House Amendment 1 to Senate Bill 690. 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

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concurrances*

voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. The Senate does concur with House Amendment 1 to Senate Bill 690 and the bill having received the required constitutional majority is declared passed. Senate Bill 707, Madam Secretary.

SECRETARY:

House Amendment No. 1 to Senate Bill 707.

PRESIDING OFFICER: (SENATOR DEHUZIO)

Senator Severns.

SENATOR SEVERNS:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I'd like to move to concur with Senate bill 707 and House Amendment 1. House Amendment 1 adds some technical language. I know of no opposition and I would move for concurrence.

PRESIDING OFFICER: (SENATOR DEHUZIO)

Discussion? The question is, shall the Senate concur with House Amendment 1 to Senate Bill 707. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. The Senate does concur with House Amendment 1 to Senate Bill 707 and the bill having received the required constitutional majority is declared passed. Senate Bill 708, Madam Secretary.

SECRETARY:

House Amendment No. 1 to Senate Bill 708.

PRESIDING OFFICER: (SENATOR DEHUZIO)

Senator Severns.

SENATOR SEVERNS:

Thank you, Mr. President and members of the Senate. Like to move for concurrence on House Amendment 1 on Senate Bill 708. House Amendment 1, frankly, waters down the original language of the Senate bill, 708, for a gasohol study to be

performed by Central Management Services. I know of no opposition to this amendment and would move for its concurrence.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Discussion? If not, the question is, shall the Senate concur with House Amendment 1 to Senate Bill 708. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. The Senate does concur with House Amendment 1 to Senate Bill 708 and the bill having received the required constitutional majority is declared passed. Page 14, Senate Bill 717, Madam Secretary.

SECRETARY:

House Amendment No. 1...actually, it's House Amendments 1 and 3 to Senate Bill 717, pardon me.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Jeremiah Joyce.

SENATOR JEREMIAH JOYCE:

I move that the Senate concur in House Amendment 1 and...is it 1 and 2 or 1 and 3, Madam Secretary?

SECRETARY:

1 and 3.

SENATOR JEREMIAH JOYCE:

Thank you. I move that the Senate concur in House Amendment 1 and 3 to Senate Bill 717. Those amendments put on...by the House require the Scholarship Commission to establish proprietary grant program standards for the programs enacted by the 85th General Assembly. The...the Illinois Independent Colleges are not opposing this, so I have no problem with it.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Discussion? If not, the question is, shall the Senate concur with House Amendments 1 and 3 to Senate Bill 717.

Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are 2, none voting Present. The Senate does concur with House Amendment...House Amendments 1 and 3 to Senate Bill 717 and the bill having received the required constitutional majority is declared passed. Senate Bill 719, Senator Jerome Joyce. 719, Madam Secretary.

SECRETARY:

House Amendments 1 and 2 to Senate Bill 719.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEROME JOYCE:

Thank you, Mr. President. I would move to concur in Amendments 1 and 2. Amendment No. 1 clarifies...and was requested by the Beer Distributors and would clarify the legal status of beer tents at the State Fairgrounds in both Springfield and DuQuoin.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce has moved to concur. Is there discussion? The question is, shall the Senate concur with House Amendments 1 and 2 to Senate Bill 719. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are 1, none voting Present and the Senate does concur with House Amendments 1 and 2 to Senate Bill 719 and the bill having received the required constitutional majority is declared passed. Senate Bill 742, Senator Watson. 742, Madam Secretary.

SECRETARY:

House Amendments 1, 3 and 4 to Senate Bill 742.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. I move that the Senate concur with House Amendments 1, 3 and 4 to Senate Bill 742. First amendment was an agreed amendment with the Department of Public Aid and State Police and provides that deducting administrative costs of the sale, the State Police will distribute to public aid any amount needed to satisfy the unsatisfied court order of restitution. Amendment No. 3 is also agreed amendment which allows the department to comply with the Immigration Reform and Control Act of 1986 and it sets up some language by which they'll be able to implement this particular Act. Amendment No. 4 makes a technical correction in Amendment No. 3 by...creating the Immigration Reform and Control Fund. There's no new substantive language. I move for adoption and concurrence. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Question is, shall the Senate concur with House Amendment...Amendments 1, 3 and 4 to Senate Bill 742. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are 1, none voting Present. The Senate does concur with House Amendments 1, 3 and 4 to Senate Bill 742 and the bill having received the required constitutional majority is declared passed. Senate Bill 749, Senator Zito. House bills...Senate bill...Senate Bill 749, Madam Secretary.

SECRETARY:

House Amendment No. 1 to Senate Bill 749.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Zito.

SENATOR ZITO:

Let's pass that right now, please, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, take it out of the record. 759, Senator Smith. 759, Senator Smith. Senate Bill 759, Madam Secretary.

SECRETARY:

House Amendment No. 1 to Senate Bill 759.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Smith.

SENATOR SMITH:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I move to concur...that the Senate concur with the House Bill No. 1 on Senate Bill 759. The change was merely technical and the Department of Public Aid still remains neutral on Senate Bill 759. I move for its concurrence.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Discussion? If not, the question is, shall the Senate concur with House Amendment 1 to Senate bill 759. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. The Senate does concur with House Amendment 1 to Senate Bill 759 and the bill having received the required constitutional majority is declared passed. Senate Bill 760, Madam Secretary.

SECRETARY:

House Amendment No. 1 to Senate Bill 760.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Smith.

SENATOR SMITH:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I stand to concur with the House's Amendment No. 1 on Senate Bill 760. It, too, is merely a technical change and the Department of Public Aid supports this amendment to Senate Bill 760. I move for its concurrence.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Discussion? Senator Smith has moved concurrence...the question is, shall the Senate concur with House Amendment 1 to Senate Bill 760. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. The Senate does concur with House Amendment No. 1 to Senate Bill 760 and the bill having received the required constitutional majority is declared passed. Senate Bill 762, Madam Secretary.

SECRETARY:

House Amendments 1 and 2 to Senate Bill 762.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...Senator Topinka.

SENATOR TOPINKA:

Yes, Mr. President, I would ask the Senate to concur in Amendments 1 and 2 which are all agreed to by all the various parties, including the Department of Agriculture and the Department of Conservation and creating an aquaculture program in Illinois. Amendment No. 1 would assist the director of agriculture by developing necessary rules. It would also prevent the advisory board of livestock commissioners from having a representative of the aquaculture industry. They wanted that. And Amendment No. 2 incorporated Southern Illinois University at Carbondale as one of the organizations that would provide information to the aquaculture program.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? The question is, shall the...Senate concur with House Amendments 1 and 2 to Senate Bill 762. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. The Senate does concur with House Amendments 1 and 2 to Senate bill 762

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concurrance*

and the bill having received the required constitutional majority is declared passed. Senate Bill 771, Senator Smith. 771, Madam Secretary.

SECRETARY:

House Amendment No. 1 to Senate Bill 771.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Smith.

SENATOR SMITH:

Thank you,...(machine cutoff)...Ladies and Gentlemen of the Senate. I move to concur with the House amendment on...No. 1 on Senate Bill 771. The House Amendment No. 1 is supported by the Department of Public Health. It will allow the department to devise rules and regulations to properly labeled bodies of individuals with infectious and communicable diseases. The Department of Health indicates that Senate Bill 771 as amended would not result in any additional cost to the department. I move for its concurrence.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Raica, on this motion?

SENATOR RAICA:

...point of...personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, wait just a second...all right, the question is, shall the Senate concur with House Amendment No. 1 to Senate Bill 771. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. The Senate does concur with House Amendment 1 to Senate Bill 771 and the bill having received the required constitutional majority is declared passed. Senator Raica.

SENATOR RAICA:

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

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Concurrence*

Senate. With me today, I have members of my district. I have John and Gloria Bilecky and I have their four-year-old son, Michael, with us and I'd like that we give them a warm welcome.

PRESIDENT:

Welcome to Springfield. Will our guests please...777, Senator Weaver. Senator Kustra, you want to...thank you. On the Order of Secretary's Desk Concurrence is Senate Bill 777, Madam Secretary.

SECRETARY:

House Amendment No. 1 to Senate Bill 777.

PRESIDENT:

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. I would move that the Senate concur in House Amendment No. 1 to Senate Bill 777. This provides that the...be considered and credited against the divisional's operating cost in evaluating fees.

PRESIDENT:

Discussion? Any discussion? If not, the question is, shall the Senate concur with House Amendment No. 1 to Senate Bill 777. 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. The Senate does concur in House Amendment No. 1 to Senate Bill 777 and the bill having received the required constitutional majority is declared passed. 787, Senator Rigney. Madam Secretary, the bottom of page 14 is Senate Bill 787.

SECRETARY:

House Amendment No. 1 to Senate Bill 787.

PRESIDENT:

Senator Rigney.

SENATOR RIGNEY:

Well, Mr. President, we are still trying to determine whether this came back from the House in its proper form. What I'd like to request to the Body is leave to return to this later on today.

PRESIDENT:

That request is in order. Without objection, leave is granted. Top of page 15, Senator Rigney, 790. Madam Secretary, on the Order of Secretary's Desk Concurrence is Senate Bill 790.

SECRETARY:

House Amendments No. 2 and 5 to Senate Hill 790.

PRESIDENT:

Senator Rigney.

SENATOR RIGNEY:

Mr. President, 790 came back really in better form than it left the Senate. This is the legislation that says that those utilities serving just a few customers in the State of Illinois, under twenty thousand, in fact, would be exempt from planning and audit requirements of all other utilities. Now, the amendment that was put on, and I understand that the CU3 organization had a part in this, but instead of giving just a blanket exemption to those utilities, the legislation says that the Commerce Commission may for good cause exempt those planning and audit requirements. I think it's a good amendment and I move for its adoption.

PRESIDENT:

Discussion? Any discussion? If not, the question is, shall the Senate concur in House Amendment No...No. 2 and 5 to Senate Bill 790. 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, none voting Present. The Senate does concur in House Amendments 2 and 5 to Senate Bill 790 and the bill having received the

required constitutional majority is declared passed. 796, Senator Severns. On the Order of Secretary's Desk Concurrence is Senate Bill 796, Madam Secretary.

SECRETARY:

House Amendments 1 and 8 to Senate Bill 796.

PRESIDENT:

Senator Severns.

SENATOR SEVERNS:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I'd like to move to concur to House Amendments 1 and 8 to Senate Bill 796. House Amendment 1 deletes the four legislative appointments to the Emergency Business Retention Council. House Amendment 8 makes a minor technical change. I know of no opposition. I would move for concurrence of House Amendments 1 and 8 to 796.

PRESIDENT:

Discussion? Senator Hudson.

SENATOR HUDSON:

Thank you, Mr. President. Whereas some of us have no objections to the amendment, Senator, I just would like to remind the Body that the bill itself is one that...under this proposal a community ownership association as defined as a corporation or association formed by or on behalf of a community for the purpose of assuming ownership or control of plants and operating plants until a buyer can be found would also be eligible for grants from the state. So, my point here is that we keep this in mind as we're voting final action here, because there could be considerable cost to the State of Illinois which already has programs in place to do this type thing.

PRESIDENT:

Further discussion? Senator Fawell.

SENATOR FAWELL:

Could the sponsor yield for a question?

PRESIDENT:

Sponsor indicates she will yield, Senator Fawell.

SENATOR FAWELL:

On this...on this technical amendment, you got...according to our analysis, this says that House Amendment No. 8 strikes the word "advisory" from the name of the Emergency Business Retention Advisory Council. Does this mean that that Emergency Business Retention Council is now more than advisory, that they are actually, in effect, the board of directors of this idea?

PRESIDENT:

Senator Severns.

SENATOR SEVERNS:

Senator Fawell, it simply...the language is simply to be consistent with the other language in the bill. It does not change the intent or the action of the bill whatsoever.

PRESIDENT:

Senator Fawell. Senator Fawell.

SENATOR FAWELL:

So, the council still will be an advisory and DCCA will still be in charge of...of the funds, is that the idea?

PRESIDENT:

Senator Severns.

SENATOR SEVERNS:

That's correct.

PRESIDENT:

Further discussion? Further discussion? If not, the question is, shall the Senate concur with House Amendments 1 and 8 to Senate Bill 796. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 Ayes, 1 Nay, none voting Present. The Senate does concur with House Amendments 1 and 8 to Senate Bill 796 and the bill having received

the required constitutional majority is declared passed. 806, Senator Kustra. On the Order of House Bills...on the Order of Secretary's Desk Concurrence is Senate Bill 706, Madam Secretary.

SECRETARY:

House Amendment No. 1 to Senate Bill 806.

PRESIDENT:

Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President. I move we concur with House Amendment No. 1 to Senate Bill 806. It adds a July 1st, 1987 effective date.

PRESIDENT:

Discussion? Discussion? If not, the question is, shall the Senate concur with House Amendment No. 1 to Senate Bill 806. Those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. The Senate does concur with House Amendment No. 1 to Senate Bill 806 and the bill having received the required constitutional majority is declared passed. 809. On the Order of Secretary's Desk Concurrence is Senate Bill 809, Madam Secretary.

SECRETARY:

House Amendment No. 1 to...to Senate Bill 809.

PRESIDENT:

Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President and members of the Senate. This is the Psychologist Registration Act of 1987. House Amendment No. 1 is suggested by the Illinois State Medical Society. It provides that clinical psychologist...must initiate collaboration with a physician when he deems it to be

appropriate in the treatment of persons who are mentally ill.
I would move that we concur with House Amendment No. 1.

PRESIDENT:

Discussion? Senator Karpiel.

SENATOR KARPIEL:

Thank you, Mr. President. I have to stand in opposition to Senate Bill 801 and...and would prefer to nonconcur...I mean, 809 and to nonconcur and to have this go into Conference Committee because I don't know of how many townships in the state or how many of you have townships that have youth commissions in your...in your district, but these youth commissions that are formed by many townships and I believe perhaps even some municipalities have master degree counselors on their staffs. Now they do not call themselves clinical psychologists and yet we find that they will be covered under this bill and they will not be able to work as a counselor as they're doing now unless supervised by a clinical psychologist, and I know the township youth commissions in my area are very upset about this and have asked for a total exemption. The way it is written now, they will need supervision by a clinical psychologist, and so I guess I stand in opposition to concurring to this amendment on Senate Bill 809.

PRESIDENT:

Further discussion? Senator Schaffer.

SENATOR SCHAFFER:

Mr. President, a question of the sponsor.

PRESIDENT:

Indicates he'll yield, Senator Schaffer.

SENATOR SCHAFFER:

Does Section 3E mean that any state or governmental agency which employs a registered professional nurse or uses the services of a...registered professional nurse and the registered professional nurse is performing those nursing

services which he or she is fully licensed to perform but which happen also to be defined as services for a...that a clinical psychologist may perform, then does Section 3E mean that the agency will require a licensed clinical psychologist to supervise the duly licensed registered professional nurse who is performing the nursing services? I'd like a simple yes or no answer.

PRESIDENT:

Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President. From my reading of the bill, yes, Senator Schaffer, it would mean that. I would only add that I think when we allow a nurse to perform services which are duly performed by a registered psychologist, we probably would want that nurse to be operating under the supervision of a licensed psychologist in the State of Illinois.

PRESIDENT:

Further discussion? Senator Jones.

SENATOR JONES:

Yeah, Thank you, Mr. President. I rise in support of Senator Kustra's motion to concur in Amendment No. 1 to Senate Bill 809. This issue...we have discussed this issue in committee. We've discussed it three times on the...on the Senate Floor. All those parties concerned have been informed. They didn't oppose at first. We put an amendment on this bill to deal with those person with a social service agency and I believe those persons who are indicating they want to vote against the bill did vote for this bill as well as House Bill 1434, and I move that...I concur with the gentleman's motion that we also concur in the Amendment No. 1.

PRESIDENT:

The question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 809. 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 50 Ayes, 4
Nays, 2 voting Present. The Senate does concur in House
Amendment No. 1 to Senate Bill 809 and the bill having
received the required constitutional majority is declared
passed. 814, Senator Poshard. On the Order of Secretary's
Desk Concurrence is Senate Bill 314, Madam Secretary.

SECRETARY:

House Amendment No. 1 to Senate Bill 814.

PRESIDENT:

Senator Poshard.

END OF REEL

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SENATOR POSHARD:

Thank you, Mr. President. The purpose of this House amendment is to make certain substantive and technical changes to enhance the objectives of the bill. The Department of Public Health and the SIU School of Medicine support this, they've both been working with it. Basically, it changes the makeup of the board, at least three individuals from each participating county shall now sit on this Regional Ambulance Authority. They'll have additional responsibilities of conducting an ambulance service need survey in the counties under their jurisdiction and devising a regional ambulance service including the development of resources in coordinating with the existing ambulance services. This is permissive, it...does not require any of the counties to participate unless they wish to, and I'd move for its passage.

PRESIDENT:

Discussion? Any discussion? If not, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 814. Those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record.

On that question, there are 56 Ayes, no Nays, none voting Present. The Senate does concur in House Amendment No. 1 to Senate Bill 814 and the bill having received the required constitutional majority is declared passed. Senator Topinka, for what purpose do you arise?

SENATOR TOPINKA:

Yes, I'm apparently suffering from the same electrical problems as Senator Hawkinson did, it's moved over a row, and I'm hitting my buttons and nothing is happening and I've just

lost my last two votes. So on the last two votes, if I may be shown as if I had connected, I would have voted Aye on both.

PRESIDENT:

The record will so reflect. 822, Senator Marovitz. Mr. Secretary, in the middle of page 15, on the Order of Secretary's Desk Concurrence is Senate Bill 822.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 822 with House Amendment No. 1.

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

Well, I'll tell you what, we'll...take this out of the record. I'll talk to the Bar Association and we'll get back to it.

PRESIDENT:

Take it out of the record. 826. On the Order of Secretary's Desk Concurrence, Senate Bill 826, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 826 with House Amendment No. 1.

PRESIDENT:

Senator Savickas.

SENATOR SAVICKAS:

Yes, Mr. President, I would move that we concur with House Amendment No. 1. It changes the bill...a little but it does do the basic purpose and that is to forward from both the private and public schools the transfer records of those children that go to new schools within ten days, and I would move its passage.

PRESIDENT:

The gentleman has moved concurrence with the House action. Discussion? Discussion? If not, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 826. Those in favor will vote Aye. Opposed vote Nay.

The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. The Senate does concur with House Amendment No. 1 to Senate Bill 826 and the bill having received the required constitutional majority is declared passed. 827. On the Order of Secretary's Desk Concurrence, Senate Bill 827, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 827 with House Amendment No. 3.

PRESIDENT:

Senator Savickas.

SENATOR SAVICKAS:

Yes, this amendment removed any of our concern that the director would not have the final authority on the granting of FOID cards. It...it specifically puts that in and I would move its adoption and passage.

PRESIDENT:

Discussion? Discussion? If not, the question is, shall the Senate concur with House Amendment No. 3 to Senate Bill 827. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 Ayes, 2 Nays, none voting Present. The Senate does concur with House Amendment No. 3 to Senate Bill 827 and the bill having received the required constitutional majority is declared passed. 832, Senator Friedland. Mr. Secretary, on the Order of Secretary's Desk is Senate Bill 832.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 832 with House Amendment No. 1.

PRESIDENT:

Senator Friedland.

SENATOR FRIEDLAND:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 832 was a proposal by the Secretary of State. The House offered one amendment which I move that we concur in and it made...merely makes it more uniform...urge its adoption.

PRESIDENT:

The gentleman has moved concurrence. Any discussion? If not, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 832. 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. The Senate does concur with House Amendment No. 1 to Senate Bill 832 and the bill having received the required constitutional majority, declared passed. 833, Senator Poshard. On the Order of Secretary's Desk Concurrence, Senate Bill 833. Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 833 with House Amendment No. 1.

PRESIDENT:

Senator Poshard.

SENATOR POSHARD:

Thank you, Mr. President. This amendment makes the bill identical to Senate Bill 295 which passed both houses. The amendment is a compromise between the Department of Public Aid and several other organizations. I would move for its passage.

PRESIDENT:

Discussion? The gentleman has moved concurrence. Any discussion? If not, the question is, shall the Senate concur with House Amendment No. 1 to Senate Bill 833. 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

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Concurrence

are 51 Ayes, no Nays, 5 voting Present. The Senate does concur with House Amendment No. 1 to Senate Bill 833 and the bill having received the required constitutional majority is declared passed. Bottom of page 15, on the Order of...Secretary's Desk Concurrence is Senate Bill 848, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 848 with House Amendments 2 and 3.

PRESIDENT:

Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President. I make a motion to concur in the House...House amendments. This is a similar bill that we passed out last week.

PRESIDENT:

The gentleman has moved concurrence of House action. Discussion? If not, the question is, shall the Senate concur in House Amendments 2 and 3 to Senate Bill 848. 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 57 Ayes, no Nays, none voting Present. The Senate does concur with House Amendments 2 and 3 to Senate Bill 848 and the bill having received the required constitutional majority is declared passed. Top of page 16, Senator Holmberg. On the Order of Secretary's Desk Concurrence, Mr. Secretary, is Senate Bill 875.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 875 with House Amendment No. 2.

PRESIDENT:

Senator Holmberg.

SENATOR HOLMBERG:

Thank you, Mr. President. House Amendment No. 2 adds an advisory board to the College Savings Bond Program Act and I

do concur with the House amendment.

PRESIDENT:

All right, the lady has moved concurrence. Any discussion? If not, the question is, shall the Senate concur with House Amendment No. 2 to Senate Bill 875. 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. The Senate does concur with House Amendment No. 2 to Senate Bill 875 and the bill having received the required constitutional majority, declared passed. Well, Senator Friedland. Top of page 16 is Senate Bill 883, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 883 with House Amendment No. 1.

PRESIDENT:

Senator Friedland.

SENATOR FRIEDLAND:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I'd urge that we concur in House Amendment 1 which revises the wording "as a provision for a recomputation of grants already made," which makes this bill identical to House Bill 410 which passed this Body last week on the Agreed Bill List.

PRESIDENT:

Discussion? Discussion? If not, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 883. Those in favor will vote Aye. Opposed vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. The Senate does concur with House Amendment No. 1 to Senate Bill 883 and the bill having received the required constitutional majority is declared passed. 886, Senator Demuzio.

*SB 897
Nonconurrence*

892, Senator Severns. On the Order of Secretary's Desk Concurrence, top of page 16, is Senate Bill 892. Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 892 with House Amendment No. 2.

PRESIDENT:

Senator Severns.

SENATOR SEVERNS:

Thank you, Mr. President and members of the Senate. House Amendment 2 to Senate Bill 892 simply adds technical language. I know of no opposition, I would...urge concurrence.

PRESIDENT:

The lady has moved concurrence. Any discussion? If not, the question is, shall the Senate concur with House Amendment No. 2 to Senate Bill 892. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. The Senate does concur with House Amendment No. 2 to Senate Bill 892 and the bill having received the required constitutional majority is declared passed. On the Order of Secretary's Desk Concurrence, Senate Bill 897. Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 897 with House Amendment No. 1.

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. I would move that the Senate refuse...not concur in House Amendment No. 1 to Senate Bill 897, that a Conference Committee be set up.

PRESIDENT:

Discussion? Senator Fawell.

SENATOR FAWELL:

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

PRESIDENT:

...indicates he'll yield, Senator Fawell.

SENATOR FAWELL:

What is this going to come out of a Conference Committee as, do you know? I mean, it's a nothing bill now.

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

Well, hopefully, it'll...will not be a nothing bill when it comes out of Conference Committee.

PRESIDENT:

Senator Fawell.

SENATOR FAWELL:

What will that something be?

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

Something of meaning and substance to the...

PRESIDENT:

Further discussion? Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President. I...I'm just wondering what...what's the amendment do that we are nonconcurring in?

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

Just has to do with the effective date.

PRESIDENT:

Senator Maitland.

SENATOR MAITLAND:

Well, I..I guess I'm wondering, is there...is there an...an agenda on this bill? You know, we have been dealing with this issue and I...the...the committee has met and...and I don't think you were at the last meeting, but I'm just wondering if you have another agenda here.

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

Yes, Senator, there were two meetings. The first one I was at and you were not at; the second one, you were at and I was not at. I think there's going to be a third meeting which I hope we'll all be at and at least be able to reach some kind of consensus if we can and that consensus, if there is one, will be embodied in Senate Bill 897.

PRESIDENT:

Discussion? Any discussion? All right. Senator Marovitz moves to nonconcur in House Amendment No. 1 to Senate Bill 897. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. 909. Mr. Secretary,...Order of Secretary's Desk, middle of page 16, Senate Bill 909.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 909 with House Amendments 1 and 2.

PRESIDENT:

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, I move that we concur in House Amendments 1 and 2 to Senate Bill 909. The original bill was a request from the Criminal Justice Information Authority to allow the authority to prescribe the form, manner and fees for requesting and furnishing criminal history record information. And the amendment provides that the fees set by the authority are to be based on actual cost.

PRESIDENT:

Discussion? Discussion? The question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 909. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 53 Ayes, no Nays, none voting Present. The Senate does concur with House Amendment 1 and 2 to Senate Bill 909 and the bill...having received the required constitutional majority is declared passed. 912, Senator Barkhausen. On the Order of Secretary's Desk Concurrence, Senate Bill 912. Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 912 with House Amendment No. 3.

PRESIDENT:

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, on Senate Bill 912, I move that we nonconcur with House Amendment No. 3.

PRESIDENT:

Senator Barkhausen has moved to nonconcur in House Amendment No. 3 to Senate Bill 912. Discussion? If not, all in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. 914, Senator Etheredge. 915, Senator Weaver. Mr. Secretary, on the Order of Secretary's Desk Concurrence is Senate Bill 915.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 915 with House Amendment No. 1.

PRESIDENT:

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. I would move that the Senate concur in House Amendment No. 1 to Senate Bill 915. This

amendment establishes a fund...a special fund to be known as a Credit Union Fund and this fund will hold all examination fees collected from state chartered credit unions under the Credit Union Act, and these funds will be used exclusively for the direct expense of administering the Act.

PRESIDENT:

All right. Senator Weaver has moved concurrence with House action. Discussion? Discussion? If not, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 915. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. The Senate does concur with House Amendment No. 1 to Senate Bill 915 and the bill having received the required constitutional majority is declared passed. 917, Senator Donahue. Mr. Secretary, on the Order of Secretary's Desk Concurrence is Senate Bill 917.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 917 with House Amendment No. 1.

PRESIDENT:

Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President. I would move we concur in House Amendment No. 1. This simply added the word "seed" next to the word "weed," and I would move we concur.

PRESIDENT:

Senator Donahue has moved concurrence. Any discussion? If not, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 917. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. The Senate does concur with House

Amendment No. 1 to Senate Bill 917 and the bill having received the required constitutional majority is declared passed. Senator Davidson, 921. Mr. Secretary, on the Order of Secretary's Desk Concurrence is Senate Bill 921.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 921 with House Amendments 1 and 2.

PRESIDENT:

Senator Davidson.

SENATOR DAVIDSON:

Mr. President and members of the Senate, I move to concur in Amendment No. 1 and 2. One was a House amendment which had to do with establishing type of firefighters that will make up the body for a fire protection. And number two has to do with persons over five percent of their body not...sunburn will be reported in relation to a fire or in case of an injury to a minor will...be the person at the Child and Family Services rather than the State Fire Marshal.

PRESIDENT:

Senator Davidson has moved concurrence with House action. Discussion? Discussion? If not, the question is, shall the Senate concur with House Amendments 1 and 2 to Senate Bill 921. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. The Senate does concur with House Amendments 1 and 2 to Senate Bill 921 and the bill having received the required constitutional majority is declared passed. Bottom of page 16, on the Order of Secretary's Desk, is Senate Bill 922. Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 922 with House Amendment No. 1.

PRESIDENT:

Senator Davidson.

SENATOR DAVIDSON:

I move that we concur in House Amendment No. 1 to Senate Bill 922. The amendment changes the words from "one hundred" to "two hundred and fifty dollars," and "one thousand" to "twenty-five hundred dollars."

PRESIDENT:

Discussion? Discussion? If not, the question is, shall the Senate concur with House Amendment No. 1 to Senate Bill 922. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. The Senate does concur with House Amendments...House Amendment No. 1 to Senate Bill 922 and the bill having received the required constitutional majority is declared passed. 926. Mr. Secretary, on the Order of Secretary's Desk Concurrence is Senate Bill 926.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 926 with House Amendment No. 1.

PRESIDENT:

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, I move that we concur with House Amendment 1 on Senate Bill 926. The amendment creates the Illinois Uniform Conviction Information Act. Amendment No. 1 deletes from the definition of conviction information a supervision continuance or disposition under the Code of Corrections Cannabis Control Act or Controlled Substances Act. The amendment also adds general costs associated with a record search to the list of costs that can be covered by the fee charged for a record check, and the amendment also adds technical clean-up language and gives the authority the power to exercise the duty given to it by this new Act and I would move that we concur with House Amendment No. 1 on Senate Bill

926.

PRESIDENT:

All right. The gentleman has moved concurrence. Is there any discussion? If not, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 926. Those in favor will vote Aye. Opposed vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 Ayes, no Nays, none voting Present. The Senate does concur with House Amendment No. 1 to Senate Bill 926 and the bill having received the required constitutional majority is declared passed. Senator Mahar, 934. Mr. Secretary, on the Order of Secretary's Desk, Senate Bill 934.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 934 with House Amendment No. 1.

PRESIDENT:

Senator Mahar.

SENATOR MAHAR:

Thank you, Mr. President. Senate Bill 934 eliminates preemptory rule making procedures when the Pollution Control Board adopts state rules which are identical to Federal rules. Amendment No. 1 is technical in nature and cites the Federal Clean Air Act rules as amended. I would move concurrence with Amendment No. 1.

PRESIDENT:

All right. The gentleman has moved concurrence. Any discussion? If not, the question is, shall the Senate concur with House Amendment No. 1 to Senate Bill 934. 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. The Senate does concur with House Amendment No. 1 to Senate Bill 934 and the bill having received the required constitutional majority is

*SB 950
concurrency*

declared passed. 945, Senator Holmberg. Gentlemen, can I ask you to move. Mr. Secretary, on the Order of Secretary's Desk is Senate Bill 945.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 945 with House Amendment No. 2.

PRESIDENT:

Senator Holmberg.

SENATOR HOLMBERG:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I would like to concur with House Amendment No. 2 to Senate Bill 945. The amendment basically says that reimbursement of transportation and child care costs incurred by parents under this Parental Instruction Program is permissive rather than mandatory and I move concurrence.

PRESIDENT:

Discussion? Discussion? If not, the question is, shall the...shall the Senate concur in House Amendment No. 2 to Senate Bill 945. 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 43 Ayes, 10 Nays, 3 voting Present. The Senate does concur with House Amendment No. 2 to Senate Bill 945 and the bill having received the required constitutional majority is declared passed. 950, Senator Mahar. On the Order of Secretary's Desk Concurrence is Senate Bill 950, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 950 with House Amendments 1, 2 and 3.

PRESIDENT:

Senator Mahar.

SENATOR MAHAR:

Thank you, Mr. President and members. Amendments No. 1 and 2 are at the behest of the Department of DCFS as well as Judge Stigman and they deal with the rights of the subjects

of orders of protection...protection, guardians and other interested parties based upon an appellate court case in the Fourth District. Amendment No. 3 is a...DCFS request that allows guardians ad litem of minors under the age of eight years of age to be served summons and appear on behalf of the minor, and I would move concurrence with Amendments No. 1, 2 and 3.

PRESIDENT:

All right. The gentleman has moved concurrence. Any discussion? If not, the question is, shall the Senate concur in House Amendments 1, 2 and 3 to Senate Bill 950. 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 57 Ayes, no Nays, 1 voting Present. The Senate does concur with House Amendments 1, 2 and 3 to Senate Bill 950 and the bill having received the required constitutional majority is declared passed. Senator Berman. On the Order of Secretary's Desk Concurrence, Senate Bill 955, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 955 with House Amendment No. 1.

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

Thank you. I move to concur in...in House Amendment No. 1 to Senate Bill 955. The amendment merely corrected the technical reference to the Act that is being amended by this bill, solicit your Aye vote.

PRESIDENT:

Discussion? Discussion? If not, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 955. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted

S. B. 957
Amendment

who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. The Senate does concur with House Amendment No. 1 to Senate Bill 955 and the bill having received the required constitutional majority is declared passed. 957, Senator Jones. On the Order of Secretary's Desk Concurrence, Senate Bill 957. Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 957 with House Amendment No. 2.

PRESIDENT:

Senator Jones.

SENATOR JONES:

Thank you, Mr. President and members of the Senate. I move that we concur in House Amendment No. 1 to Senate Bill 957. House Amendment No. 1 adds the definition of social worker...although this Act does not refer to social workers, but the Department of R & E felt that the definition should be included in view of the fact that it is throughout the Illinois Revised Statute make reference to social workers. Also the amendment allows for any disciplinary action now pending to be continued. I ask for a favorable vote on House Amendment No. 1 to 957.

PRESIDENT:

The gentleman has moved concurrence with House action. Senator...discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

...the speaker will yield for a question? Are you going into House Amendment No. 2., there are two amendments on that.

PRESIDENT:

Senator Jones.

SENATOR JONES:

I'm sorry, Senator Geo-Karis, I meant House Amendment No. 2. Thank you.

PRESIDENT:

Discussion? If not, the question is, shall the Senate concur in House Amendment No. 2 to Senate Bill 957. 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, 1 Nay, none voting Present. The Senate does concur with House Amendment No. 2 to Senate Bill 957 and the bill having received the required constitutional majority is declared passed. 958. Mr. Secretary, on the Order of Secretary's Desk is Senate Bill 958.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 958 with House Amendment No. 1.

PRESIDENT:

Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I move that the Senate concur in House Amendment No. 1 to Senate Bill 958. Amendment No. 1 deleted everything after the enacting clause and it would exempt World Series games, League Championship Series games and other playoff games played after the conclusion of the regular season and baseball all-star games for nighttime noise emissions. This would allow post-season games and all-star games be played at night at Wrigley Field. I move for its adoption...concurrence.

PRESIDENT:

Discussion? Discussion? If not, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 958. 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 55 Ayes, 1 Nay, none voting Present. The Senate does concur with House Amendment No. 1 to Senate Bill

*SB 962
concurrance*

958 and the bill having received the required constitutional majority is declared passed. 962. On the Order of Secretary's Desk Concurrence, Senate Bill 962, Mr. Secretary.
ACTING SECRETARY: (MR. HARRY)

Senate Bill 962 with House Amendment No. 1.

PRESIDENT:

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, I move that we concur with House Amendment No. 1 to Senate Bill 962. The bill itself amends the Beer Industry Fair Dealing Act and changes the words "written contract" to "an agreement." This is between a beer company and a beer distributor. The House amendment takes the change that we made in...in one section of the bill which was Section 7 and makes the same change in Section 9 of the bill. The amendment also puts back and amends Section 10 which was repealed in the original bill. Section 10, it restricted the application of the Act to agreements entered into after August 19...August 19th, 1982, which was the effective date of the original Act, and I move concurrence with this House Amendment No. 1 to Senate Bill 962.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall the Senate concur with House Amendment 1 to Senate Bill 962. Those in favor will vote Aye. Those opposed 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, the Ayes are 59, the Nays are none, none voting Present. The Senate does concur with House Amendment 1 to Senate Bill 962 and the bill having received the required constitutional majority is declared passed. Senate Bill 968, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 968 with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. I move that the Senate concur...in House Amendment No. 1 to Senate Bill 968. This limits the bill to the nuclear physics laboratory only.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall the Senate concur with House Amendment 1 to Senate Bill 968. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 59, the Nays are none, none voting Present. The Senate does concur with...concur with House Amendment 1 to Senate Bill 968 and the bill having received the required constitutional majority is declared passed. Senate Bill 972, Senator Raica, page 18. 977, Senator Etheredge. 982, Senator Topinka. Page 18 is Senate Bill 982, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 982 with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka.

ACTING SECRETARY: (MR. HARRY)

It's House Amendment No. 3, correction.

SENATOR TOPINKA:

Yes, Mr. President and Ladies and Gentlemen of the Senate, I would...ask the Senate concur with House Amendment No. 3 to Senate Bill 982. It would allow townships and counties of between one hundred thousand and three thousand in population to acquire up to one hundred acres of land for a golf course or a park purposes. Currently, they're limited to fifty acres. Senator Schaffer and Senator Geo-Karis who apparently had had some problems with this in the past, no longer have those problems and to my understanding no one has any opposition.

*S.B. 994
concurrent*

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Discussion? If...the question is, shall the Senate concur with House Amendment 3 to Senate Bill 982. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 46, the Nays are 10, 3 voting Present. The Senate does concur with House Amendment 3 to Senate Bill 982 and the bill having received the required constitutional majority is declared passed. Senate Bill 993, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 993 with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. I'd move to concur in House Amendment No. 1. What it does is say that the annual plans of the Regional Youth Planning Committees of the Department of Children and Family Services shall include the issue of mental health services. It clarifies the original intent of the bill by including minors who are found to be mentally ill. I would move for the adoption.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Discussion? If not, the question is, shall the Senate concur with House Amendment 1 to Senate Bill 993. 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. The Senate does concur with House Amendment 1 to Senate Bill 993 and the bill having received the required constitutional majority is declared passed. Senate Bill 994, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 994 with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President. I would move that the Senate do concur with House Amendment No. 1 to Senate Bill 994. It was a recommendation by one of the staff members...of Senator Davidson and it would allow the AIDS Advisory Council of the Department of Public Health to examine the feasibility of establishing a statewide voluntary not-for-profit agency to enhance AIDS research education, prevention, care and treatment. The agency would...maximize private and public sector financial support. The Department of Public Health would assist the council's endeavors and we'd be able...to...to reap the benefits of some financial contributions from private foundations, and I would ask for concurrence with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? The question is, shall the Senate concur with House Amendment 1 to Senate Bill 994. 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. The Senate does concur with House Amendment 1 to Senate Bill 994 and the bill having received the required constitutional majority is declared passed. 998, Senator Berman. 1003, Senator Jones. Senate Bill 1003, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 1003 with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

Yeah, thank you, Mr. President and members of the Senate.

SB 1009
concurrance

I move that the Senate concur in House Amendment No. 1 to...Senate Bill 1003. Amendment No. 1 prohibits cosmetologists and estheticians from performing any procedures which may puncture or abrade the skin or remove comedones, which are whiteheads, which may draw blood or serious body fluid. I move...for the concurrence on that amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? The question is, shall the Senate concur with House Amendment 1 to Senate Bill 1003. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. The Senate does concur with House Amendment 1 to Senate Bill 1003 and the bill having received the required constitutional majority is declared passed. Senate Bill 1009, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 1009 with House Amendments 1 and 3.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas.

SENATOR SAVICKAS:

Yes, Mr. President, House Amendment No. 1, the two major parts of that would answer a question that the nurses had and it would allow a physician assistant to transmit the supervising physician's orders only as determined by the policies of the institution within which the physician and a physician assistant team practice, and instead of allowing the physician to supervise more than one physician assistant, which was two in the original bill, this limits it to one. And Amendment No. 3 dealt with the public accountants and not to divulge to any court information or evidence obtained in his confidential capacity was intended to include documents, information or evidence obtained or used in performing tax

services. So I'd move the adoption of House Amendments 1 and 3 and concurrence in it for passage of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Hawkinson.

SENATOR HAWKINSON:

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Hawkinson.

SENATOR HAWKINSON:

Senator, on House Amendment 3, did I understand you to say that...that the public accountants could not divulge information to a court?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas.

SENATOR SAVICKAS:

It says they may not if they're not required to.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hawkinson.

SENATOR HAWKINSON:

That's...that's my question. If they're subpoenaed by the court, there's no privilege that we're setting up here, is that correct?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas.

SENATOR SAVICKAS:

No.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall the Senate concur with House Amendments 1 and 3 to Senate Bill 1009. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 59, the Nays are none, none voting Present. The Senate

does concur with House Amendments 1 and 3 to Senate Bill 1009 and the bill having received the required constitutional majority is declared passed. Senate Bill 1040, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 1040 with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Fawell.

SENATOR FAWELL:

Thank you, Mr. President. I do concur in House Amendment No. 1. All it does is provide for notification to the affected landowners and requires the court to hear any variation which an objection is filed.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall the Senate concur with House Amendment 1 to Senate Bill 1040. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 59, the Nays are none, none voting Present. The Senate does concur with House Amendment 1 to Senate Bill 1040 and the bill having received the required constitutional majority is declared passed. Senate Bill 1080, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 1080 with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Keats.

SENATOR KEATS:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I move we do not concur. The House in their infinite wisdom added a bill that was defeated in the Senate. This is proprietary School Act, they added cosmetologists, et cetera, a bill defeated in the Senate. So I would like to refuse to accept the amendment and ask for a Conference

Committee.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Keats has moved to nonconcur with House Amendment 1 to Senate Bill 1080. Those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. Senate Bill 1102, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 1102 with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator del Valle.

SENATOR del VALLE:

Thank you, Mr. President. I move to have the Senate concur with House Amendment No. 1. It clarifies who may participate in the Illinois Consortium for Educational Opportunities Program, provides that an individual could have...obtain a baccalaureate degree in another state and still qualify to participate in the program.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? The question is, shall the Senate concur with House Amendment 1 to Senate Bill 1102. 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 46, the Nays are 9, none voting Present. The Senate does concur with House Amendment 1 to Senate Bill 1102 and the bill having received the required constitutional majority is declared passed. Senate Bill 1108, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 1108 with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. I would move that the Senate

*AB 1115
concurance*

concur in House Amendment No. 1 to Senate Bill 1108. Currently, the royalties from patents and copyrights from the Department of Energy and Natural Resources scientific surveys are deposited into the General Revenue Fund. This amendment creates the Patent and Copyright Fund and those monies that were deposited in the General Revenue Fund are deposited in that fund. The interest earned on the monies in the fund shall remain in the fund and the money has to be...appropriated for patent or copyright discoveries, inventions or copyright works or supporting other programs of the Illinois Scientific Survey. Once again, I would move to concur in Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Discussion? If not, the question is, shall the Senate concur with House Amendment 1 to Senate Bill 1108. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 59, the Nays are none, none voting Present. The Senate does concur with House Amendment 1 to Senate Bill 1108 and the bill having received the required constitutional majority is declared passed. Senate Bill 1115, top of page 19. Mr. Secretary, 11-1-5.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 1115 with House Amendments 1 and 2.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Jones.

SENATOR JONES:

Thank you, Mr. President, members of the Senate. I move that the House...the Senate concur in House Amendments Noed. 1 and 2 to...to Senate Bill...1115. House Amendment No. 1 and 2 amends the Insurance Code and...the health maintenance organizations and Health Maintenance Organization Guarantee Fund. It provides for intensified regulation of HMO's,

increase the capital requirement necessary to establish and maintain an HMO, creates HMO Guaranty Fund to protect enrollees in the event of HMO insolvency. This amendment was worked out...with the Department of Insurance, HMO representatives and other interested parties. The amendment enhances the Department of Insurance's ability to regulate HMO's and impose tougher financial limitations on them. It also creates a Guaranteed Association which...which would assess HMO's to protect enrollees in the event of any HMO insolvency. Some of the other elements of the...of the amendment, it increases from six hundred thousand dollars to two million dollars the minimum net worth required to establish an HMO. It increases to...from three hundred thousand to a million five hundred thousand, the minimum net worth that HMO must maintain at all times and subject to HMO to restrictions on investments, HMO through various regulations in the Insurance Code, establish the Guarantee Fund and that is the gist of the bill. I move for the concurrence of Amendment No. 1 and 2 to House...to the Senate Bill 1115.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Lechowicz.

SENATOR LECHOWICZ:

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Lechowicz.

SENATOR LECHOWICZ:

Could I have your intent as far as Amendment No. 3?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

To my knowledge, there is no Amendment No. 3.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz.

SENATOR LECHOWICZ:

Well, if you take a look at the analysis which is in our book, on House Amendment No. 1, take a look under comments. It says, "A provision of this amendment are totally deleted by House Amendment No. 3," so that must have been...okay, 2 then must have been 3 in the House, is that right? Okay. Then my question relates to Amendment No. 2 which we're moving to adopt. With the concurrence of this amendment, would this eliminate your smaller HMO's who are presently working in this state?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

No, it would not. It is a gradual increase and it would not eliminate anyone.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz.

SENATOR LECHOWICZ:

If you're increasing from six hundred thousand to two million the minimum net worth required to establish an HMO, I would imagine you're going to put somebody out of business.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

It would only impact on the new ones that will be chartered after the effective date of this Act. It will not change for those who are currently chartered under our current laws.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz.

SENATOR LECHOWICZ:

So, basically, you're grandfathering the existing HMO's, is that correct?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

That's correct.

PRESIDING OFFICER: (SENATOR DEWUZIO)

Further discussion? Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, I...I would also ask for concurrence with these amendments, but in doing so to the extent Senator Jones didn't do so himself, I have been asked to make clear that this...that these amendments do have the agreement of the major health care providers, Illinois State Medical Society and the Illinois Hospital Association. However, there are a couple of minor provisions that were...were thought to be minor deficiencies in this draft that we hope to incorporate as part of a Conference Committee report on House Bill 2838 which should be coming up a little bit later.

PRESIDING OFFICER: (SENATOR DEWUZIO)

Further discussion? Senator Jones may close.

SENATOR JONES:

I just ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DEWUZIO)

The question is, shall the Senate concur with House Amendments 1 and 2 to Senate Bill 115. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. The Senate does concur with House Amendments 1 and 2 to Senate Bill 115 and the bill having received the required constitutional majority is declared passed. Senate Bill 1129, Senator Hall. 1147, Senator Barkhausen. Senate Bill 1147, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 1147 with House Amendments 1 and 2.

PRESIDING OFFICER: (SENATOR DEWUZIO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, I would ask that we concur in House Amendments 1 and 2 to Senate Bill 1147. This is the Living Will Act. The...concurrence in these amendments will assure that the bill we pass in this Chamber is the same as the one that has previously passed both Chambers. I'd be happy to answer any questions and would otherwise ask for concurrence with these amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall the Senate concur with House Amendments 1 and 2 to Senate Bill 1147. 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, 1 voting Present. The Senate does concur with House Amendments 1 and 2 to Senate Bill 1147 and the bill having received the required constitutional majority is declared passed. Senate Bill 1155, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 1155 with House Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President. Amendment...I would move that the Senate do concur with House Amendment No. 2 to Senate Bill 1155 which clarifies that the Department of State Police would collect and disseminate information pertaining to criminal offenses motivated by race, color, religion or...national origin. It...the amendment removes from the bill the requirement that the State Police analyze the data before disseminating it. It requires Illinois Local Government Law Enforcement Officer Training Board rather than the State Police to develop and certify a training course to be

made available to local law enforcement offenders. The amendment was drafted by the State Police, it's the amendment that they want. I concur with that and ask for its adoption.
PRESIDING OFFICER: (SENATOR DEMUZZIO)

Discussion? Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, in looking at my analysis on this bill and I...I do recall that some of us opposed this bill the first time around. It...it is apparently somewhat altered but the bill apparently still requires the Department of State Police to collect and disseminate information on offenses that are apparently motivated by race, color, creed, religion or national origin, apparently is the way it reads, creed and religion would seem to be the same thing. But, in any case, it...it does apparently delete the State Fire Marshal from the requirements of the bill. It has a July 1 effective date but, according to my analysis, the...the bill does carry a price tag of an estimated six hundred and sixty thousand dollars which we should certainly consider, especially in light of the fact that proposals to increase revenue seem to be at a standstill. I am told that only one other state tries to collect this type of data, I'm not sure which state that is, but I am told that it is very small and therefore in perhaps a better position to do this than we are. The Federal Bureau of Investigation has been asked to consider collecting this information at various times and has said that it is impracticable to do so. So even though the State Police apparently requested this particular amendment, they are, I am told, still opposed to the bill and I think we should consider the price tag when we vote on this bill and I would...I would urge a No vote.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Further discussion? Senator Marovitz may close.

SENATOR MAROVITZ:

Well, it's very hard for me to imagine how someone on the other side would want to vote against a bill where you're going to collect information regarding criminal offenses motivated by race, color, religion,...national origin. The Department of State Police drafted this amendment, they concur with the bill with the amendment on it. We held the bill for their amendment and if we can find out where this kind of activity is going on, I think we'll be in a better position to...to cease and desist the activity. This is...this...more than one state has this legislation already on the books. The law enforcement officials have told me this will help them as well as many groups throughout the State of Illinois have encouraged the passage of this legislation, and I think we ought to concur with this amendment.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

The question is, shall the Senate concur with House Amendment 2 to Senate Bill 1155. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 28, the Nays are 25, 6 voting Present. The Senate does not concur with House Amendment 2. Senator Marovitz. Senator Marovitz.

SENATOR MAROVITZ:

Move to nonconcur and have a Conference Committee.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Marovitz moves to nonconcur with House Amendment 2 to Senate Bill 1155. All those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. Senate Bill 1177, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 1177 with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

SB 1181
concur

Senator Macdonald.

SENATOR MACDONALD:

Thank you, Mr. President. I move to concur with House Amendment No. 1 to Senate Bill 1177. This bill...amendment is language that was the result of the cooperative efforts of CMS, the University of Illinois and the Council. It does I...I think a lot of the things that we wanted to do to strengthen the position of the universities of...under...under the Minority and Female Enterprise Act.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall the Senate concur with House Amendment 1 to Senate Bill 1177. 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 4, none...I'm sorry, 4 voting Present, 51-4 to 4. The Senate does concur with House Amendment 1 to Senate Bill 1177 and the bill having received the required constitutional majority is declared passed. Senate Bill 1181, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 1181 with House Amendments 1, 4, 9 and 10.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President. I would move that the Senate do concur with House Amendments 1, 4, 9 and 10 to Senate Bill 1181. Two of the amendments are purely technical and one says that the fees established by the ICC for special services for relocation cannot be...specifically cannot be charged to the owner or operator of the relocated vehicle in connection with the release of that vehicle, and that an owner or operator of a relocated vehicle can't be charged, the ICC establish fees for relocation, and I ask for concur--

rence with the four amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall the Senate concur with House Amendments 1, 4, 9 and 10 to Senate Bill 1181. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. The Senate does concur with House Amendments 1, 4, 9 and 10 to Senate Bill 1181 and the bill having received the required constitutional majority is declared passed. Senate Bill 1192, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 1192 with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr...Mr. President and members, I move that we concur in...House Amendment No. 1 to Senate Bill 1192. The...bill deals with the raise of the minimum insurance rates on automobile liability policies...or minimum insurance limits, I should say. The original bill doubled the amounts of minimum insurance limits and House Amendment No. 1 scales them back significantly such that the increase would go from fifteen thousand to twenty thousand dollars for bodily injury for one person and from thirty to forty for two or more persons and from ten thousand to fifteen thousand for property damage, and I would ask concurrence in House Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall the Senate concur with House Amendment 1 to Senate Bill 1192. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none

voting Present. The Senate does concur with House Amendment 1 to Senate Bill 1192 and the bill having received the required constitutional majority is declared passed. Senate Bill 1206, Mr. Secretary.

PRESIDING OFFICER: (SENATOR SAVICKAS)

On Senate Bill 1206. Senate Bill 1215, Senator Poshard. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 1215 with House Amendments 1 and 5.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Poshard.

SENATOR POSHARD:

Yes, thank you, Mr. President and Ladies and Gentlemen of the Senate. I move to concur on Amendment 5 to Senate Bill 1215. This current amendment is the product of meetings between representatives of public employers and labor organizations to evaluate any shortcomings in the current collective bargaining laws and to propose legislative solutions. There are several parts to this amendment, I'll just briefly go over each one...each of the parts. The Municipal Code is amended to...under this amendment is amended to authorize municipalities to enter into multiyear collective bargaining agreements. There is an extension of the one hundred and twenty day deadline for elections under the Illinois Public Labor Relations Act under this amendment. It also...there is a provision that all board orders certifying that a...labor organization has been selected by a majority of employees in the bargaining unit is judicially appealable. There are limitations on public employers' use of outside consultants. It...prohibits the expenditure of public funds to any external individual or entity in an attempt to influence the result of a representation election. There are new free speech language changes in the Educational Labor Relations Act. There's...the amendment authorizes the parties to

extend the mediation period up to any mutually agreed time limit; right now, mediation has to convince...commence thirty days prior to the expiration of an existing collective bargaining amendment and should end fourteen days prior. This will enable them to extend that mediation period. There's financial incentive for use of a mediator from the Federal Mediation and Conciliation Service which is a service that's free of charge to the parties involved. The amendment clarifies that the final interest arbitration is deemed to be initiated on the date that a party files a letter with the state or the local board requesting arbitration. There's...the amendment provides that an arbitration award shall apply retroactively not only to a fiscal year during which the arbitration was in progress but also to a fiscal year during which the parties mutually agree to extend the period for mediation prior to an arbitration. The...there is an...the amendment requires the Educational Labor Relations Board and the Local Labor Relations Board and State Labor Relations Board to consider applicable precedents established by one another. They're not paying very close attention to those decisions rendered by other Illinois boards presently. The board...there are provisions here for judicial reviews of Educational Labor Relation Board decisions being taken to any appellate district in which the board maintains an office. Currently, the board maintains offices in the First and Fourth Appellate Districts and all judicial appeals, currently, of that board must go to the Fourth District. So this will enable them to go to both the Fourth and First Appellate Districts. The next major point is the Educational Labor Relations Board must now file an annual report with the Governor and the General Assembly; and under this amendment, there is explicit authority given to the Educational Labor Relations Board to hire an executive director, attorneys and hearing officers. Those are the major provisions of this

comprehensive piece of legislation and I would move for its passage, Mr. President.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Hudson.

SENATOR HUDSON:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I think that Senator Poshard has done a very good job of outlining the basic provisions in these amendments. I would call to the attention of...of our membership the provision that provides that if one party requests the use of a mediator, the other party shall either join in such request or bear the full cost of mediation services from another source...or other sources. And you may recall, at the time there was quite a...a bit of discussion on the Floor about that, some of us felt that that was unfair, was not a good provision, that's in here. Senator Poshard has mentioned the fact that the judicial reviews of Educational Relations Board decisions may now be taken to any appellate district, he mentioned that, some of us debated that on the Floor. As you know, those decisions now are taken to the Springfield district, but I just wanted to make sure that you all knew that contained herein are some provisions that we...some of us debated against originally.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Luft.

SENATOR LUFT:

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

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will.

SENATOR LUFT:

In regards to the provision of the amendment authorizing municipalities to enter into multiyear contracts, is that not simply a clarification of what now exists in the Public Labor

Relations Act and what the Legislature intended regarding multiyear contracts at the local government level when the collective bargaining laws were passed?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Poshard.

SENATOR POSHARD:

...that's exactly correct, Senator Luft.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Luft.

SENATOR LUFT:

Are we preventing public employers from hiring legal representation with this amendment?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Poshard.

SENATOR POSHARD:

Well, the limitation on tax dollars being used for antiunion activities does not prevent the public bodies from hiring attorneys to represent them in...in these administrative proceedings or neither does it prevent them from...from giving advice about such proceedings. What the language is intended for...to prevent is the spending of public monies for lawyers, for consultants or for any other persons to directly plan or prepare documents for use in campaigns designed to...to prevent the unionization of employees and that's all it's intended to do.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

Yeah. Senator, could you just go back over that...extension of the mediation period and I...I guess my basic concern is would this not add to prolonging or the possibility of strikes as it relates to schools not having a contract to start on time and...and may, in fact, be out on a strike?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Poshard.

SENATOR POSHARD:

...Senator Collins, the...the extension of the mediation period only applies to the Public Labor Relations Act not the Education Labor Relations Act. You're talking about the...the extension past the fourteen days until...yeah, that only applies to the Public...Labor Relations Act.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

Okay. The other question is whether or not the Municipal League had any input at all into this...this seems to be some major revisions and I'm just wondering whether or not there was...agreements on...on the provisions in this bill. Given the fact that...we did not have an opportunity to...hear what was going on in committee, we most certainly would not like to come in...I think we've made a lot of progress in this area since the time of the Act that I introduced, the first Labor Relations Act in this state, and this is some major provisions and I would just hope it would not cause any serious problem given that we have not had an opportunity to have public hearings on that.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Was that a question, Senator? Yes. Senator Poshard.

SENATOR POSHARD:

Senator Collins, we worked very closely with Representative Greiman and others, the staffs from both houses in working with all of the public employer as well as public employee groups and they have each signed off on this. That's...that's the best I can tell you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

If...if that being the case, then I don't have any problems with the amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Dudycz.

SENATOR DUDYCYZ:

Will the sponsor yield?

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will.

SENATOR DUDYCYZ:

Senator, you mentioned earlier that House Amendment No. 5 is a product of meetings between the representatives of public employers, labor organizations and the House Democratic staff, now you just mentioned that it was staffs of both houses. Are you talking about staffs of both houses on the Democratic side?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Poshard.

SENATOR POSHARD:

Senator Dudycz, suffice it to say that there were more meetings attended by the Democratic staff than the Republican staff.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Dudycz.

SENATOR DUDYCYZ:

Were there any meetings attended by the Republican staff, Senator?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Poshard.

SENATOR POSHARD:

Yes.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Dudycz.

SENATOR DUDYCYZ:

How about...how about the part that says of the...the

labor organizations. Could you briefly tell us which organizations were involved?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Poshard.

SENATOR POSHARD:

Senator Dudycz, I'm sorry, I...I did not hear your question, I'm sorry.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Dudycz.

SENATOR DUDY CZ:

The labor organizations, do you have a list of them...specifically, I'm...you know which ones I'm looking for. Were...were the law enforcement labor unions involved?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Poshard.

SENATOR POSHARD:

The...the state labor organizations, the firefighters, the police, the AFL-CIO, the IEA, all of the...the groups that to my knowledge are affected by this collective bargaining Act, Senator Dudycz.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Dudycz.

SENATOR DUDY CZ:

In other words, the FOPN...the Associated Firefighters were involved in this?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Poshard.

SENATOR POSHARD:

Well, to be honest with you, I can't tell you, I'm assuming that they were. I can't tell you because I don't remember specifically talking to their particular representative, but all of the employee groups were included in those meetings and we didn't necessarily introduce ourselves all the way around every time. They...they...the Associated Fire-

fighters were there.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Dudycz. Senator Keats.

SENATOR KEATS:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR KEATS:

Just a clarification on legislative intent. Will that portion of the bill dealing with unfair labor practices bar a municipality from membership and...in organizations such as the Illinois Public Employee...Illinois Public Employer Association, the Illinois Municipal League or the Northwest Municipal Conference?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Poshard.

SENATOR POSHARD:

Will you repeat that?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Keats.

SENATOR KEATS:

A legislative intent question. Will that portion of the bill dealing with unfair labor practices bar a municipality from membership in...in organizations such as the Illinois Public Employer Association, the Illinois Municipal League or the Northwest Municipal Conference?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Poshard.

SENATOR POSHARD:

No...in my judgment, it would not at all.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Keats.

SENATOR KEATS:

(Machine cutoff)...answer.

PRESIDING OFFICER: (SENATOR SAVICKAS)

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

SENATOR POSHARD:

Well, Mr. President, I would simply ask for a favorable vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question...Senator, you addressed yourself to Amendment No. 5, you also have a House Amendment No. 1.

SENATOR POSHARD:

I'm sorry, Mr. President, I'd like to concur in both amendments. The...the first one gutted the bill and made it a vehicle bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

All right. The question is, shall the Senate concur in House Amendments No. 1 and 5 to Senate bill 1215. 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 41, the Nays are 13. The Senate does concur in House Amendments No. 1 and 5 and the bill having received the required constitutional majority is declared passed. Senate Bill 1223, Senator Rigney. Read the bill, Mr. Secretary...oh, I'm...Senator Raica, for what purpose do you arise?

SENATOR RAICA:

A point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR SAVICKAS)

State your point.

SENATOR RAICA:

In the gallery on the Democrat side we have the Executive Board from the Firefighters Local 2. We have Desi O'Neil, William Danaher and Charlie Brady, I'd like to welcome them to Springfield.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Would they please rise and be recognized. On concurrence, Senate Bill 1223. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 1223 with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rigney.

SENATOR RIGNEY:

Mr. President, 1223 in its original form made thirteen various technical corrections to...to our Illinois Income Tax Code. In the process of making those technical corrections here in the Senate, we inadvertently struck out a section that deals with local money under the Personal Property Tax Replacement Credit Section. So all this does is just to...to actually replace the language that was inadvertently struck out.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 1223. 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. The Senate does concur in House Amendment No. 1 to Senate Bill 1223 and the bill having received the required constitutional majority is declared passed. Senate Bill 1226, Senator Davidson. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 1226 with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Davidson.

SENATOR DAVIDSON:

Mr...Mr. President and members of the Senate, I move that we concur in House Bill No. 1 to Senate Bill 1226. It has to do with how they addressed demonstration project will be and

all the other necessary works. Move the adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall the Senate adopt...or concur in House Amendment No. 1 to Senate Bill 1226. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 59, the Nays are none, none voting Present. The Senate does concur in House Amendment No. 1 to Senate Bill 1226 and the bill having received the required constitutional majority is declared passed. Senate Bill 1228, Senator Madigan. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 1228 with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Madigan.

SENATOR MADIGAN:

Thank you, Mr. President and members of the Senate. House Amendment No. 1 is a rewrite of Senate Bill 1228 as a result of a cooperative meeting between the Department of Conservation and the Department of Agriculture, the Illinois Farm Bureau, the Soil and Water Conservation Districts Association and the Illinois Environmental Council. It does not change the substance of the bill. It is also supported by the Illinois Sportsmen's Coalition, the Illinois Wildlife Federation, the American Agricultural Movement and the Illinois Farmers' Union and I would move to concur on House Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question then is, shall the Senate concur in House Amendment No. 1 to Senate Bill 1228. 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 1, none voting Present. The Senate does concur in House Amendment No. 1 to Senate Bill 1228 and the bill having received the required constitutional majority is declared passed. Senate Bill 1229, Senator Philip. Senate Bill 1231, Senator Weaver. Senate Bill 1234, Senator Raica. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 1234 with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Raica.

SENATOR RAICA:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I move that we concur with Amendment No. 1. This amendment clarifies that only the conditionally licensed facilities license may be revoked if it does not comply with the plan of...correction with...outlined by the DCFS and not all other facilities run by the organization.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 1234. Those in favor will indicate by voting Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 59, the Nays are none, none voting Present. The Senate does concur in House Amendment No. 1 to Senate Bill 1234 and the bill having received the required constitutional majority is declared passed. Senate Bill 1243, Senator Joyce. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senator Bill 1243 with House Amendments 1 and 2.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEROME JOYCE:

Thank you, Mr. President...House Amendment No. 1 adds a

back-door referendum and House Amendment No. 2...reinserts citations of...to compliance orders issued by United States Environmental Protection Agency or the Illinois Pollution Control Board. I'd ask for their adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall the Senate adopt...concur in House Amendments No. 1 and 2 to Senate Bill 1243. 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 43, the Nays are 10, 3 voting Present. The Senate does concur in House Amendments 1 and 2 and the bill having received the required constitutional majority is declared passed. Senate Bill 1251, Senator Newhouse. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 1251 with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Newhouse.

SENATOR NEWHOUSE:

Thank...thank you, Mr. President. This amendment exempts the DOT from the provisions of this amendatory Act so that the certification procedures does not apply to DOT unless the department so chooses. I move to concur in the amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 1251. 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 45, the Nays are 7, 1 voting Present. The Senate does concur in House Amendment No. 1 to Senate Bill 1251 and the bill having received the required constitutional majority is declared passed.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senate Bill 1255, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 1255 with House Amendments 2 and 3.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

...take it out of the record, he wants to hold it. 1266,
Senate Bill 1-2-6-6.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 1266 with House Amendment No. 5.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Savickas.

SENATOR SAVICKAS:

Yes, House Amendment No. 5 adds the condition that a withdrawal of an application is permissible provided the applicant has not caused a delay in the application process. It's trying to bring a little...if the applicant for the mortgage loan is the cause of it, then he cannot request...the withdrawal of the application, and I would move its adoption and concurrence.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Discussion? Senator Fawell.

SENATOR FAWELL:

Will the sponsor yield for a...

PRESIDING OFFICER: (SENATOR DEMUZZIO)

The sponsor indicates he will yield. Senator Fawell.

SENATOR FAWELL:

This...this allows a residential mortgage loan applicant to withdraw his application? Oh, I...oh...if no decision of his application is made within sixty day, is that what it basically does?

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Savickas.

SENATOR SAVICKAS:

That's...that's correct, Senator. If no decision has

been made...and...for the mortgage bankers, their concern was that if the applicant was the cause of the delay, they should have some recourse and this is to accommodate the mortgage bankers that if the applicant is the cause of the delay, he cannot then seek to withdraw his application.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator...further discussion? Senator Keats.

SENATOR KEATS:

Just if there are any questions as the financial institution's committee worked with Senator Savickas on the bill and it's actually an excellent idea. Just kind of make sure that the consumer gets a decision made fast enough that...that they know what the program is and if they're being poorly treated, they can withdraw it. It's actually a pretty good bill and I would ask your support.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Further discussion? The question is, shall the Senate...Senator Savickas, you wish to close? The question is, shall the Senate concur with House Amendment 5 to Senate Bill 1266. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. The Senate does concur with House Amendment 5 to Senate Bill 1266 and the bill having received the required constitutional majority is declared passed. I thought I heard a lot of whistling, must be the windows. Senate Bill 1272...Mr. Secretary, 1-2-7-2.

END OF REEL

REEL #5

ACTING SECRETARY: (MR. HARRY)

Senate Bill 1272 with House Amendments 1, 2, 3 and 6.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. I would move to concur with House Amendments 1, 2, 3 and 6. Senate...Amendment No. 6, in effect, changed Amendment No. 1 and 2 and deleted them and replaced it with the requirement that a vacancy on a school board shall within thirty days be filled by the appointment. If it isn't done, the regional superintendent who is next in line shall make the decision within the next fifteen days instead of the next thirty. The change by the amendment says that "Upon the regional superintendent's failure to fill the vacancy, the vacancy on the school board shall be filled at the next regularly scheduled election." Another amendment added in the House would say that when a...when a...combining entire districts takes place the vote must be approved by a majority of the voters in each of the affected school districts voting on the proposition. So I would move concurrence with House Amendments 1, 2, 3 and 6.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President, members of the Senate. My comments are directed to House Amendment No. 3, and I'll let Senator Welch comment or make...make any...any appropriate comments as far as whether or not I've got the story straight. First of all, we killed the bill which now is House Amendment No. 3 in the Senate Education Committee a couple of

months ago. And as I remember it from the testimony and discussion, what we do by adding House Amendment No. 3 here is to take us back to a period in time when...well, let me put it this way, even the original language in the law dealing with consolidation wasn't as tough as what we're now adopting now. So prior to the reform movement when we were all living by a set of school laws which allowed for school consolidation under certain circumstances, it is my understanding anyway that the language was more liberal allowing for school consolidation. Senator Welch, you may choose to comment on that. So, I guess what I'm saying is that I'm afraid by this amendment what we're doing is making it even more difficult to consolidate than the original bills were prior to reform. I know some of us are against consolidation but I don't know whether we want to go this far in closing the door forever to any meaningful form of consolidation anywhere in the state, and that is, as I remember it, the concern that the committee had when they voted this bill down.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Well, I don't know if I want to categorize it as liberal or conservative, Senator Kustra, but to the extent that it would not be as easy to consolidate with this provision, the answer would be yes. I would add a proviso that this provision is consistent with the bill Senator Maitland passed, I believe it was the 1202 bill, last year which we passed after the furor arose back in our districts over the consolidation provisions of Senate Bill 730. That bill, 730, as many of you recall, was a perceived to be a mandatory consolidation plan, although it wasn't. 1202 then came back and said, well, you can consolidate and to do so you have to have a majority vote in each district. This bill also requires a majority vote in each of the affected school districts.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Kustra.

SENATOR KUSTRA:

I would only add that Senator Maitland spoke against this bill this year in committee, I can't speak for what he's done in previous Sessions but he was definitely opposed to giving each of the affected districts a majority vote as opposed to the entire new district, that I remember in our testimony in discussion in committee. I suggest a No vote on this.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. Senator Welch,...you recall quite well the discussion in committee and...and I thought it was the sense in committee that we not move forward on this. Is...is this amendment something that we must move forward or can we nonconcur and get it...everything else taken care of?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

Well, Senator Berman, when you have a bill or an amendment in committee and it loses by one vote, I don't see how that creates a sense of the committee that nobody should move forward. It's the makeup of...on the committee...two votes, excuse me, on that particular day that determines whether the bill passes or not. Had the makeup of the committee been different, this would have passed.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR BERMAN:

All right, that...that's a fair answer and I would stand up and give a fair response and say that I agree with Senator Kustra. I don't think that...I think that this is a move backward. When...when 730 was passed, the Reform Act, we

recognized that we have...had overreacted in urging a consolidation process, some of us agreed with it, some of us didn't agree with it, but the change to 730 that we effected a few months later we felt...many of us felt that...worked on the Reform Act that that was a fair response, we backed off of that, took the numbers out. This is a further move backward in my evaluation and in the evaluation of a majority of the members of the Education Committee on a particular day that we were going backward. I don't think this is a good amendment. The rest of the bill may be fine, but I think that we ought to vote No, let's go back and get this out of there and allow the people to have some basis of discussion that would still encourage some consolidation. We still have nine hundred and ninety-seven school districts in the State of Illinois, and I don't think there is anybody that will stand up and say that every one of those districts is justified in its existence and in the expenditure of administrative costs that are incurred there. A vote for this concurrence motion says that all nine ninety-seven are good; I don't think so. I urge a No vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

Senator, would not the...the effect of this amendment that if, in fact, that...that any of the districts involved had less than a majority vote, there would be no consolidation? Is that...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator...Senator Welch.

SENATOR WELCH:

That is correct.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

Hell, then, Senator, I would have to agree with Senator Berman and...and the other speakers that what this amendment does is simply undo all that we've done and probably you would never have any consolidations because most certainly one of those districts involved would not want to be consolidated, and so, therefore, you wouldn't get a majority vote and...and there would be no consolidation. So, I...I, too, say that we shouldn't do this at this time.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hawkinson.

SENATOR HAWKINSON:

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

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will.

SENATOR HAWKINSON:

Senator, I didn't completely hear Senator Collins question, but it's my understanding on...on this amendment is all that it does is if you're going to have a referendum to consolidate two school districts, the referendum has to be approved in a majority of each district before it can go into effect, is that correct?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

That's correct.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hawkinson.

SENATOR HAWKINSON:

Then to the amendment, I would strongly urge a Yes vote. This isn't going to, as the prior speaker indicated, prevent any consolidation. All it does is recognize the integrity of the voters in...in the current school districts and it gives them an opportunity to determine their own destiny. That's

what the uproar last year was all about, that we were trying to force consolidation without giving the existing school districts the say-so in the matter. We understood that that's what the changes were going to do, this is a good change. We have school districts in my area now that are considering consolidation, but let's not force it on them, let's let them vote in each district. And I urge an Aye vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Watson.

SENATOR WATSON:

Thank you, that was just...that was well said, and that's exactly the way I feel about this. I'm...I'm in total support of the effort here. I see no problem with leaving a decision...making up to the local people and that's basically what we're trying to do, a little more local control. We're not saying that nine hundred and ninety-seven school districts are going to remain in this state. If the people want to consolidate locally, they can do it and that's...the provision that's here and I think it's a good idea, I support it. Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman.

SENATOR SCHUNEMAN:

Well, I rise in support of Senator Welch's position. Those of you who were around here the year that we considered and finally passed Senate Bill 730 will remember that we had a...a lot of bills that dealt individually with some of these issues. One of them was the bill that mandated the committees be set up and that they study consolidation and so on, that bill couldn't get out of this Senate until this amendment was put on it, which gives each affected school district the right to approve or reject the consolidation idea. I support Senator Welch in...in his motion.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Welch, if you wish, you may close.

SENATOR WELCH:

Thank you, Mr. President. I think that the point has been made that what we're trying to avoid is one district being a predator on another district, trying to gobble up another district because they have more votes and can pass it. All we're saying is that each school district should be recognized as an autonomous group able to vote and that the majority of that district agrees to consolidate, so be it, but both districts consolidating have to agree, not one as against the other. I'd move for an Aye vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Question is, ...the question is, shall the Senate concur in House Amendments 1, 2, 3 and 6. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 40, the Nays are 14, none voting Present. The Senate does concur in House Amendments 1, 2, 3 and 6 and the bill having received the constitutional majority is declared passed. Senate Bill 1273, Senator Welch. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 1273 with House Amendments 1 and 2.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. What this amendment does is require physical fitness tests for children in third, sixth, eighth and tenth grades. This is House Amendment No. 1 to Senate Bill 1273. Amendment No. 2 requires assessment of student physical fitness to include taking a nationally

normed physical fitness test. This was in response to concerns expressed in the House committee. I would move concurrence with House Amendment No. 1 and 2.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Schaffer.

SENATOR SCHAFFER:

I was just wondering whether this new mandate was funded or not.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

Well, I know of no separate appropriation for it. This was a good idea of somebody in the House and I'm concurring in it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schaffer.

SENATOR SCHAFFER:

Well, I...as many of you know, I've dedicated my life to physical fitness but...I don't see any money for this, and, frankly, I don't see any money on the horizon anywhere for all these mandates we're passing and this is as good a time as any to put these things on hold until we find out how to pay for what we mandate.

PRESIDING OFFICER: (SENATOR SAVICKAS)

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

SENATOR WELCH:

Well, thank you, Mr. President. I would just say that perhaps it's time that we did add something to some of the other requirements that we had. I don't think that requiring somebody to be moving along physically and by testing is asking too much. There already are in effect high school tests for people taking physical fitness. I think many of us who have been through high school within the last two decades,

Senator Schaffer,...have had to take those tests...I know probably something new but I would move for concurrence.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall the Senate concur in House Amendments No. 1 and 2 to Senate Bill 1273. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Yeas are 27, the Nays are 27, none voting Present. The Senate does not concur in House Amendments No. 1 and 2. Senator Welch.

SENATOR WELCH:

Parliamentary inquiry. By nonconcurring on a motion...by defeating a motion to concur, is it the ruling of the Chair that automatically a Conference Committee is appointed or what is...what happens next?

PRESIDING OFFICER: (SENATOR SAVICKAS)

It...it goes back as nonconcurrence to the House.

SENATOR WELCH:

Without...the sponsor having to make a motion for nonconcurrence?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Right.

SENATOR WELCH:

Okay, thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senate Bill 1287, Senator Barkhausen. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 1287 with House Amendment 2.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, I move that we concur with House Amendment 2 to Senate Bill 1287. The bill creates the

*SB 1297
concurrance*

Consumer Deposit Security Act governing leases of consumer goods, and the House added what may be characterized as a consumer...oriented amendment providing that the lessee is to be advised where...of the depository institution where the...deposit is placed. In addition, where the deposit is over a hundred and fifty dollars, the bill specifically requires that the consumer is to be given the interest on that money that accrues during the period of the lease. The amendment further provides that where there is litigation regarding the consumer deposit and the...and the lessee, the consumer prevails that the lessee is to be awarded one and a half times the amount of the deposit plus attorneys' fees and costs. I ask concurrence with House Amendment 2.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall the Senate concur in House Amendment No. 2 to Senate Bill 1287. 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 1, none voting Present. The Senate does concur in House Amendment No. 2 to Senate Bill 1287 and the bill having received the constitutional majority is declared passed. Senate Bill 1290...Senate Bill 1295, Senator Etheredge. Senate Bill 1297, Senator Keats. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 1297 with House Amendments 1 and 6.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Keats.

SENATOR KEATS:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 1297 originally went out of the Senate on...on the Agreed Bill List. It is...it establishes the Residential Mortgage Licensee Act. In the House it had two

amendments, Amendment 1 and 6. What Amendment 1 does is...it's really sort of a compromise working with the commissioner of savings and loan, it exempts commercial mortgage bankers, persons or entities making mortgage loans on his own investment and with own funds who does not intend to sell more than ten loans in a given year, exempts Real Estate Act licensees and then a few other minor ones. What Amendment No. 6 does, it exempts banks service corporations of state and Federally chartered savings and loans which...principal place of business Illinois, exempts subsidiaries or affiliates of a state or federally chartered bank with principal place of business in Illinois, and it requires these people to file annual reports of mortgage activity with the S and L commissioner. That's what it does, it's actually a fairly major Act although I don't think it's particularly controversial anymore, and I would appreciate your favorable vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR SCHUNEMAN:

Who are we trying to put out of business here? I mean, you've read...you've read a list of exemptions and I'm curious to know who's...who's going to be put out of business if they don't get a license?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Keats.

SENATOR KEATS:

We are not attempting to put anyone out of business really, this is an oversight Act. In terms of the specificity of the provisions, it does give the savings and

loan commissioner the right to investigate. As you know, we have had some problems in this area in the last year or two, particularly with a large number of refinancing of mortgages, but in terms of really putting one out...anyone out of business, I would not expect it to do that.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman.

SENATOR SCHUNEMAN:

Then I'll rephrase my question. Apparently the banks and savings and loans and private investors who make a few loans are exempted, who has to be licensed?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Keats.

SENATOR KEATS:

Anyone who the savings and loans commissioner has the right to regulate. Remember, in dealing with Federally chartered institutions, the state commissioner of savings and loans does not have the right to regulate them. It's not that he would not like to, it is simply not legal.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Fawell.

SENATOR FAWELL:

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

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will.

SENATOR FAWELL:

I've had several cases now where the...the...these mortgage homes...mortgage brokers have been promising...mortgages when the rates were low and then in effect what they did is overextend themselves promising too many people too many loans at too low of a rate. A couple of my people got caught by that. Now, when I talked to the commissioner of the savings and loan he told me he had a bill in that, in effect,

would correct that situation and stop that. And I note that...that now we're possibly deleting that language out, is this true?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Keats.

SENATOR KEATS:

No...no, this is the bill that will let him do it. There are actually two key things here; one, Senate Bill 1266 which...providing officer passed a little while ago, would allow someone if they felt this was being done to them unfairly they could withdraw their money at no cost to themselves and get their fee back. This bill gives the savings and loan commissioner then the right to follow up, he then regulates them. At this moment, he really has no power in that area, and while what you're saying is a problem not just for a few of your constituents, this has happened to many people not just in Illinois but in many states while this large number of...of mortgages were being redone and he really has had no authority.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Fawell.

SENATOR FAWELL:

Well, to the bill then. If this is the bill that the...the savings and loan commissioner was talking about, I would suggest very strongly that my colleagues vote for it. I think we've all run into it especially in areas where there is a lot of growth. Very frankly, these...these mortgage brokers were really taking advantage of a lot of our constituents. They were promising things they couldn't deliver. My understanding is what a lot of them were doing were, very frankly, taking the application, sticking them in a drawer and waiting for the...for the rates to...to go up. And...and a lot of our people...all of a sudden discovered that the home that they had...had thought they had and...and had

worked so hard for and...and the builder who thought the home was sold, all of a sudden found themselves in a position where it just couldn't happen because our constituents could not afford that higher rate...just brought it beyond the capacity to buy that home. A lot of builders were caught in this, a lot of...of innocent people, and, very frankly, I think we ought to...we ought to clamp down on these guys and make sure they quit doing this. And I would solicit an Aye vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill...1 and 6 to 1297. 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. The Senate does concur in House Amendments No. 1 and 6 to Senate Bill 1297 and the bill having received the required constitutional majority is declared passed. House Bill 1298, Senator Keats. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 1298 with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Keats.

SENATOR KEATS:

1298 also passed out on the Agreed Bill...Agreed Bill List and has come back with one amendment. The original bill established the Illinois Savings and Loan and Residential Mortgagee Licensee Fund in the State Treasury. Then what the...House amendment did...creates the Residential Mortgage Licensee Fund as of July 1st, 1988, establishing the initial date and then the fund to pay all agency expenses but it will not pay the director's salary because he is a cabinet member and is paid as a cabinet member, not as an agency employee,

so he'd be drawing double salary. Maybe if we were nice we would let him do that but I don't think so. I'd appreciate a favorable vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 1298. 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. The Senate does concur in House Amendment No. 1 to Senate Bill 1298 and the bill having received the constitutional majority is declared passed. House Bill 1300, Senator Rock. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 1300 with House Amendments 5, 6 and 9.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 1300 was the rather lengthy technical cleanup for the tax increment financing law which was worked out in conjunction with the Department of Revenue and with staff from both Houses and both sides of the aisle. Amendment No. 5 was added, . . . and three amendments were added in the House, none of which does any substantial damage to the bill, and, as a matter of fact, Amendment No. 5, which was offered by Representative Keane provides that the Department of Revenue is given the authority to investigate complaints regarding the eligibility of some TIFS that were established during the window period under last Session's Senate Bill 1700. Additionally, there was a clean-up . . . amendment in favor of the City of Urbana. Amendment No. 6 was at the request of Representative Ewing and it was a . . . an attempt to

accommodate a...a concern that...the Village or City of Pontiac had. And Amendment No. 9 provides that an affirmative action plan must also be part of the TIF district plan which the municipality must adopt. Virtually every municipality has an affirmative action plan so this is really kind of redundant in my opinion, but the fact is, the House adopted it with a pretty sizable vote and that's what it calls for, it calls for an affirmative action plan and a commitment by the TIF district to fair employment practices. I know of no objection to Amendments 5, 6 and 9, and I would move that we concur with this House action.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Netsch.

SENATOR NETSCH:

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

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will.

SENATOR NETSCH:

Is there still a provision which allows the developer to recover I think it's up to thirty percent of development costs through the TIF financing mechanism, is that still in the bill, Senator Rock?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

No.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch.

SENATOR NETSCH:

I...I didn't hear the answer, I'm sorry.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He said, no.

SENATOR NETSCH:

It is not in the bill? All right. Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Kelly.

SENATOR KELLY:

Yes, I have a question of the sponsor, Mr. President.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR KELLY:

Senator Rock, I'd like to ask you on a new TIF, you know, someone who wishes to participate...or a community in this TIF program, would they be eligible to do so? I know there's been some considerations in the south suburbs that there might be a new Ravinia or something comparable to that and they had mentioned that they planned to go in this direction, would this be still...possible?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Well, as you recall, we have two, now three if the Governor signs the Rosemont bill, but at least two different kinds of tax supported TIF's, one is utility and one is sales tax. The window for the...the opportunity to participate in the sales tax one has closed and can be reopened by this Assembly at any time. The utility...the utility tax TIF and property tax did not have a window of opportunity, that's available at any time.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Further discussion? If not, the question is, shall the Senate concur in House Amendments...No. 5, 6 and 9. 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, none voting Present. The Senate does concur in House Amendments No. 5, 6 and 9 to Senate Bill 1300 and the

bill having received the required constitutional majority is...declared passed. Next bill is Senator Weaver, but he was off the Floor when we had Senator Weaver's bill, Senate Bill 1231, and he seeks leave to have that called. Is there any objection? Hearing no objection, on the Order of Secretary's Desk Concurrence, Senate Bill 1231, Senator Weaver. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 1231 with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. I'd move the Senate concur in House Amendment No. 1 to Senate Bill 1231. Amendment No. 1 provides that the...it's really a compromise between CMS and the Department of Nuclear Safety. Certain items are exempt from the Purchasing Act and they are spelled out in this amendment. And I'd move that we concur in House Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 1231. 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. The Senate does concur in House Amendment No. 1 to Senate Bill 1231 and the bill having received the required constitutional majority is declared passed. Senate Bill 1304, Senator Weaver. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 1304 with House Amendments 1 and 3.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Weaver.

SENATOR HEAVER:

Thank you, Mr. President. I would move that the Senate concur in House Amendments No. 1 and 3 to Senate Bill 1304. Amendment No. 1 asks that the director of CMS make every attempt to ensure that at least one-third of the employees appointed to the executive development program are female. And Amendment No. 2 establishes that the state may charge interest from the time of payment until the time of recovery of scholarships of no less than one percent a month for that obligation of those who don't live up to their four-year employment by the State of Illinois.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall the Senate concur in House Amendments No. 1 and 3 to Senate Bill 1304. 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. The Senate does concur in House Amendments No. 1 and 3 to Senate Bill 1304 and the bill having received the required constitutional majority is declared passed. Senate Bill 1308, Senator Philip. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 1308 with House Amendment No. 2.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Amendment No. 2 is a clarification amendment, it says very simply, "And in consultation with the agency, supervising, requesting or controlling the project et al." I have no problem with it, I think it makes it much clearer and I move the adoption of Amendment No. 2.

PRESIDING OFFICER: (SENATOR SAVICKAS)

*S 1316
concurrence*

Is there discussion? If not, the question is, shall the Senate concur in House Amendment No. 2 to Senate Bill 1308. 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, none voting Present. The Senate does concur in House Amendment No. 2 to Senate Bill 1308 and the bill having received the required constitutional majority is declared passed. Senate Bill 1316, Senator Dunn. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 1316 with House Amendments 1, 2, 3 and 4.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Dunn.

SENATOR TOM DUNN:

Thank you, Mr. President. There are four amendments and Amendment No. 1 creates the offense of possessing a weapon in a DOC facility. Amendment No. 2 requires that money reimbursement by DOC go into their own trust fund as opposed to the General Revenue Fund. Amendment No. 3 requires the DOC to establish a program for suicide prevention for juvenile...for the juvenile division. And Amendment No. 4 gives subpoena powers relating to the determination of assets of an inmate and specifies that such subpoenas are enforceable by the circuit court. I move for concurrence.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Barkhausen.

SENATOR BARKHAUSEN:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR BARKHAUSEN:

Senator Dunn, I'm just looking at the analysis which points out that we're creating a suicide reduction program

and requiring the Department of Corrections to carry it out. Is...is this something the...the department has requested or signed off on?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Dunn.

SENATOR TOM DUNN:

I cannot answer your question, it was sponsored by Senator...or Representative Cullerton and I have not had any contact from DOC. I will say that the other three have been requested by DOC. I have been informed that DOC has signed off on that, Senator Barkhausen.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Barkhausen.

SENATOR BARKHAUSEN:

...hearing the answer to your question, I...I assume therefore that we have no idea what the cost of such a program might be?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Dunn.

SENATOR TOM DUNN:

No, we don't have a specific figure on the cost.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Further discussion? Senator Barkhausen.

SENATOR BARKHAUSEN:

In the absence of an indication of what this program involves, whether the Department of Corrections feels it's going to be in a position to carry it out and what the cost is, I...I would...I would say, Mr. President and members, that perhaps the best vote in this case might be a Present vote. There may be other things in this bill that we'd want to support, but considering our resources and considering the statements that we've been hearing out of the Department of Corrections as to the consequences of a tight budget on...on their many vital programs that we...we ought to...have a

little more knowledge, I think, as to what this entails before we rush in to mandating a new program on them.

PRESIDING OFFICER: (SENATOR SAVICKAS)

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

SENATOR TOM DUNN:

Thank you, Mr. President. Well, I would move for its adoption in concurrence because it is at the request of DOC, and I assume at their request they've figured out how...how to pay for it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall the Senate concur in House Amendments No. 1, 2, 3 and 4 to Senate Bill 1316. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 35, the Nays are 3, 21 voting Present. And the...Senate does concur in House Amendments No. 1, 2, 3 and 4 to Senate Bill 1316 and the bill having received the constitutional majority is declared passed. Senate Bill 1322, Senator Friedland. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 1322 with House Amendments 1 and 2.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Friedland.

SENATOR FRIEDLAND:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I urge that the Senate nonconcur in House Amendments 1 and 2 and that a Conference Committee be appointed...

PRESIDING OFFICER: (SENATOR SAVICKAS)

You've heard the motion. Senator Friedland moves to nonconcur in House Amendments No. 1 and 2 to Senate Bill 1322. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. The motion carries and the Secretary shall

so inform the House. Senate Bill...1325, Senator Carroll. Senate Bill 1326, Senator Zito. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 1326 with...House Amendments 1 and 2.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Zito.

SENATOR ZITO:

Yes, thank you, Mr. President and members. I would move to nonconcur in those amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Zito moves to nonconcur in House Amendments No. 1 and 2 to Senate Bill 1326. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. The motion carries and the Secretary shall so inform the House. Senate Bill 1328, Senator Kelly. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 1328 with House Amendment No. 2.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President and members of the Senate. I move the Senate concur in House Amendment No. 2 to Senate Bill 1328. Senate Bill 1328 is a proposal of the Citizen's Council on Mental Health and Developmental Disabilities. The bill creates the Office of Inspector General within the Department of Mental Health and Developmental Disabilities. And this person is to investigate suspected abuse cases of patients in state operated facilities. The amendment is an agreed...agreement between the Department of Mental Health and the Citizen's Assembly and it codifies the enforcement of this Act under the state police where it is already being done, and if the state police do not act on it...they have twenty-four hours to advise the Inspector General of...of

their actions. The amendment also takes the appointment away from the Governor and puts it with the Department of Mental Health and Developmental Disabilities. I would...solicit your support for my motion to concur.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Topinka.

SENATOR TOPINKA:

Yes, if I might ask a question of the sponsor, please.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR TOPINKA:

...well, we kind of kicked this bill around in committee a bit but as...as we read the staff analysis...let me just read this back to you and maybe I'm misreading it, and you might be able to comment on it. It notes that, "This provides that when the state police receive reports of abuse, they will determine if there is evidence that such an act took place." If they believe the act did not take place, then they will refer this to this new Inspector General who is to be created here who will investigate. Now why is he going to investigate an...an act that did not take place? Maybe...again, I'm reading it wrong.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Kelly.

SENATOR KELLY:

Well, Senator, that's a matter of, you know, interpretation. If it did take place, then the state police is going to act on it and nobody has to worry about it, at least something is being done; but in a case where it hasn't been, the Inspector General would review it and look into the suspected...or this situation to find out if, in fact, in more details why the report occurred and if, in fact, there might be...in other words, the state police is sometimes a very busy body, a busy group of people and sometimes they may not

look at it as thoroughly as the department would. That's why we need a little latitude here.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Topinka.

SENATOR TOPINKA:

So therefore the state police is...is kind of busy so we're going to send those things that do not take place to the Inspector General who has more time to investigate that which did not take place?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is that a question or a statement?

SENATOR TOPINKA:

That does...well...I throw that open kind of as a rhetorical question; if you'd like to jump on, you know, by all means.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Would you like to jump on, Senator Kelly? Senator Kelly.
SENATOR KELLY:

Sure, I'll jump on. I...I would say that's no. This is when...when the state police do not determine that an abuse occurred, so that, you know...it's an interpretation from the Department of the State Police, and if that's the case, I...I think, just as I mentioned, it just seems to me like this is something that...that we have to do that the state police...matter of fact, one of our problems with this proposal is we didn't want...state police because they are a very busy group of people and this gives us...this was an agreement that we...we...we agreed with just to cut down, you know, we said, okay, we'll go along with the state police if, in fact, they would advise the Inspector General. So actually we've made...the bill a lot easier by placing it once again within the provisions of the state police.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Topinka.

SENATOR TOPINKA:

Just a final comment. Thank you, for making it a lot easier.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hawkinson.

SENATOR HAWKINSON:

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

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will.

SENATOR HAWKINSON:

Senator, you mentioned a twenty-four-hour period. The state police investigation doesn't have to be completed in twenty-four hours, does it?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Kelly.

SENATOR KELLY:

Well, it does seem like they have a twenty-four-hour period to either investigate it and come up with a report. Now I don't know if they have to report back 'cause sometimes it would take longer than twenty-four hours. So the intent of...of this sponsor is not to...not to give them just twenty-four hours if they need more time, that's not the intention. But you raise a valid point and I don't know...maybe we could take it out of the record for a minute and get that point cleared up.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Take it out of the record. Senate Bill 1335, Senator Berman. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 1335 with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. I move that we concur in House Amendment No. 1 to Senate Bill 1335. This is the computer crime prevention law. The House in Amendment No. 1 made several changes, it rolled back some of the penalty classifications, one category that from the Senate bill eliminates what was a Class X felony in this bill, it really didn't apply or shouldn't have applied for computer crime. It eliminated a superfluous section regarding civil remedies and changes the...presumption to prima facie evidence in the section relating to the implication that persons accessing computers requiring a confidentiality or proprietary code are doing so without authority of the owner. Be glad to respond to any questions and solicit your Aye vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 1335. 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, none voting Present. The Senate does concur in House Amendment No. 1 to Senate Bill 1335 and the bill having received the constitutional majority is declared passed. Senate Bill 1353, Senator Marovitz. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 1353 with House Amendments 1, 2, 3, 4 and 5.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. I would move that the Senate do concur with House Amendments 1, 2, 3, 4 and 5 to Senate Bill 1353. The purpose of House Amendment No. 1 is to encourage certain DCFS workers to evaluate clients to ascertain whether they have drug or

substance abuse problems which often contribute to child abuse and neglect. And Amendment No. 2, as is Amendment No. 1, is a recommendation of the Illinois Alcohol and Drug Dependence Association. Often in the process of intake investigation DCFS determines whether alcohol or substance abuse contributed to an individual or family that needs the department's services. If they do, they shall require a family that's found to have alcohol or substance abuse problems to seek treatment and submit a report to the General Assembly concerning drug dependence among the clients of the department. Amendment No. 3 clarifies the intent of the Act by declaring that individuals or families who are actively recovering...have been in programs and are actively recovering from alcohol or substance abuse as a result of participation in these treatment programs shall not be denied a...a license as a foster parent unless there's...other reasons. And Amendment 4 expands the minimum standards for licensure of a day-care center and day-care homes to include prohibition of firearms except under certain conditions. And Amendment 5 clarifies 1, 2 and 3 which addressed the...intent of the bill and alcohol and substance abuse of foster families. And I'd ask for adoption of these amendments...concurrence.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President, will the sponsor yield for a question? Senator, Amendment 3 allows persons who are actively being treated for substance abuse problems to still be licensed as a foster parent. I can go with the rest of all the amendments, but on this one, I just don't feel comfortable with it, I'm just wondering if you would just move to concur with all the other amendments except for Amendment 3?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR HAROVITZ:

My...my understanding of Amendment 3, Senator, is that it says that merely because somebody is actively recovering from an alcohol or substance abuse and has participated in a treatment program that that in and of itself should not mean automatic denial as a foster parent.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

The fact that they are being...still treated worries me. I think if they have completed their treatment, are considered okay, it might be a different story but it worries me when they are still being treated for substance abuse and still they would be...able to be licensed as a foster parent. I feel we owe...owe it to the children that...to give them every bit of care and be very careful about who we have be foster parents. And I...I cannot agree with Amendment 3; I can agree with everything else but not Amendment 3.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

Senator, I just need a little clarity here on Amendment No. 2...if...if...if the department finds that there is drug abuse in a home or someone reports that that...there's a family with drug abuse or alcohol abuse and DCFS goes into the home and does not find any visible signs of abuse, is that...do they intervene...will this amendment allow them to intervene anyway...for treatment purposes?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator...

SENATOR COLLINS:

...counseling or treatment? I don't see the counseling part in here.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

If they find no evidence of abuse, then there'd be no intervention, if there's no evidence that there is any abuse in the home.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

But you're talking about...I guess you're talking about physical abuse.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

I'm...talking about alcohol or substance abuse, which is what the amendment refers to. I'm not talking about physical abuse. We're talking about foster families here, we're talking about alcohol or substance abuse. They will make an investigation and, obviously, if they find something they will take action. If they do not find any evidence of alcohol or substance abuse, there will be no further investigation.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

So this amendment only pertains to foster parent? Okay. I...I...I assumed that it was...to...to any parent. So, if you're talking about a foster parent, then I have no problems.

PRESIDING OFFICER: (SENATOR SAVICKAS)

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

SENATOR MAROVITZ:

Thank you. Just...in reference to Senator Geo-Karis, I concur with what she has said. The law today is something

you don't want because the law today would allow somebody willy-nilly who's in treatment or not in treatment to be a foster parent, that's the law today. Senator Geo-Karis, you can shake your head from now until the end of Session, that is the law today. This amendment goes one step further, closer to what you want, and said that these people must be in treatment and it's a factor to be considered. They don't get licensed but it's a factor to be considered when determining whether these people should be in foster homes. They must be in treatment and then that can be taken as consideration. If they're not in any treatment that they're completing, then they can't get it at all. So this gets closer to what you want than the current law which allows them to be licensed as a foster parent whether they are in treatment or not.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall the Senate concur in House Amendments 1, 2, 3, 4 and 5. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 33, the Nays are 19, 5 voting Present. The Senate does concur in House Amendments 1, 2, 3, 4 and 5 to Senate Bill...1353 and the bill having received the required constitutional majority is declared passed. For what purpose does Senator Geo-Karis arise?

SENATOR GEO-KARIS:

Mr. President, I don't agree with the prior explanation, I'm asking for verification. I don't feel that we're going to put children in foster care when we know that someone is under treatment for substance abuse. And I'd like to have verification of the roll call, because...

PRESIDING OFFICER: (SENATOR SAVICKAS)

A verification has been requested. Will all the members

please be in their seats. A verification has been requested by Senator Geo-Karis and will all members please be in their seats. Mr. Secretary, will you call the affirmative vote.

ACTING SECRETARY: (MR. HARRY)

The following voted in the affirmative: Alexander, Berman, Brookins, Carroll, Collins, D'Arco, Degnan, del Valle, Ralph Dunn, Thomas Dunn, Holmberg, Jacobs, Jones, Jeremiah Joyce, Jerome Joyce, Kelly...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Harovitz, for what purpose do you arise?

SENATOR HAROVITZ:

Question of the Chair. I think as most of the members on both sides know, there is an appropriation conclave going on with several members, I know Senator Carroll is involved in that, Senator Lechowicz is involved in that, several members on both sides of the aisle are involved in those appropriation meetings...Senator Hall is involved in those appropriation meetings going on during this...verification. Can we have agreement from both sides that those members who are part of the appropriation process and are up meeting right now on the budget can be relieved of that?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Well, Senator, that's a policy decision and, obviously, there is opposition to that...motion. Senator Lechowicz has just returned to the Floor. Will you continue the roll call.

ACTING SECRETARY: (MR. HARRY)

Kelly...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Luft, for what purpose do you arise?

SENATOR LUFT:

Thank you, Mr. President. Did I understand that Senator Carroll and Senator Hall were not to be excused and to not verify them off? I think for the last five or six years that I've been here...this has been...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Well, Senator, I...as far as I know, the proxy voting has been prohibited in the Senate for the last five or six years. Now if you want to make an issue of it, no, at this point, if they're not here, they will be verified off. If we...decide to have a policy decision that certain members can be absent and their voting switch pressed, that's another decision. As far as the Chair is concerned the two leaders, the minority leader and the President of the Senate, are the only ones that have been excused from that process. That was by will of the Body. At the beginning of this process. Mr. Secretary, will you continue the roll.

ACTING SECRETARY: (MR. HARRY)

Kustra, Lechowicz, Luft, Macdonald, Madigan, Marovitz, Metsch, Newhouse, O'Daniel, Poshard, Rigney, Severns, Smith, Vadalabene, Welch, Zito, Mr. President.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis, do you question any of the affirmative vote?

SENATOR GEO-KARIS:

Senator Madigan.

PRESIDING OFFICER: (SENATOR SAVICKAS)

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

SENATOR GEO-KARIS:

Senator Macdonald.

PRESIDING OFFICER: (SENATOR SAVICKAS)

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

SENATOR GEO-KARIS:

Senator Dunn...Ralph Dunn.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Dunn...Ralph Dunn on the Floor? Strike his name from the record.

SENATOR GEO-KARIS:

Senator Rigney.

PRESIDING OFFICER: (SENATOR SAVICKAS)

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

SENATOR GEO-KARIS:

Will you count them, please?

PRESIDING OFFICER: (SENATOR SAVICKAS)

On a verified roll call, there are 29 Yeas and 19 Nays, 5 voting Present. The Senate having failed to concur in House Amendments No. 1, 2, 3, 4 and 5...the House will be so informed. Senator Marovitz, for what purpose do you arise?

SENATOR MAROVITZ:

Well, let me ask you a question, Mr. President. Would it be then in order for me to move to concur with House Amendment 1, 2, 4 and 5 and not concur with No. 3?

PRESIDING OFFICER: (SENATOR SAVICKAS)

There has to be a reconsideration of the vote.

SENATOR MAROVITZ:

No, the...the motion...

PRESIDING OFFICER: (SENATOR SAVICKAS)

The motion was to concur in all three.

SENATOR MAROVITZ:

...the motion was to concur...in all five.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Or all five.

SENATOR MAROVITZ:

Now I'm making a different motion...to concur in...

PRESIDING OFFICER: (SENATOR SAVICKAS)

There has...there is a motion...then there has to be a motion to reconsider the vote...the vote by which 1, 2, 4 and 5 were not concurred in. Senator Geo-Karis having voted on the prevailing side wishes to reconsider the vote by which...the motion...by which amendments...House Amendments

No. 1, 2, 4 and 5 failed. Is there objection? Those in favor indicate by saying Aye. Those opposed. The Ayes have it. The motion...to reconsider is passed. Now Senator Marovitz moves that the Senate concur in House Amendments 1, 2, 4 and 5. Those in favor will vote Aye. Those opposed will vote Nay. Senator Dudycz, for what purpose do you arise?

SENATOR DUDYCYZ:

Before we vote, Mr. President, can I question the sponsor on one of the amendments that we are about to vote on?

PRESIDING OFFICER: (SENATOR SAVICKAS)

You sure can, Senator Dudycz.

SENATOR DUDYCYZ:

I have a slight problem, Senator, with Amendment No. 4 which says, "Adds provisions to the bill," according to our analysis, "which prohibit firearms in day-care centers except in the possession of police officers or other adults who must possess a gun as a condition of employment." I'd just like some clarification...which...no, no, no, Senator...which...employments or which occupations provide that a person would be required or allowed to have a gun and be in an establishment such as a...day-care center?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

Could be somebody like security personnel...security personnel.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Dudycz.

SENATOR DUDYCYZ:

I'd just like clarification, if the security personnel would be allowed to have firearms in day-care centers?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

If they're there for security reasons and they're licensed to have a gun, they can have a gun, in a day-care center...today. But this would prevent any other...anyone else from having a gun...in a day-care center...firearms in a day-care center.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Dudycz.

SENATOR DUDYCZ:

Okay...and just for clarification. So you're talking just about police officers or security officers, period, no other occupations?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

I'm...I'm telling you that anybody that's licensed to have one and is...and is there for that purpose. Now if you can think of other examples, that's fine, but I...I'm telling you...obviously, somebody who is there in a law enforcement or a security...for...for those reasons.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Dudycz.

SENATOR DUDYCZ:

Well...well, how about the...the proprietor of the business?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

Absolutely not.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, the question is, shall the Senate concur in House Amendments 1, 2, 4 and 5 to Senate Bill 1353. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted

who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 37, the Nays are 17. The Senate does concur in House Amendments 1, 2, 4 and 5 and has nonconcurrred in House Amendment No. 3 and the Secretary shall so inform the House.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

I would now...I would now move that the House nonconcur in Amendment 3. I think I have to make that motion affirmatively that we nonconcur in Amendment No. 3.

PRESIDING OFFICER: (SENATOR SAVICKAS)

And Senator Marovitz has moved that the Senate nonconcur in House Amendment No. 3 to Senate Bill 1353. All those in favor indicate by saying Aye. Those opposed. The Ayes have it. The motion carries and the Secretary shall so inform the House. Senate Bill 1355, Senator Carroll. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 1355 with House Amendment No. 2.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. The House corrected the language in the Juvenile Act as to the mandatory five-year probation in the case of a Class X to a juvenile that even if the juvenile were to become of age of majority that the five-year minimum would still apply beyond the age of majority. As it left the Senate there was some confusion as to whether at age of majority they would lose jurisdiction. The House put in clarifying language to say that that will apply for five years or longer without regard to the age. And I would move we do concur in the House amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall the Senate concur in House Amendment No. 2 to Senate Bill 1355. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 59, the Nays are none, none voting Present. The Senate does concur in House Amendment No. 2 to Senate Bill 1355 and the bill having received the constitutional majority is declared passed. Senator Hall, for what purpose do you arise?

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I just ask for clarification. My understanding is that while we're...Senator Maitland and Senator Etheredge and Senator Carroll and Senator Hall are up there working on these budgets, if we're going to be verified off or on, don't we have an agreement on that? It always has been. We have to rush down...it's hard to get these elevators...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Well, Senator, I...I would say that's great, give us the list of the bills you want to vote Yes and No on and we'll ask the members for concurrence with that. Otherwise, we'll move to Senate Bill 1356, Senator Dunn. Read the bill, Mr. Secretary.

SECRETARY:

House Amendment No. 1 to Senate Bill 1356.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Dunn.

SENATOR TOM DUNN:

Thank you, Mr. President. 1356 changes the term from voluntary manslaughter to second degree and conforms with the Statute. It's technical in nature. I move for its adoption...concurrence.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Hawkinson.

SENATOR HAWKINSON:

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

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR HAWKINSON:

Is the original bill still in...intact, Senator?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Dunn. Indicates it is. Is there discussion? Further discussion? If not, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 1356. 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. The Senate does concur in...House Amendment No. 1 to Senate Bill 1356...and the bill having received the required constitutional majority is declared passed. Senate Bill 1377, Senator Marovitz. Read the bill, Mr. Secretary.

SECRETARY:

House Amendments 1 and 2 to Senate Bill 1377.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Take it out of the record. Senate Bill 1381, Senator Jacobs. Read the bill,...Madam Secretary.

SECRETARY:

House Amendment No. 1 to Senate Bill 1381.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President. House Amendment 1 to Senate Bill 1381 just adds persons who represent themselves as peace officers of foreign jurisdictions to the bill. I don't know of any opposition. Ask for its concurrence.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 1381. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Demuzio, will you vote me? Come on, Demuzio. Take the record. On that question, the Ayes are 59, the Nays are none, none voting Present. The Senate does concur in House Amendment No. 1 to Senate Bill 1381 and the bill having received the constitutional majority is declared passed. Senate Bill 1384, Senator Dunn. Read the bill, Madam Secretary.

SECRETARY:

House Amendment No. 1 to Senate Bill 1384.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Dunn.

SENATOR TOM DUNN:

Thank you, Mr. President. This is a technical change as well and maintains the twelve thousand limitation for a township plan commission.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator...is there discussion? If not, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 1384. 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. The Senate does concur in House Amendment No. 1 to Senate Bill 1384 and the bill having received the constitutional majority is declared passed. Senate Bill 1387, Senator Hall. Read the bill, Madam Secretary.

SECRETARY:

House Amendment No. 1 to Senate Bill 1387.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I move to concur with Amendment No. 1. It specifically...this amendment leaves the bill provision and intent intact as passed by the Senate. The House amendment really makes no substantial change, so the need for this amendment is questionable, but with or without this amendment, the bill clearly requires a front-door...referendum. I move for the adoption of this amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 1387. 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 50, the Nays are 6, none voting Present. The Senate does concur in House Amendment No. 1 to Senate Bill 1387 and the bill having received the required constitutional majority is declared passed. Senate Bill 1407, Senator Zito. Read the bill, Madam Secretary.

SECRETARY:

House Amendments 1, 2 and 4...4 and 5 to Senate Bill 1407.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Zito.

SENATOR ZITO:

Yes, thank you, Mr. President and members. I would move to concur in Amendment No. 1, 2 and 5 and nonconcur in 4. Amendment No. 1 removes the marijuana provision regarding cannabis trafficking. Amendment No. 2 deletes the word "look alike" and substitutes "controlled and counterfeit." And Amendment No. 5 is technical and clarifying which is in an attempt to ensure the proper interpretation once the bill becomes law. And I would move to concur in those amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Barkhausen.

SENATOR BARKHAUSEN:

Will the sponsor yield?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Indicates he will.

SENATOR BARKHAUSEN:

Senator Zito, it's a little unclear to me what...what we're doing here. My analysis, which is very cryptic, simply indicates that we're...we're deleting certain provisions that were in the bill...thereby, I...assume we're making this proposal somewhat less punitive, and I wondered if you could briefly explain what the bill would do as you're recommending its passage as compared to what the original bill did?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Zito.

SENATOR ZITO:

Yes, Senator, we...we are in an attempt here to address only controlled substances rather than some of the other things that were in the bill originally.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Barkhausen.

SENATOR BARKHAUSEN:

I understand you're...you say you're limiting it to controlled substances and what, deleting reference to...to cannabis?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Zito.

SENATOR ZITO:

That's correct.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Barkhausen.

SENATOR BARKHAUSEN:

...do you know why the...the House through its amendment

was...wishing to delete application of this proposal to cannabis and having it only apply to controlled substances?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Zito.

SENATOR ZITO:

Well, Senator, I don't mean to sound...to say that cannabis is not a serious...problem or a serious drug but it was the House feelings that they would address some of the more serious narcotics and controlled substances.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Barkhausen.

SENATOR BARKHAUSEN:

My understanding though was that the provisions dealing with bringing cannabis into the state applied only to amounts of more than five hundred grams which is...which is obviously a very significant amount. I...I can't see why we wouldn't want to have this apply equally to large amounts of cannabis as well as to substantial amounts of controlled substances.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Was that a statement or a question, Senator?

SENATOR BARKHAUSEN:

I...I'm wondering if, in fact, the cannabis provisions that we're deleting were...were amounts of over five hundred grams?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Zito.

SENATOR ZITO:

Yes.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Barkhausen.

SENATOR BARKHAUSEN:

...Mr. President, to the bill. I...I think it's clear to me, finally I guess, by now that...that what we're doing here is to limit the application of this proposal which is to make

a...nonprobationable offense and therefore a mandatory term apply to...importation of large amounts of controlled substances. But what the House has done is to delete the provisions of the bill which had been refined by a Senate amendment that would have similarly made this criminal offense apply to the importation of over five hundred grams of cannabis, so that by going along with this amendment we are apparently saying that it...the...our criminal penalties are adequate...wherein we're talking about large amounts of cannabis but need to be toughened solely with regard to controlled substances. So what I...I would suggest is...is a Present vote on this because the bill as it...it applies to controlled substances is good but we, in the Senate, ought to make clear our feeling that the...the bill ought also to apply to over five hundred grams of cannabis.

PRESIDING OFFICER: (SENATOR SAVICKAS)

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

SENATOR ZITO:

Well, Senator Barkhausen, I am not delighted at the fact that the cannabis provisions have been stricken but I would be more than happy to join with you in introducing legislation next year. Our position on...on this Senate Bill 1407 is to address controlled substances and if, in fact, we can address some of the more serious ones and come back and you and I can work on some cannabis; but your statements of...of voting Present simply because it does not include now anymore of the cannabis trafficking provisions, I think are erroneous and you're misleading this Body. I think Senate Bill 1407 will still address some of the serious...controlled substances in this state in regards to trafficking and would strongly...move and ask that the Senate concur.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall the Senate concur in House Amend-

ments No. 1, 2 and 5 to Senate Bill 1407. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 37, the Nays are none, and 21 voting Present. The Senate does concur in House Amendments No. 1, 2 and 5. Now Senator Zito moves to nonconcur in House Amendment No. 4 to Senate Bill 1407. All those in favor indicate by saying Aye. Those opposed. The Ayes have it. The motion carries and the Secretary shall so inform the House. Senate Bill 1412, Senator Severns. Read the bill, Madam Secretary.

SECRETARY:

House Amendment 1...to Senate Bill 1412.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Severns.

SENATOR SEVERNS:

Thank you, Mr. President, members of the Senate. House Amendment 1 to Senate Bill 1412 removes the proposed increase in the minimum sentence for murder. It reduces the proposed increase in the...for the maximum sentence for murder without aggravating factors to sixty years. The bill in its original forms initially suggested a maximum of eighty years. I would move for its concurrence.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall the Senate...Senator Hawkinson.

SENATOR HAWKINSON:

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

PRESIDING OFFICER: (SENATOR SAVICKAS)

She indicates she will.

SENATOR HAWKINSON:

I'm sorry, Senator, but I was having a...another conversation on another bill and I didn't...didn't hear your explanation. Would you please repeat it for me?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Severns.

SENATOR SEVERNS:

The...the minimum sentence remains the same as the original language. The maximum sentence for murder without aggravating factors decreases from the original language of eighty years to sixty years.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hawkinson.

SENATOR HAWKINSON:

Why would you want to concur in...in reducing our original bill from twenty-five to twenty which is really the guts of the original bill?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Severns.

SENATOR SEVERNS:

I...obviously, I like the bill better in its original form. The House sponsor asked if we would do this to get it out of the House. I would be happy to join with you next year to increase it again to eighty years.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 1412. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 31, the Nays are 24, 4 voting Present. The Senate does concur in House Amendment No. 1 to Senate Bill 1412 and the bill having received the constitutional majority is declared passed. House Bill 1415, Senator Keats...or Senate Bill 1415. Senate Bill 1421, Senator Rigney. Read the bill, Madam Secretary.

SECRETARY:

House Amendment No. 1 to Senate Bill 1421.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rigney.

SENATOR RIGNEY:

Mr. President, 1421 is the bed and breakfast bill. When it went over to the House there were no changes made whatsoever in the legislation that we sent over. What they did was to add on a DCCA initiative to provide matching grants to counties, municipalities or local promotion groups that want to develop tourism, also loans to be made to for-profit businesses for the same purposes. Such loans will be limited to forty thousand dollars and they're not to exceed fifty percent of the total amount of the development of the tourist attraction. And it further establishes a revolving loan fund where you would deposit the monies when they are returned.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Demuzio.

END OF REEL

REEL #6

SENATOR DEMUZIO:

Senator Rigney, where's all this money coming from?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rigney.

SENATOR RIGNEY:

As of right now, I'm not sure if there has been an appropriation made for this purpose or not. I understand that perhaps in the initial year maybe there would not be an appropriation, that it might be funded at a later date, but at least we would like to get the substantive legislation on the books.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. I don't like to get up and speak in opposition and apparently there's not going to be an appropriation to this, but one of the things that could happen, I think that the agencies are allowed to...transfer money between line items up to a certain percent and, therefore, by creating this inadvertently could make an appropriation if, in fact, DCCA wanted to transfer some money into the fund. My suggestion is, since we have passed a resolution here, I think, to have this agency looked at and to see if, in fact, the programs that are existing are doing their job, we should hold up until maybe next year to find out if we couldn't eliminate some other programs then maybe have a better look at this. It's just a suggestion that I would hope that we'd just not concur in this and wait till next year.

PRESIDING OFFICER: (SENATOR SAVICKAS)

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

SENATOR RIGNEY:

Well, I still would like to put this issue up for an up or down vote. I think the initiative is a good one. If we believe in economic development in other areas dealing with factories and projects of that kind, I think one of the good initiatives that we could have is also a similar fund for tourism. To me, that makes a lot of sense. I think we ought to put it on the books as it's presented to us.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 1421. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 46, the Nays are 4, 1 voting Present. The Senate does concur in House Amendment No. 1 to Senate Bill 1421 and the bill having received the constitutional majority is declared passed. Senate Bill 1426, Senator Welch. Read the bill, Madam Secretary.

SECRETARY:

House Amendment No. 1 to Senate Bill 1426.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. What this amendment in the House does is, in effect...flush out a vehicle that we sent over there. This will create the Underground Storage Tank Regulation Act. The amendment itself has been agreed to by the EPA, the State Fire Marshal, the petroleum industry and the environmental groups. What the bill specifically does is authorize the Illinois Environmental Protection Agency to notify underground tank owners, this is not just underground

gasoline tank but all tank owners, that...there is a release or a threatened release of petroleum giving the owner a opportunity to respond. If he does not, the Illinois Environmental Protection Agency is authorized to carry out the clean-up action. Secondly, it requires the Pollution Control Board to adopt underground storage tank rules in the form identical to Federal rules. Third, it creates the Underground Storage Tank Fund to respond to a release of petroleum from underground tanks and authorizes the State Fire Marshal to respond to emergency releases from underground tanks. It limits the liability of a tank owner for actions up to one hundred thousand and over a million dollars if the owner has done the following, registered his tank with the State Fire Marshal and...paid his annual fee in accordance with the State Fire Marshal regulations. So, in effect, the liability for a tank owner would be they would pay the first hundred thousand dollars, an insurance policy would cover the next nine hundred thousand and after a million dollars, it would be either their responsibility or a Federal intervention fund. The...the Act also requires owners of underground storage tanks...containing petroleum or hazardous substances to register them with the State Fire Marshal by December 31 of 1987. Those that are already registered with the State Fire Marshal are grandfathered in. Further, it requires the owners to pay a registration fee of five hundred dollars a tank to be deposited in the Underground Storage Tanks Fund who did not register their tanks by the May 1, 1986 Federal deadline. Beginning in January of 1988 and until December 31st, 1981, tank owners must pay an annual fee of one hundred dollars per tank to be deposited in the Underground Storage Tank Fund. Those tank owners who have not met these requirements are liable for up to three times the cost of any...corrective action paid for from this fund. Cost recovery actions will be brought before the Pollution Control

Board. I'd be glad to try to answer any questions on this bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Michael Flannery from WBBM-TV has requested permission to record on videotape. Is leave granted? Hearing no objection, leave is granted. Is there discussion on 1426? Senator Schuneman.

SENATOR SCHUNEMAN:

Well, some...some questions of the sponsor, Mr. President.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will yield.

SENATOR SCHUNEMAN:

Senator, this is my first recognition that...that this issue is here. Was this issue heard in any Senate committee?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

...yes, sir, we had a special hearing of the Senate Energy and Environment Committee set just to hear this particular piece of legislation as well as other ground water legislation.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman.

SENATOR SCHUNEMAN:

And I'm...I'm particularly talking about the...the House Amendment No. 1...what was the vote of...of the committee on that issue? Did you pass out this...this issue?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

Senator, when we passed out the underground tank bill, I put an amendment on there to send it over. That was the basis for negotiations. When it went over to the House, this

amendment was put on, I believe on the Floor, after consultation and extensive negotiations with all of the parties who appeared at all of the hearings. So, although there wasn't a committee vote specifically on this amendment, it passed unanimously out of the House. All the interested parties had signed off on this.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman.

SENATOR SCHUNEMAN:

Just one more concern. I think of the small petroleum jobbers and filling station owners and so on in my district. How...how are they going to be affected by this bill?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

Most of those small gas station owners have paid their fee and registered by May 1, 1986. Those who haven't will be subject to the fee. Initially, it'll be a fee of five hundred dollars per tank and after January 1st, everyone will pay an annual fee of one hundred dollars a tank. I might point out that those little guys are the ones who are probably doing most of the pollution.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Further discussion? Senator Macdonald.

SENATOR MACDONALD:

Thank you, Mr. President. I rise to agree with Senator Welch. This particular bill has been worked out and a great deal of input has gone into it by business and industry and it is now an agreed upon bill and...it...it's a good bill, and I would urge your concurrence on this particular piece of legislation.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, the question is, shall the Senate concur with House Amendment No. 1 to Senate

Bill 1426. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record.

On that question, the Ayes are 47, the Nays are 6, 2 voting Present. The Senate does concur in House Amendment No. 1 to Senate Bill 1426 and the bill having received the required constitutional majority is declared passed. Senate Bill 1453, Senator Geo-Karis. Read the bill, Madam Secretary.

SECRETARY:

House Amendment No. 1 to Senate Bill 1453.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, the amendment in the House makes the changes proposed by the members of the Governor's Jail and Detention Standards Review Committee...the proposed change would allow a county to double cell detainees without specific reference of square footage per detainee's house and cell or detention rooms. This...use of dormitory style housing...county facility and protects against overcrowding and, finally, revisions made with regard to classifications, separation and segregation in order to allow more flexibility in the placement of...inmates and I...I move to concur.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 1453. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. The Senate does concur in House Amendment No. 1 to Senate Bill 1453 and the bill having received the required constitutional majority is declared passed. Senate Bill

SB 1463
Concurrence

1454, Senator Philip. Senate Bill 1463, Senator Berman.
Read the bill, Madam Secretary.

SECRETARY:

House Amendment No. 9 to Senate Bill 1463.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. I move to concur in House Amendment No. 9 to Senate Bill 1463. The only substantive change in here is the deletion of a legislative intension...legislative declaration clause that we had in this bill when it passed out of the Senate. Move the...concurrence in House Amendment No. 9.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Hawkinson.

SENATOR HAWKINSON:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will.

SENATOR HAWKINSON:

Senator, do you know what the original rationale for requiring that one of the ten nonvoting members be a state's attorney was?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR BERMAN:

...apparently it was only for purposes of local prosecutorial efficiency. That's still in there, it has not been changed.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, the question is, shall the Senate concur in House Amendment No. 9 to Senate Bill 1463. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all

SB 1482
Concurrence

voted who wish? Take the record. On that question, the Ayes are 57, the Nays...58, the Nays are none, none voting Present. The Senate does concur in House Amendment No. 9 to Senate Bill 1463 and the bill having received the constitutional majority is declared passed. House Bill 1482, Senator Welch. Read the bill, Madam Secretary.

SECRETARY:

Amendments...House Amendments 1 and 2 to Senate Bill 1482.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. I would move to concur with House...House Amendments...concur with House Amendment 1 and 2. What House Amendment 2 does, first of all, is delete Amendment No. 1. House Amendment No. 2 further creates the Illinois Ground water Protection Act. This is a...has been subject of negotiations. As many of you recall, we passed out 1482 after putting an amendment that I proposed on it, we put on Senator Etheredge's amendment. Neither one is on this bill at this time. This is an agreed upon amendment that was agreed upon in the House, placed on there after negotiating with all of the parties involved and it returns to us for concurrence. What the bill will now do is establish the policy of the state to restore, protect and enhance ground waters of the state as a natural and public resource. After January 1 of 1988, it prohibits the location of any noncommunity, semiprivate or private well within two hundred feet of any existing source or route with certain exceptions. It provides an assurance of water supply for wells that may become contaminated by a source or route after the passage of the Act, establishes the Public Health Water Permit Fund for the deposit of fees collected by the Department of Public Health, establishes minimum setback zones for the location of

new community water well supplies as follows. Prohibits the location of any new community water well supply well within two hundred feet of any primary or secondary source or route. It prohibits locating any new community water supply well deriving water from certain vulnerable geological formations within four hundred feet of any potential, primary or secondary source or any route. It establishes minimum setback zones for the location of new...

PRESIDING OFFICER: (SENATOR SAVICKAS)

This is very important to Senator Welch. Would you please pay attention.

SENATOR WELCH:

Thank you, Mr. President. It's important to quite a few people as well as Senator Welch, I might add. Prohibits the location of any new potential route or potential primary or secondary source within two hundred feet of any existing community water supply well or other portable water supply well. Waivers maybe granted for other wells and authorize the PCB to grant exceptions for unreasonable hardship cases. Also sets a maximum setback zone for a community water supply wells. The new Act goes on to create an Interagency Coordinating Committee on Ground Water composed of various state agencies with responsibilities in this subject, creates a Ground water Advisory Council with nine public members appointed by the Governor. It directs E and R to develop and conduct an education program for ground water protection and does several other items. I would move to concur in House Amendments 1 and 2.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Macdonald.

SENATOR MACDONALD:

Thank you, Mr. President. In order to establish legislative intent, it is necessary for us to ask some questions and have Senator Welch read into the record the intent of the

legislation. So, with the patience of the Body, I will ask a few questions of the sponsor. First, Senator Welch, in Section 8 of the Ground Water Protection Act, there is a provision dealing with application of a nondegradation...principle. Will this provision allow for discharges into ground water?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

Yes, this concept of...nondegradation must be considered along with water use. Certainly, we would expect that in drinking water aquifers, water would not be degraded below drinking water standards or treatability levels. In other use aquifers, nondegradation would be based on the use of the water. By the same token where the existing quality of ground waters is better than drinking water standards or treatability levels, we would expect such waters to be considered for protection accordingly. Such protection can include the establishment of standards to prevent the existing quality of such ground waters from being degraded.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Macdonald.

SENATOR MACDONALD:

Yes, the next question is, the Pollution Control Board will adopt ground water standards, not drinking water standards. What is the reason for this distinction?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

Drinking water standards will be very protective. In some cases, drinking water standards apply at the aquifers, in others after treatment at the point of use. Ground water standards, on the other hand, may be less restrictive based on the water use or potential use or treatability. Ground

water standards may also be more stringent than drinking water standards in such instances where existing water quality is better than such drinking water standards.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Macdonald.

SENATOR MACDONALD:

Yes, it is my understanding...it is that coal mine operations such as any open cuts, underground works or burrow pits are exempt. Also, coal wastes are not included in the EPA definition of waste and are, therefore, exempt from the technical standards of Section 14.4 of the Act. Is this correct?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

Yes, we agreed to exempt coal mining from the Act because they are adequately covered under the Surface Mine Act; however, the Interagency Coordinating Committee on Ground Water is expected to carefully consider, review and evaluate state laws, regulations and procedures that relate to ground water protection.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Macdonald.

SENATOR MACDONALD:

The board is required to adopt appropriate regulations by a certain time. Am I correct that the intent is for the board to hold hearings, gather evidence and adopt regulations if the record so warrants and not adopt regulations if the evidence so indicates?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

That is correct. It should be clear that the intent is to determine not only what regulations are necessary but if

regulations are needed. This intent only relates to new Section 14.4A and B of the Environmental Protection Act.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Macdonald.

SENATOR MACDONALD:

Last point, Senator Welch, is that Section 6B of the Act deals with providing alternate water supplies if someone's well is contaminated. This is an excellent provision intended to protect public health. This decision is based on the applicable ground water standards. Am I right that for the purposes of Section 6B, applicable standards means drinking water standards?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

Yes, ground water standards might be different than drinking water standards, but drinking water standards are intended to protect public health and should prevail under Section...6B. If, however, applicable ground water standards which are necessary to ensure the potability of ground water are more stringent than drinking water standards, such ground water standards should prevail.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Macdonald.

SENATOR MACDONALD:

Those are all the questions we have and at this particular point, I would like to make a personal observation and say that this has been a most difficult piece of legislation to get through and I want to compliment the Governor's Office, Senator Welch, Senator Etheredge and all those who have worked so very hard...the staff and all people who have worked so very hard on this piece of legislation and I would like to be added as a chief cosponsor of this piece of legislation. I believe in the absence of Senator Etheredge...I

believe he also has asked to be added on as a chief cosponsor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

You've heard the motion. Any objection? Hearing none, leave is granted. Senator Woodyard.

SENATOR WOODYARD:

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

PRESIDING OFFICER: (SENATOR SAVICKAS)

...he indicates he will...which one.

SENATOR WOODYARD:

Yeah,...which one. Senator, I certainly am no expert in this kind of field, but does this affect also...well, let me get to an example. If I wanted to put down a new water well on my farm, does this bill affect that? Do I have to get a two hundred and fifty dollar permit and permission from these various agencies before I can drill a water well?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

Senator, private water supplies are not...regulated except to the extent you have to stay seventy-five feet away from the aquifer.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman.

SENATOR SCHUNEMAN:

Well, I wonder if the sponsor could repeat what he just said. I didn't hear the last couple of words.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

Private water wells are not regulated except to the extent that you have to stay at least seventy-five feet away from an aquifer for a private well.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman.

SENATOR SCHUNEMAN:

Then...then are you saying by this that any...that any commercial well...or that...that is a well being put down for a commercial enterprise is regulated by this?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

Yes, they are regulated.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman.

SENATOR SCHUNEMAN:

In...in my part of the country, there are a lot of shallow wells in the...in the Rock River basin, and...and I assume that they would be regulated by these provisions then and...and...and any commercial enterprise wanting to put down a...a...a sand point then would have to come to some state agency and get a permit and...and pay the fee. Is...is that basically what will happen?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

That is correct.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman.

SENATOR SCHUNEMAN:

And what's the rationale for that?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

Well, the rationale, Senator, is that it's very difficult to...treat ground water after it's contaminated in the ground. In order to build a well after January 1 of 1988,

you have to get a hardship permit from the state or be more than two hundred feet away from any existing source of water or a route of water. The rationale is to try to make sure that we have clean drinking water in the State of Illinois.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman.

SENATOR SCHUNEMAN:

Well, certainly we all support that...that worthwhile goal. I guess the question...we have to decide is whether we want to impose...what may be some rather stringent standards. In...in my part of the country, there have never been any suggestion that our ground water is anything but pure. Now, in some parts of the state they've had problems with it and I can understand why they might want to take some actions there, but I don't...I...I can't conceive that...that there's much need for this in...in the part of the state where I live.

PRESIDING OFFICER: (SENATOR SAVICKAS)

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

SENATOR WELCH:

Well, Senator, I don't think that we should wait till somebody poisons your water before we do something and that's the whole point of this bill. The Chamber of Commerce and the Manufacturer's Association found nothing wrong with this particular legislation, so I'm, you know, surprised that you're...expressing reluctance, but the whole purpose here is to make sure that we act before ground water becomes so bad that we can't do anything about it. For once in our lives we're doing something before the problem occurs. We're trying to prevent the water from being contaminated. Nearly every county in the state has a reliance upon ground water, in particular, the northern part of the State of Illinois. We want to make sure that people continue to have clean

ground water and that's why we came up with this proposal. I would urge support for this motion to concur.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall the Senate concur in House Amendments No. 1 and 2 to Senate Bill 1482. 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 52, the Nays are 1, 1 voting Present. The Senate does concur in House Amendments 1 and 2 to Senate Bill 1482 and the bill having received the constitutional majority is declared passed. For what purpose Senator Geo-Karis arise?

SENATOR GEO-KARIS:

Well, I guess I must have a malfunction because I pushed my switch down for Yes and I want to be recorded as voting Yes on this super bill, and I'm madder than the dickens that I wasn't voted...wasn't their fault 'cause something went wrong with this darn thing.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator, the record will show...so show that you would have voted had you been here. Senate Bill...Senate Bill 1487, Senator Barkhausen. Read the bill, Madam Secretary.

SECRETARY:

House Amendment No. 1 to Senate Bill 1487.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, I move that we concur with House Amendment No. 1 to Senate Bill 1487. The original bill somewhat expands the power of the Department of Insurance to conduct investigations and to...to...it further deletes the restrictions and prohibitions on actions of employees of the department in obtaining material that is important in their investigations. The House amendment

incorporates the provisions of House Bill 1717 and provides that insurance companies may not deny or refuse to renew automobile insurance to a person based on a physical handicap where that physical handicap does not in any way disable the person from safely operating a motor vehicle, and...and I would ask for concurrence in House Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 1487. 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, none voting Present. The House...Senate does concur in House Amendment No. 1 to Senate Bill 1487 and the bill having received the constitutional majority is declared passed. Senate Bill 1488, Senator Schaffer. Read the bill, Madam Secretary.

SECRETARY:

House Amendment No. 1 to Senate Bill 1488.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schaffer.

SENATOR SCHAFFER:

The House amendment makes only technical changes at the request of the Department of Children and Family Services.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 1488. 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, none, voting Present. The Senate does concur in House Amendment No. 1 to Senate Bill 1488 and those...and the bill having received the required constitutional majority is declared passed. Senate Bill 1496, Senator

Demuzio. Read the bill, Madam Secretary.

SECRETARY:

House Amendments 1 and 2 to Senate Bill 1496.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Amendment...House Amendment No. 1 redefines the crime of calculated criminal disposal of hazardous waste and deletes the substantial risk requirement. The language was suggested by the prosecutors that were concerned about this intent. And Amendment No. 2...House Amendment No. 2 provides that calculated criminal disposal of hazardous waste includes when a person knowingly places another in danger of great...of great which is now...the language of now serious bodily harm. I know of no opposition to House Amendments 1 or 2 and move...would move for concurrence of both amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall the Senate concur in House Amendments No. 1 and 2 to Senate Bill 1496. 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, none voting Present. The Senate does concur in House Amendments No. 1 and 2 to Senate Bill 1496 and the bill having received the required constitutional majority is declared passed. Senate Bill 1497, Senator Demuzio. Read the bill, Madam Secretary.

SECRETARY:

House Amendment No. 1 to Senate Bill 1497.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senate...Senator Demuzio.

SENATOR DEMUZIO:

Well, thank you, Mr. President. There is some discussion with respect to House Amendment 1 that is taking place between the industry, the Farm Bureau and the State's Attorneys Office of the County of Cook and we have just discussed the possibility of simply nonconcurring with House Amendment No. 1 and seeing if we cannot resolve the...the issue to everyone's satisfaction; therefore, I would move to nonconcur with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio moves to nonconcur in House Amendment No. 1 to Senate Bill 1497. All those in favor indicate by saying Aye. Those opposed. The Ayes have it. The motion carries and the Secretary shall so inform the House. Senate Bill 1502, Senator Schaffer. Read the bill, Madam Secretary.

SECRETARY:

House Amendment No. 1 to Senate Bill 1502.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schaffer.

SENATOR SCHAFFER:

Mr...Mr. President and members of the Senate, this was the bill that did...that dealt with licensing nuclear plants to get a fee for the cost incurred by the state to implement our various monitoring and safety programs. A somewhat complicated amendment has been worked out, the gist of which is that the...the fee of...four hundred thousand dollars would remain in place till 1992 at which point the amount of money would be reevaluated...at that point, the monitoring equipment should be purchased and in place. There's also a rather interesting provision that...in effect says that if the department doesn't spend the fees over a certain amount that they would be returned to the people in a pro rata fashion. It's a compromise that, it is my understanding, the industry and the department's can live with, obviously, drawn up by a bunch of lawyers.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall the Senate concur with House Amendment 1 to Senate Bill 1502. 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. The Senate does concur with House Amendment 1 to Senate Bill 1502 and the bill having received the required constitutional majority is declared passed. 1506, Madam Secretary.

SECRETARY:

House Amendments 1 and 3 to Senate Bill 1506.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Alexander.

SENATOR ALEXANDER:

Thank...thank you, Mr. President. I rise to nonconcur in Senate Bill 1506. The House sponsor has made a commitment to some persons who...had a interest in this bill to send it to a Conference Committee in order to work out some problems that they felt this bill still had. So, I'm moving to nonconcur in House Bill 1506, Amendments 3...I mean...yes, Amendments 1 and 3.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Alexander, you're moving to nonconcur? Senator Alexander has moved to nonconcur with House Amendments 1 and 3 to Senate Bill 1506. Those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. Motion carries and the Secretary shall so inform the House. Senate Bill 1513, Madam Secretary.

SECRETARY:

House Amendments 1 and 2 to Senate Bill 1513.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. Amendment No. 1 allows beneficiaries to file actions against a trustee within five years of the final accounting or in the time period allowed by Section 13215 of the Code of Civil Procedure, which provides for actions within five years of the discovery of the fraudulent concealment. This has been worked out and originally the Statute provided for a two-year Statute of...Limitations and now we upped it to five years. Senator Geo-Karis is nodding and I think with her approval we'll pass Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEHUZIO)

Discussion?

SENATOR D'ARCO:

There's also another...Amendment No. 2. Amendment No. 2 provides that if the estate had been terminated and the assets distributed ten years prior to the Act, the final accounting shall be binding unless action is brought within two years of the Act or if the trustee is guilty of fraudulent concealment, in which case the action maybe brought five years of the discovery of the fraudulent concealment, and I ask that we accept...and we concur in Amendment 1 and 2 to House...Senate Bill 1513.

PRESIDING OFFICER: (SENATOR DEHUZIO)

Discussion? If not, the question is, shall the...Senate concur with House Amendments 1 and 2 to Senate Bill 1513. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. The Senate does concur with House Amendments 1 and 2 to Senate Bill 1513 and the bill having received the required constitutional majority is declared passed. Now, there's been some requests for members to go back and pick up bills that were passed over. Senator Vadalabene has a request also. So,

let's make another run right through here. I think we can do it rather quickly and we'll...Senator Barkhausen, for what purpose do you arise?

SENATOR BARKHAUSEN:

Mr. President, with...with leave of the Body, I would ask that my name be removed as the chief sponsor of House Bill 2827 and Senator Philip's name substituted in my place.

PRESIDING OFFICER: (SENATOR DEWUZIO)

All right, you've heard the request of Senator Barkhausen to be removed as a...cosponsor of House Bill 2827 and Senator Philip be added in his...place...leave granted? Leave is granted. It's so ordered. All right, let's go back to the Order...Senator Netsch, for what purpose do you arise?

SENATOR NETSCH:

Thank you, Mr. President. While we're doing that, I have another one of those. On House Bill 1167, with Senator Luft's permission, I would substitute myself as the principal...Senate sponsor of House Bill 1167 in lieu of Senator Luft.

PRESIDING OFFICER: (SENATOR DEWUZIO)

All right, Senator Netsch has made a request to be a...asking leave to substitute her name...and...and...and remove Senator Luft as the principal sponsor of House Bill 1167. Is leave granted? Leave is granted. It's so ordered...I...I know I have some numbers on concurrence. Senator Vadalabene...Senator Vadalabene has requested that we return to the Order of Secretary's Desk Concurrence, 291...291 which is on page 10. Page 10, Senate Bill 291, Madam Secretary.

SECRETARY:

House Amendment No. 1 to Senate Bill 291.

PRESIDING OFFICER: (SENATOR DEWUZIO)

Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. Amendment No. 1 to Senate Bill 291 is of a technical nature and I move to concur with House Amendment No. 1 to Senate Bill 291.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall the Senate concur with House Amendment 1 to Senate Bill 291. Those in favor will indicate...those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. The Senate does concur with House Amendment 1 to Senate Bill 291 and the bill having received the required constitutional majority is declared passed. All right,...359, which is also on page 10. Senate Bill 359, Madam Secretary.

SECRETARY:

House Amendment 1 to Senate Bill 359.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate...Amendment No. 1 to...to Senate Bill 359 is of a technical nature also, and I move to concur with Amendment No. 1 to Senate Bill 359.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Savickas. All right. Question is, does the Senate concur...shall the Senate concur with House Amendment 1 to Senate Bill...Senator Geo-Karis.

SENATOR GEO-KARIS:

I'm trying to get the attention of...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Pardon?

SENATOR GEO-KARIS:

...of our President. Mr. President, could you tell...could the speaker...could the sponsor just yield for one question?

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Yes, he will. Senator Geo-Karis.

SENATOR GEO-KARIS:

Is there a front-door...referendum with a...tax increase on this bill?

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Vadalabene.

SENATOR VADALABENE:

Yes, this is technical and is a front-door referendum.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Fawell.

SENATOR FAWELL:

Thank you, very much. As...as the minority spokesman, we have looked over this bill pretty carefully and...and it's in good shape and I would solicit an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Question is, shall the Senate concur with House Amendment No. 1 to Senate Bill 359. Those in favor will indicate by...those in...those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are 4, 1 voting Present. The Senate does concur with House Amendment 1 to Senate Bill 359 and the bill having received the required constitutional majority is declared passed. All right, 360, on that same page. Senate Bill 360, Madam Secretary.

SECRETARY:

House Amendment No. 1 to Senate Bill 360.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. I would move that the Senate concur in House Amendment No. 1 to Senate Bill 360. It...changes the effective date...an immediate effective date to January 1, 1988.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Luft...all right, the question is, shall the Senate concur with House Amendment 1 to Senate Bill 360. 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 46, the Nays are 8, 1 voting Present. The Senate does concur with House Amendment 1 to Senate Bill 360 and the bill having received the required constitutional majority is declared passed. All right, 382 on that same page. Senate Bill 382.

SECRETARY:

House Amendment No. 2 to Senate bill 382.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. House Amendment No. 2 to Senate Bill 382 permits the chief of police of a department in a municipality of more than one hundred thousand...hundred thousand inhabitants without the advice and consent of the Board of Fire and Police Commissioners to appoint up to six officers who shall be known as deputy chiefs or assistant deputy chiefs and whose rank shall be immediately below that of chief. The deputy or assistant deputy...but no person who is not such a person or official may be so appointed. As I have been told by Representative Giorgi, the reason for this is that they...in the event of special events, parades or in need of emergency matters, these special assignments would be necessary and I move to

concur with this amendment.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

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

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Indicates he will yield. Senator Geo-Karis.

SENATOR GEO-KARIS:

I see that's Amendment 2 of which you were speaking, Senator. What is your Amendment 1, because I don't seem to have it?

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Vadalabene.

SENATOR VADALABENE:

Yes, I'm...asked the same question a while ago. I don't recall an Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

I guess it's just Amendment 2...Amendment 1 must have been withdrawn.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Question is, shall the Senate concur with House Amendment 2 to Senate Bill 382. Those in favor will...will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, 1 voting Present. The Senate does...concur in House Amendment 2 to Senate Bill 382 and the bill having received the required constitutional majority is declared passed. 321, Senator Raica. 417, Senator Watson. Middle of page...top of page 11 is Senate Bill 417, Madam Secretary.

SECRETARY:

House Amendment No. 1 to Senate Bill 417.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. I move that the Senate concur with House Amendment No. 1 to Senate Bill 417. House Amendment No. 1 transfers among line items and increases various reappropriations pursuant to Public Act 83-1490 and 78-17 and adds two million two hundred and fifty thousand dollars for a CTA viaduct in Evanston. This is the reappropriation bill for the Department of Transportation. I move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? The question is, shall the Senate concur with House Amendment 1 to Senate Bill 417. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, 2 voting Present. Senate Bill 417 having received the required...I'm sorry...on that question, the Ayes are 55, the Nays are none, 2 voting Present. The Senate does concur with House Amendment 1 to Senate Bill 417 and the bill having received the required constitutional majority is declared passed. All right, 709, page...page 14...top of page 14 is Senate Bill 709, Madam Secretary.

SECRETARY:

House Amendment No. 1 to Senate Bill...709.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. Again, this is a...a technical amendment to Senate Bill 709, House Amendment No. 1. What this amendment does, it merely amends another section in removing obsolete reference to Fed-

*SB 749
Concurrence*

eral revenue sharing which has recently been eliminated, and I move for...and I concur to Amendment No. 1 to Senate Bill 709.

PRESIDENT:

Discussion? Any discussion? The question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 709. Those in favor will vote Aye. 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, there are 58 Ayes, no Nays, none voting Present. The Senate does concur with House Amendment No. 1 to Senate Bill 709 and the bill having received the required constitutional majority is declared passed. Middle of page 14, 749. On the Order of Secretary's Desk Concurrence is Senate Bill 749, Madam Secretary.

SECRETARY:

House Amendment No. 1 to Senate Bill 749.

PRESIDENT:

Senator Zito.

SENATOR ZITO:

Yes, thank you, Mr. President and members. Amendment No. 1 to Senate Bill 749 is indicative of hours of negotiations between the industry and consumer groups and that amendment is reflective of those negotiations and I would ask the Senate to concur.

PRESIDENT:

Discussion? Discussion? If not,...Senator Hawkinson.

SENATOR HAWKINSON:

Will the sponsor yield for a question?

PRESIDENT:

Indicates he'll yield, Senator Hawkinson.

SENATOR HAWKINSON:

Senator...Senator, does that mean that the...you said there have been hours of discussions. Is it an agreed amend-

ment between business groups and the others?

PRESIDENT:

Senator Zito.

SENATOR ZITO:

Yes, sir.

PRESIDENT:

Discussion? If not, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 749. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 52 Ayes, 1 Nay, 3 voting Present. The Senate does concur with House Amendment No. 1 to Senate Bill 749 and the bill having received the required constitutional majority is declared passed. Senator Kelly on 1328. Bottom of page 21, Madam Secretary. On the Order of Secretary's Desk Concurrence is Senate Bill 1328.

SECRETARY:

House Amendment No. 2 to Senate Bill 1328.

PRESIDENT:

Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President and members of the Senate. I had a question raised by Senator Hawkinson on Senate Bill 1328 relating to the twenty-four-hour notification from the State Police on a suspected abuse of a patient in a state operated facility. What this House Amendment No. 2 does, it requires the State Police to notify the Department of Mental Health and Developmental Disabilities that there is a...that there is a case under review and it...the last portion of the amendment allows them to continue their investigation past that twenty-four-hour period. The...this is final action. It...once again, I'll repeat, it does create the Office of Inspector General within the Department of Mental Health and

Developmental Disabilities. It's an agreed amendment and an agreed bill by the department and by the Citizens' Assembly, and I move for concurrence in House Amendment No. 2 to Senate Bill 1328.

PRESIDENT:

The gentleman has moved concurrence. Any discussion? If not, the question is, shall the Senate concur in House Amendment No. 2 to Senate Bill 1328. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 Ayes, no Nays, none voting Present. The Senate does concur with House Amendment No. 2 to Senate Bill 1328 and the bill having received the required constitutional majority is declared passed. All right, we've had a request. Page 10 on the Calendar. Page 10. Madam Secretary, on the Order of Secretary's Desk Concurrence is Senate Bill 3-2-1, 321.

SECRETARY:

House Amendments 1, 2 and 3 to Senate Bill 321.

PRESIDENT:

Senator Raica.

SENATOR RAICA:

Thank you, Mr. President. I move that the...we concur with House Amendments 1, 2 and 3.

PRESIDENT:

All right, Senator Raica has moved concurrence. Any discussion? If not, the question is, shall the Senate concur in House Amendments 1, 2 and 3 to Senate Bill 321. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. Senate does concur with House Amendments 1, 2 and 3 to Senate Bill 321 and the bill having received the required constitutional

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Concurrence

majority is declared passed. Middle...bottom of page 11, Senator Mahar requests that we go to the Order of Secretary's Desk Concurrence for Senate Bill 461. Madam Secretary.

SECRETARY:

House Amendment 1 to Senate Bill 461.

PRESIDENT:

Senator Mahar.

SENATOR MAHAR:

Thank you, Mr. President. I would move to concur with House Amendment No. 1 to Senate Bill 461. The bill as amended requires competitive bidding for counties for purchases over ten thousand dollars. It also requires that they consider the quality of goods when making their decision.

PRESIDENT:

Discussion? The gentleman has moved concurrence. Any discussion? If not, the question is...if not, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 461. 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, the Ayes are 59, the Nays are none, none voting Present. The Senate does concur with House Amendment No. 1 to Senate Bill 461 and the bill having received the required constitutional majority is declared passed. Bottom of page 14. Senator Rigney earlier sought leave to get back to Senate Bill 787. On the Order of Secretary's Desk Concurrence, the bottom of page 14, is Senate Bill 787, Madam Secretary.

SECRETARY:

House Amendment No. 1 to Senate Bill 787.

PRESIDENT:

Senator Rigney.

SENATOR RIGNEY:

Mr. President, Senate Bill 787 was the legislation that

allowed smaller counties under a hundred thousand to have their supervisor of assessment also serve as a county zoning officer. This would be counties under a hundred thousand and...the legislation...the amendment was put on over in the House, I think, just merely clarified to say that this would not be a conflict of interest to be holding both positions. I move for the adoption of the amendment.

PRESIDENT:

Discussion? Discussion? If not, the question is, shall the Senate concur House Amendment No. 1 to Senate Bill 787. 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, no Nays, none voting Present. The Senate does concur in House Amendment No. 1 to Senate Bill 787 and the bill having received the required constitutional majority is declared passed. Messages from the House, Madam Secretary. Ladies and gentlemen, for your information, we'll be passing out a Supplemental Calendar. I'd ask you to take a look at it. We are attempting to move the paper as expeditiously as possible between the two Houses so that we can, in fact, adjourn our business in this assembly at the close of business tomorrow. So, I'd ask you to take a look at the Supplemental Calendar. We will...after the Messages from the House are read, we will begin again on Secretary's Desk Nonconcurrency on the main Calendar for the purpose of receding or refusing to recede from amendments and then we'll move to the Supplemental Calendar. Madam Secretary, 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 concurred...has refused to concur with the Senate in the adoption of their amendment to

a bill of the following title, to-wit:

House Bill 1120 with Senate Amendment No. 1.
Nonconcurrent in by the House June 27, 1987.

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...refused to concur with the Senate in the adoption of their amendments to the following bills.

Senate Amendment No. 1 to House Bill 259.
Senate Amendment No. 1 to House Bill 989.
Senate Amendment No. 2 to House Bill 998.
Senate Amendments 1 and 2 to House Bill 1411.
Senate Amendments 1 and 2 to House Bill 1412.
Senate Amendment 1 and 2 to House Bill 1432.
Senate Amendment 1 to House Bill 1560.
Senate Amendment 1 to House Bill 1684.
Senate Amendment 1 to House Bill 2032.
Senate Amendment 1 to House Bill 2033.
Senate Amendment 1 to House Bill 2327.

Nonconcurrent in by the House June 28, 1987.

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

Mr. President - I am directed...directed to inform the Senate that the House of Representatives has refused to concur with the Senate in the adoption of their amendment to a bill of the following title, to-wit:

House Bill 1681 with House Amendment No. 1...Senate Amendment No. 1.

PRESIDENT:

Secretary's Desk. Committee reports.

SECRETARY:

Senator Lechowicz, chairman of the Committee on Executive Appointments, Veterans' Affairs and Administration reports House Joint Resolution 34 do adopt.

PRESIDENT:

If I can have the attention of the membership, we have a number of the Messages from the House which asks the Senate to accede to the House's request for a Conference Committee. Now we can either do those...Senator Philip and I can do it, or we'd ask the members to try to pick it up and do it if they wish to have a...if they wish to accede to the request of the House. Let's try it, Madam Secretary, read the Messages.

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 refused to recede from their Amendments 1 and 2 to a bill of the following title, to-wit:

Senate Bill 73.

I further direct...I am further directed to inform the Senate that the House of Representatives requests a First Conference Committee...Committee on Conference. Action taken by the House June 27, 1987.

I have a like Message...

PRESIDENT:

Wait a minute...wait a minute. That's Senator Etheredge. Senator Etheredge in the...on the Floor? All right, Senator Etheredge...the question is, shall the Senate accede to the request of the House that a Conference Committee be appointed. All in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries and the Senate accedes to that request to appoint a Conference Committee.

SECRETARY:

I have a like Message on Senate Bill 916 with regard to Amendments 2 and 3.

PRESIDENT:

Senator Donahue, that's your bill. Do you wish to accede to the request of the House for a Conference Committee?

Senator Donahue moves and the question is, shall the Senate accede to the request of the House that a Conference Committee be appointed. All in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and the Senate accedes to the request to appoint a Conference Committee.

SECRETARY:

I have a like Message on Senate Bill 124 with House Amendments 1 and 2.

PRESIDENT:

Senator Hawkinson, that's you. Senator Hawkinson has moved and the question is, shall the Senate accede to the request of the House that a Conference Committee be appointed. All in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries. The Senate accedes to the request to appoint a Conference Committee.

SECRETARY:

Senate Amendment 1...Senate Bill 161 with House Amendments 1, 5 and 6.

PRESIDENT:

Senator O'Daniel moves to accede to the request of the House for a Conference Committee. All in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries and the Senate accedes to the request to appoint a Conference Committee.

SECRETARY:

Senate Bill 600 with House Amendments 1, 4 and 5.

PRESIDENT:

That's...Senator Rock moves to accede to the request of the House that a Conference Committee be appointed. All in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries. The Senate accedes to the request to appoint a Conference Committee.

SECRETARY:

Senate Bill 682 with House Amendments 1, 2 and 5.

PRESIDENT:

Senator Jacobs moves to accede to the request of the House that a Conference Committee be appointed. All in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries. The Senate does accede to the request of the House.

SECRETARY:

Senate Bill 898 with House Amendment No. 1.

PRESIDENT:

Senator Jones on 898 moves to accede to the request of the House that a Conference Committee be appointed. All in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries. The Senate does accede to the request of the House.

SECRETARY:

Senate Bill 918 with House Amendments 1 and 2.

PRESIDENT:

918, Senator Hudson moves to accede to the request of the House that a Conference Committee be appointed. All in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries. The Senate does accede.

SECRETARY:

Senate Bill 1052 with House Amendment No. 1.

PRESIDENT:

Senator Luft moves to accede to the request of the House that a Conference Committee be appointed. All in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries and the Senate does accede to the request of the House.

SECRETARY:

Senate Bill 1222 with House Amendment No. 1.

PRESIDENT:

1222, Senator Rigney moves to accede to the request of the House that a Conference Committee be appointed. All in

favor indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries and the Senate does accede to the request of the House.

SECRETARY:

Senate Bill 1428 with House Amendment No. 1.

PRESIDENT:

Senator Collins moves to accede to the request of the House that a Conference Committee be appointed. All in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries and the Senate does accede to the request of the House. All right, we'll move to the Order of Secretary's Desk Nonconcurrency. The member will refuse to recede from the Senate amendment and request a Conference Committee or there can be a motion to recede which motion constitute final action. Top of page 24, House Bill 164, Senator Topinka. Madam Secretary, on the Order of Secretary's Desk Nonconcurrency is House Bill 164.

SECRETARY:

Senate Amendment No. 1 to House Bill 164.

PRESIDENT:

Senator Topinka.

SENATOR TOPINKA:

Yes, Mr. President and Ladies and Gentlemen of the Senate, I would urge the Senate to recede from Senate Amendment No. 1. Apparently, whatever difficulties were there were not difficulties in the first place and everybody has backed off and so I would seek concurrence.

PRESIDENT:

All right, the question is...the lady has moved to recede from Senate Amendment No. 1. Is there any discussion? If not, the question is, shall the Senate recede from Amendment No. 1 to House Bill 164. Those in favor will vote Aye. Opposed vote Nay. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all

voted who wish? Take the...take the record. On that question, there are 58 Ayes, no Nays, none voting Present. The Senate recedes from Senate Amendment No. 1 to House Bill 164 and the bill having received the required constitutional majority is declared passed. House Bill 275, on the Order of Secretary's Desk Nonconcurrency, Madam Secretary.

SECRETARY:

Senate Amendment No. 1 to House Bill 275.

PRESIDENT:

Senator Savickas.

SENATOR SAVICKAS:

Mr. President, I would move that we'd refuse to recede and that a Conference Committee be...

PRESIDENT:

All right, Senator Savickas has moved that the Senate refuse to recede from the adoption of Amendment No. 1 to House Bill 275 and that a Conference Committee be appointed. All in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries. The Secretary shall so inform the House. 394, on the Order of Secretary's Desk Nonconcurrency, Madam Secretary.

SECRETARY:

Senate Amendment No. 1 to House Bill 394.

PRESIDENT:

Senator Holmberg.

SENATOR HOLMBERG:

Thank you, Mr. President. I wish to recede from Senate Amendment No. 1. It returns the bill to its original form as it came to the Senate from the House asking that suicide prevention instruction take place at teacher...the first or second teacher institute of the year.

PRESIDENT:

Discussion? Discussion? If not, the question is, shall the Senate recede from Senate Amendment No. 1 to House Bill

394. 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, none voting Present. The Senate does recede from House...from Senate Amendment No. 1 to House Bill 394 and the bill having received the required constitutional majority is declared passed. 461, Senator Demuzio. On the Order of Secretary's Desk Nonconcurrency, House Bill 461, Madam Secretary.

SECRETARY:

Senate Amendment No. 1 to House Bill 461.

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

Can we come back to it? My handlers...

PRESIDENT:

Sure. Take it out of the record. 483, Senator Berman...we can hold those, I guess. 521, Senator Karpziel. Top of page 25, on the Order of Secretary's Desk Nonconcurrency, House Bill 521, Madam Secretary.

SECRETARY:

Senate Amendment No. 1 to House Bill 521.

PRESIDENT:

Senator Karpziel.

SENATOR KARPIEL:

Mr. President, didn't I do this this morning?

PRESIDENT:

I don't think so.

SENATOR KARPIEL:

Okay. All right, thank you. I move then to recede from Senate Amendment No. 1 on House Bill 521.

PRESIDENT:

To recede. All right, the lady has moved to recede from Senate Amendment No. 1. Discussion? Discussion? If not, the

question is, shall the Senate recede from Senate Amendment No. 1 to House Bill 521. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. Senate does recede from Amendment No. 1 to House Bill 521 and the bill having received the required constitutional majority is declared passed. 770, Senator Weaver. 773, Senator Watson. 848, Senator Collins. 982, Senator Netsch. On the Order of Secretary's Desk Nonconcurrency, bottom of page 25, is House Bill 982, Madam Secretary.

SECRETARY:

Senate Amendment No. 1 to House Bill 982.

PRESIDENT:

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. I would move that we refuse to recede from Senate Amendment No. 1 to House Bill 482 and request a Conference Committee.

PRESIDENT:

Senator Netsch has moved that the Senate refuse to recede from Senate Amendment No. 1 to House...House Bill 982 and that a Conference Committee be appointed. All in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries. The Secretary shall so inform the House. 1055, Senator Netsch. On the Order of Secretary's Desk Nonconcurrency, Madam Secretary, House Bill 1055.

SECRETARY:

Senate Amendment No. 1 to House Bill 1055.

PRESIDENT:

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr...thank you, Mr. President. I would move

that we refuse to recede from Senate Amendment No. 1 to House Bill 1055 and request the appointment of a Conference Committee.

PRESIDENT:

Senator Netsch has moved that the Senate refuse to recede from Senate Amendment No. 1 to House Bill 1055 and that a Conference Committee be appointed. All in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries. The Secretary shall so inform the House. 1072, Senator Jacobs. 2034, Senator Jones. Middle of page 27, ladies and gentlemen, on the Order of Secretary's Desk Nonconcurrency is House Bill 2034, Madam Secretary.

SECRETARY:

Senate Amendment No. 1 to House Bill 2034.

PRESIDENT:

Senator Jones.

SENATOR JONES:

Thank you, Mr. President. I move that the Senate recede from Senate Amendment No. 1 to House Bill 2034 and...the House indicated that they are opposed to this amendment...and I recommend we...recede from the amendment.

PRESIDENT:

All right, the gentleman has moved that the Senate recede from Senate Amendment No. 1 to House Bill 2034. Discussion? Senator Dunn.

SENATOR TOM DUNN:

Thank you, Mr. President. I ask that we not recede. This is the amendment that originally did away with the airport referendum in my district, and I substituted in for that to preserve the right of the referendum a substitute motion which placed a referendum on the question of whether or not the Joliet Port Authority ought to conduct incinerations and if there is a No vote, that will preserve that right of the people to decide that.

PRESIDENT:

Further discussion? Senator Fawell.

SENATOR FAWELL:

Well, I would suggest that my colleagues take a look at this bill, maybe we ought to throw it in Conference Committee, it's...we're looking at fourteen million nine hundred and sixty-eight thousand eighty-nine dollars and fifty cents which is owed to us. We haven't gotten a dime back and...and we're still talking about it. Maybe we ought to throw it in a Conference Committee and see if we can't get something done on it.

PRESIDENT:

Further discussion? Further discussion? Senator Savickas, on 2034?

SENATOR SAVICKAS:

Oh, no...no...no.

PRESIDENT:

I'm sorry, I think I skipped over yours. We'll get back to it. I...my Calendar...this happened earlier this morning when I was not on the Floor. Senator Jones, you wish to close?

SENATOR JONES:

I just ask for a...a favorable vote on my motion to recede.

PRESIDENT:

Question is, shall the Senate recede from Senate Amendment No. 1 to House Bill 2034. 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 21 Ayes...33 Nays, 1 voting Present. The Senate has refused to recede from Senate Amendment No. 1 to House Bill 2034 and the Secretary shall so inform the House. Top of page 27, I skipped over House Bill 1867, Madam Secretary, if you please.

SECRETARY:

Senate Amendments 1 and 3 to House Bill 1867.

PRESIDENT:

Senator Savickas.

SENATOR SAVICKAS:

Yes, Mr. President, I would refuse to recede from the Senate Amendments 1 and 3 and call for a Conference Committee.

PRESIDENT:

All right, Senator Savickas has moved that the Senate refuse to recede from Amendments 1 and 3 to House Bill 1867 and that a Conference Committee be appointed. All in favor indicate by saying Aye. Opposed Nay. The motion carries. The Secretary shall so inform the House. 2746, middle of page 28, Senator Joyce. Oh, I'm sorry, Senator Hall. He's upstairs. Both Senator Hall. Well, Senator Hall is up with the appropriation's folks. Senator Joyce.

SENATOR JEROME JOYCE:

Yes, I'm a hyphenated sponsor and...and Senator Hall asked me to not recede and ask for a Conference Committee to be appointed.

PRESIDENT:

All right, House Bill 2746, Senator Joyce moves that the Senate refuse to recede from the adoption of Senate Amendment No. 1 to House Bill 2746 and that a Conference Committee be appointed. All in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and the Secretary shall so inform the House. Anybody else got anything on the main Calendar they'd like to dispose of before we move to the supplemental? Where are they? What's...Senator Philip for what purpose do you arise?

SENATOR PHILIP:

Yeah, thank...thank you, Mr. President. I have Senate Bill 1454 on nonconcur...concurrence.

PRESIDENT:

All right, bottom of page 22...and we're not going to do many...this is the problem with going backwards, you'll soon see. Everybody looks at me like I'm trying to pull some fast deal here. It's easier to go, truly, right down the line and if you're not on the Floor, that's too bad or if you get waved off, that's too...we're going to do it again tomorrow, so there's no...this is not the end of the world. Bottom of page 22, on the Order of Secretary's Desk Concurrence, Madam Secretary, is Senate Bill 1454.

SECRETARY:

House Amendment No. 1 to Senate Bill 1454.

PRESIDENT:

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President. I move we nonconcur with House Amendment No. 1 to Senate Bill 1454.

PRESIDENT:

All right, Senator Philip has moved to nonconcur with House Amendment No. 1 to Senate Bill 1454. All in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. Now, we'll move to the Order of the Supplemental Calendar. On the Order of Secretary's Desk Nonconcurrence, Senator Raica, top of...House Bill 113, Madam Secretary.

SECRETARY:

Senate Amendments 1 and 2 to House Bill 113.

PRESIDENT:

Senator Raica.

SENATOR RAICA:

Yes, sir, thank you, Mr. President. I make a motion to refuse to recede and ask this bill go to Conference Committee.

PRESIDENT:

All right, Senator Raica has moved that the Senate refuse to recede from Amendments 1 and 2 to House Bill 113 and that a Conference Committee be appointed. All in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. 126, Senator Maitland. 259, Senator Dudycz. Madam Secretary, on the Order of Secretary's Desk Nonconcurrency is House Bill 259.

SECRETARY:

Senate Amendment No. 1 to House Bill 259.

PRESIDENT:

Senator Dudycz.

SENATOR DUDYCYZ:

Thank you, Mr. President. I move we refuse to recede from Senate Amendment No. 1 to House Bill 259 and put it in a Conference Committee.

PRESIDENT:

I'm sorry, Senator Dudycz, you have moved to refuse to recede? Thank you. Senator Dudycz moves that the Senate refuse to recede from Amendment No. 1 to House Bill 259 and a Conference Committee be appointed. All in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and the Secretary shall so inform the House. 513, Senator Demuzio. On the Order of Secretary's Desk Nonconcurrency, on the Supplemental Calendar, is House Bill 513, Madam Secretary.

SECRETARY:

Senate Amendment No. 2 to House Bill...513.

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

Yes, I would move to refuse to recede from Senate Amendment No. 2 and ask that a Conference Committee be...

PRESIDENT:

Senator Demuzio has moved that the Senate refuse to

recede from the adoption of Amendment No. 2 to House Bill 513 and that a Conference Committee be appointed. All in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. 615, Senator Hawkinson. Madam Secretary, on the Order of Secretary's Desk, House Bill 615.

SECRETARY:

Senate Amendment No. 1 to House Bill 615.

PRESIDENT:

Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Mr. President. I would remove...I would move that the Senate refuse to recede from Senate Amendment No. 1 and ask that a Conference Committee be appointed.

PRESIDENT:

Senator Hawkinson moves that the Senate refuse to recede from Amendment No. 1 to House Bill 615 and a Conference Committee be appointed. All in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries. The Secretary shall so inform the House. 655, Senator Alexander. Madam Secretary, on the Order of Secretary's Desk, House Bill 655.

SECRETARY:

Senate Amendment No. 1 to House Bill 655.

PRESIDENT:

Senator Alexander.

SENATOR ALEXANDER:

Mr. President and members of the Senate, I move to recede from the amendment on House Bill 655.

PRESIDENT:

All right, Senator Alexander has moved to recede from Senate Amendment No. 1. Discussion? Discussion? If not, the question is, shall the Senate recede from Amendment No. 1 to House Bill 655. 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 51 Ayes, 1 Nay, none voting Present. The Senate does recede from Amendment No. 1 to House Bill 655 and the bill having received the required constitutional majority is declared passed. Senator Donahue, 776. Madam Secretary, on the Order of Secretary's Desk is House Bill 776.

END OF REEL

REEL #7

SECRETARY:

Machine cutoff)...Amendments 1, 2 and 3 to House Bill 776.

PRESIDENT:

Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President. I would refuse to recede from Senate Amendments 1, 2 and 3 and request a Conference Committee.

PRESIDENT:

Senator Donahue has moved that the Senate refuse to recede from Senate Amendments 1, 2 and 3 to House Bill 776 and that a Conference Committee be appointed. All in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. House Bill 777, Madam Secretary.

SECRETARY:

Senate Amendments 1, 4 and 5 to House Bill 777.

PRESIDENT:

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. I'd move that the Senate refuse to recede from Senate Amendments No. 1, 4 and 5.

PRESIDENT:

Senator Weaver moves that the Senate refuse to recede from Amendments 1, 4 and 5 to House Bill 777, that a Conference Committee be appointed. All in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. 780, Senator Karpel. On the Order of Secretary's Desk Nonconcurrency,

House Bill 780, Madam Secretary.

SECRETARY:

Senate Amendment No. 1 to House Bill 780.

PRESIDENT:

Senator Karpriel.

SENATOR KARPIEL:

Thank you, Mr. President. I move that we refuse to recede from Senate Amendment No. 1 and ask for a Conference Committee to be appointed.

PRESIDENT:

Senator Karpriel moves that the Senate refuse to recede from Amendment No. 1 to House Bill 780 and that a Conference Committee be appointed. All in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. 783, Senator Schaffer, top of page 3. Madam Secretary, on the Order of Secretary's Desk is House Bill 7-8-3.

SECRETARY:

Senate Amendment No. 2 to House Bill 783.

PRESIDENT:

Senator Schaffer.

SENATOR SCHAFFER:

Mr. President, I move that we refuse to recede from the amendment and request a Conference Committee.

PRESIDENT:

All right. Senator Schaffer has moved that the Senate refuse to recede from Senate Amendment No. 2 to House Bill 783 and that a Conference Committee be appointed. All in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. 784. On the Order of Secretary's Desk Nonconcurrency, House Bill 7-8-4, Madam Secretary.

SECRETARY:

Senate Amendments 2 and 3 to House Bill 784.

PRESIDENT:

Senator Schaffer.

SENATOR SCHAFFER:

Mr. President, I move that we refuse to recede and request a Conference Committee.

PRESIDENT:

Senator Schaffer has moved that the Senate refuse to recede from Senate Amendments 2 and 3 to House Bill 784 and that a Conference Committee be appointed. All in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. 789, Senator Dunn. Madam Secretary, House Bill 7-8-9.

SECRETARY:

Senate Amendments 1 and 2 to House Bill 789.

PRESIDENT:

Senator Dunn.

SENATOR RALPH DUNN:

Thank you, Mr. President. I move we refuse to recede from Senate...Senate Amendments 1 and 2 and request a Conference Committee.

PRESIDENT:

Senator Dunn has moved that the Senate refuse to recede from Amendments 1 and 2 to House Bill 789 and a Conference Committee be appointed. All in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. Senator Donahue. Senator Dudycz, 793. On the Order of Secretary's Desk, Madam Secretary, is House Bill 7-9-3.

SECRETARY:

Senate Amendments 1 and 2 to House Bill 793.

PRESIDENT:

Senator Dudycz.

SENATOR DUDYCZ:

Mr. President, I...move we refuse to recede from Senate

Amendments 1 and 2 and request a Conference Committee.

PRESIDENT:

All right. Senator Dudycz has moved that the Senate refuse to recede from Senate Amendments 1 and 2 and that a Conference Committee be appointed. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. 799, Senator Etheredge. 960, Senator Haitland. 989, Senator Savickas. Senator Savickas on the Floor? 996, Senator Geo-Karis. On the Order of Secretary's Desk is House bill 9-9-8, Madam Secretary.

SECRETARY:

Senate Amendment No. 2 to House Bill 998.

PRESIDENT:

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, I refuse to recede from the...Senate amendment and I ask that a Conference...Committee be appointed.

PRESIDENT:

Senator Geo-Karis has moved that the Senate refuse to recede from Senate Amendment No. 2 to House Bill 998 and that a Conference Committee be appointed. All in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. 989, Senator Savickas. Madam Secretary, 9-8-9.

SECRETARY:

Senate Amendment No. 1 to House Bill 989.

PRESIDENT:

Senator Savickas.

SENATOR SAVICKAS:

I would move we refuse to recede and let a Conference Committee be appointed.

PRESIDENT:

Senator Savickas has moved the Senate refuse to recede from the adoption of Senate Amendment No. 1 to...to House Bill 989 and that a Conference Committee be appointed. All in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries. The Secretary shall so inform the House. 1023, Senator Savickas. Madam Secretary, on the Order of Secretary's Desk, House Bill 1023.

SECRETARY:

Senate Amendment No. 1 to House Bill 1023.

PRESIDENT:

Senator Savickas.

SENATOR SAVICKAS:

Yeah, I would move we refuse to recede and have a Conference Committee appointed.

PRESIDENT:

All right. Senator Savickas has moved that the Senate refuse to recede from the adoption of Amendment No. 1 to House Bill 1023 and that a Conference Committee be appointed. All in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and the Secretary shall so inform the House. Senator Davidson on 1120. Madam Secretary, House Bill 1120.

SECRETARY:

Senate Amendment No. 1 to House Bill 1120.

PRESIDENT:

Senator Davidson.

SENATOR DAVIDSON:

I move that the Senate...excuse me, I move that the Senate remove Senate Bill...Amendment 1 from House Bill 1122.

PRESIDENT:

All right. The gentleman has moved that the Senate recede from Senate Amendment No. 1. Any discussion? Senator Demuzio.

SENATOR DEMUZIO:

The motion is to recede from the amendment, is that correct, Senator Davidson? Okay.

PRESIDENT:

Discussion? Discussion? If not, the question is, shall the Senate recede...I beg your pardon, Senator Keats.

SENATOR KEATS:

Could...could we get an explanation? I'm digging through pile after pile to find out what the amendment is. Out of courtesy to the members, could we...he explain what amendment that we passed we're giving up, please?

PRESIDENT:

Senator Davidson.

SENATOR DAVIDSON:

Yes, the amendment which they put on we offered as an alternate to try to put on...take care of a problem for the Department of Aging on if you're going to hire someone as a community care person, that person...could make a request to have a fingerprint check done if this individual had any elderly abuse background. This hasn't worked out...couldn't get it worked out and they have asked that we recede from this part of it and we'll work on it in a different area.

PRESIDENT:

Discussion? Discussion? If not, the question is, shall the Senate recede from...Senate Amendment No. 1 to House Bill 1120. 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. The Senate does recede from Amendment No. 1 to House Bill 1120 and the bill having received the required constitutional majority is declared passed. 1163. 1368, Senator Lechowicz. On the Order of Secretary's Desk, Madam Secretary, is House Bill 1368.

SECRETARY:

Senate Amendment No. 1 to House Bill 1368.

PRESIDENT:

Senator Lechowicz. (Machine cutoff)...Lechowicz. Try a different mike if you can or is it plugged in?

SENATOR LECHOWICZ:

(Machine cutoff)...I'd like...I'd move that the Senate do not remove itself from the Senate Amendment No. 1 and a Conference Committee be appointed on 1368.

PRESIDENT:

All right. Senator Lechowicz moves that the Senate refuse to recede from Amendment No. 1 to House Bill 1368 and that a Conference Committee be appointed. All in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. 1411. 1-4-11, 1411 and 1412, yes. Madam Secretary, on the Order of Secretary's Desk is House Bill 1411.

SECRETARY:

Senate Amendments 1 and 2 to House Bill 1411.

PRESIDENT:

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. I move that the Senate refuse to recede from Senate Amendments Noes. 1 and 2 to House Bill 1411 and request a Conference Committee.

PRESIDENT:

Senator Netsch has moved that the Senate refuse to recede from Senate Amendments 1 and 2 to House Bill 1411 and that a Conference Committee be appointed. All in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. On the same order is House Bill 1412, Madam Secretary.

SECRETARY:

Senate Amendments 1 and 2 to House Bill 1412.

PRESIDENT:

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. I would move that the Senate refuse to recede from Senate Amendments 1 and 2 to House Bill 1412 and request a Conference Committee.

PRESIDENT:

Senator Netsch has moved that the Senate refuse to recede from Senate Amendments 1 and 2 to House Bill 1412 and that a Conference Committee be appointed. All in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries and the Secretary will so inform the House. 1421. On the Order of Secretary's Desk is House Bill 1421, Madam Secretary.

SECRETARY:

Senate Amendment No. 1 to House Bill 1421.

PRESIDENT:

Senator Savickas.

SENATOR SAVICKAS:

Yes, Mr. President, I would move that we refuse to recede from Senate Amendment No. 1 and have a Conference Committee appointed.

PRESIDENT:

Senator Savickas has moved that the Senate refuse to recede from Senate Amendment No. 1 to House Bill 1421 and that a Conference Committee be appointed. All in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. 1432, Madam Secretary, on the same order.

SECRETARY:

Senate...Senate Amendments 1 and 2 to House Bill 1432. ✓

PRESIDENT:

Senator...Senator Zito.

SENATOR ZITO:

Thank you, Mr. President. I would move that the Senate

refuse to recede in Senate Amendment No. 1 and 2 and respectfully request a Conference Committee.

PRESIDENT:

Senator Zito...moved that the Senate refuse to recede from Amendments 1 and 2 to House Bill 1432 and that a Conference Committee be appointed. All in favor indicate by saying Aye. Opposed Nay. The motion carries and the Secretary shall so inform the House. 1560, Senator Karpziel. 1636. 1681, Senator Holmberg. On the Order of Secretary's Desk is House Bill 1681, Madam Secretary. Top of page 5, ladies and gentlemen, on the Supplemental Calendar. Top of page 5 is House Bill 1681.

SECRETARY:

Senate Amendments No. 1 to House Bill 1681.

PRESIDENT:

Senator Holmberg.

SENATOR HOLMBERG:

Thank you, Mr. President. I recommend that the Senate refuse to recede to Senate Amendment No. 1 and that a Conference Committee be formed.

PRESIDENT:

Senator Holmberg has moved that the Senate refuse to recede from the...Senate Amendment No. 1 to House Bill 1681 and a Conference Committee be appointed. All in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. 1736, Senator Berman. On the Order of Secretary's Desk is House Bill 1736, Madam Secretary.

SECRETARY:

Senate Amendment No. 1 to House Bill 1736.

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. I move that we refuse to

recede from Senate Amendment No. 1 and that a Conference Committee be appointed.

PRESIDENT:

Senator Berman has moved that the Senate refuse to recede from Amendment No. 1 to House Bill 1736 and that a Conference Committee be appointed. All in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. 2021, Senator Topinka. On the Order of Secretary's Desk is House Bill...2021, Madam Secretary.

SECRETARY:

Senate Amendment No. 1 to House Bill 2021.

PRESIDENT:

Senator Topinka.

SENATOR TOPINKA:

...Mr. President and Ladies and Gentlemen of the Senate, I would move that the Senate refuse to recede from Amendment No. 1 and that a Conference Committee be formed.

PRESIDENT:

Senator Topinka has moved that the Senate refuse to recede from Senate Amendment No. 1 to House Bill 2021 and that a Conference Committee be appointed. All in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. 2032, Senator Poshard. Madam Secretary, House Bill 2032.

SECRETARY:

Senate Amendment No. 1 to House Bill 2032.

PRESIDENT:

Senator Poshard.

SENATOR POSHARD:

Mr. President, I move that the Senate refuse to recede from Senate Amendment 1 and ask for a Conference Committee to be appointed.

PRESIDENT:

Senator Poshard has moved that the Senate refuse to recede from the adoption of Amendment No. 1 to House Bill 2032 and that a Conference Committee be appointed. All in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries. The Secretary shall so inform the House. House Bill 2033 on the same order, Madam Secretary.
SECRETARY:

Senate Amendment No. 1 to House Bill 2033.

PRESIDENT:

Senator Poshard.

SENATOR POSHARD:

Mr. President, I move that the Senate refuse to recede from Senate Amendment No. 1 and ask for a Conference Committee.

PRESIDENT:

Senator Poshard has moved that the Senate refuse to recede from the adoption of Amendment No. 1 to House Bill 2033 and that a Conference Committee be appointed. All in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries. The Secretary shall so inform the House. Top of page 6, 2070, Senator Topinka. 2070, top of page 6 on the Supplemental Calendar. Madam Secretary, House Bill 2-0-7-0.

SECRETARY:

Senate Amendment No. 2 to House Bill 2070.

PRESIDENT:

Senator Topinka.

SENATOR TOPINKA:

Yes, Mr. President and Ladies and Gentlemen of the Senate, I would move that the Senate refuse to recede from Senate Amendment No. 2 and that a Conference Committee be formed.

PRESIDENT:

Senator Topinka has moved that the Senate refuse to

recede from Senate Amendment No. 2 and that a Conference Committee be appointed. All in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. 2151, Senator Welch. Senator Welch on the Floor? 2190, Senator D'Arco. On the Order of Secretary's Desk Nonconcurrency is House Bill 2190, Madam Secretary.

SECRETARY:

Senate Amendment No. 2 to House Bill 2190.

PRESIDENT:

Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. I move to refuse to recede from Senate Amendment 2 and ask that a Conference Committee be appointed.

PRESIDENT:

Senator D'Arco has moved that the Senate refuse to recede from the adoption of Senate Amendment No. 2 to House Bill 2190 and that a Conference Committee be appointed. All in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. 2353, Senator Jones. Middle of page 6 on the supplemental. 2827, Senator Barkhausen, bottom of page 6. On the Order of Secretary's Desk, Madam Secretary, is House Bill 2827.

SECRETARY:

Senate Amendment No. 1 to House Bill 2827.

PRESIDENT:

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President, Senator Philip has taken over the chief sponsorship of this bill. So while I'm willing to make the motion, since he's the chief sponsor, I'll let him make it.

PRESIDENT:

All right. Senator Philip has moved that the Senate refuse to recede...is that what we're doing, refusing to recede, asking for a Conference Committee?...from Senate Amendment No. 1 to House Bill 2827 and ask that a Conference Committee be appointed. All in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries. The Secretary shall so inform the House. Senator Jones, on 2353, should we pick that one up? Madam Secretary, House Bill 2353.

SECRETARY:

Senate Amendment No. 1 to House Bill 2353.

PRESIDENT:

Senator Jones.

SENATOR JONES:

Yeah, thank you, Mr. President. I move that the Senate refuse to recede in the Senate Amendment No. 1 to House Bill 2353 and ask for a Conference Committee.

PRESIDENT:

All right. Senator Jones has moved that the Senate refuse to recede from the adoption of Senate Amendment No. 1 to House Bill 2353 and that a Conference Committee be appointed. All in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. Senator Demuzio, for what purpose do you arise?

SENATOR DEMUZIO:

Well, on the same order of business but back on the regular Calendar on page 24 was House Bill 461, page 24...middle of page 24 is House Bill 461.

PRESIDENT:

All right, the same order of business, ladies and gentlemen. On the order of Secretary's Desk Nonconcurrency is House Bill 461. That's page 24 on the regular Calendar, Madam Secretary.

SECRETARY:

Senate Amendment No. 1 to House Bill 461.

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

I would...refuse to recede from Senate Amendment No. 1 and ask that a Committee of Conference be appointed.

PRESIDENT:

Senator Demuzio has moved that the Senate refuse to recede from adoption of House...Senate Amendment No. 1 to House Bill 461 and that a Conference Committee be appointed. All in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. Senator Watson, for what purpose do you arise?

SENATOR WATSON:

Well, thank you. I'd like to have the same privilege, to go back to the regular Calendar on page 25, it's House Bill 773, the Illinois Commerce Commission budget. I'd like to refuse to recede from Senate Amendment No. 1 and ask for a Conference Committee.

PRESIDENT:

All right. Madam Secretary, on page 25, on the Order of Secretary's Desk Nonconcurrency is House Bill 773.

SECRETARY:

Senate Amendments No. 1, 2 and 3 to House Bill 773.

PRESIDENT:

Senator Watson.

SENATOR WATSON:

Yes, I'd like to refuse to recede from Senate Amendments 1, 2 and 3 and ask for a Conference Committee.

PRESIDENT:

All right. Senator Watson has moved that the Senate refuse to recede from Amendments 1, 2 and 3 to House Bill 773

and that a Conference Committee be appointed. All in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries. The Secretary shall so inform the House. Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President. On the same order, on page 15, Secretary's Desk Concurrence, it should not be on concurrence. I would move that the Senate not concur with House Amendment No. 1.

PRESIDENT:

All right, ladies and gentlemen, on the Order of Secretary's Desk Concurrence, page 15. Senator Marovitz has moved to nonconcur with House Amendment No. 1 to Senate Bill 822. All in favor of the motion indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President. On page 3 of the Supplemental Calendar is House Bill 791, the Department of Agriculture appropriation, and I would refuse to recede from the Senate Amendment No. 1 and request a conference.

PRESIDENT:

All right. Page 3 on the Supplemental, House Bill 791, Madam Secretary.

SECRETARY:

Senate Amendment No. 1 to House Bill 791.

PRESIDENT:

Senator Donahue has moved that the Senate refuse to recede from Senate Amendment No. 1 to House Bill 791, that a Conference Committee be appointed. All in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries, the Secretary shall so inform the House. Senator Welch.

SENATOR WELCH:

*NO 2/5/1
Refuse to Recede*

Thank you, Mr. President. On the Order of Nonconcurrency, Supplemental Calendar, page 6, House Bill 2151. I would move to refuse to recede from Senate Amendment No. 1 and ask that a Committee of Conference be appointed.

PRESIDENT:

All right. Senator...ladies and gentlemen, page 6 on the supplemental. Madam Secretary, on the Order of Secretary's Desk is House Bill 2151.

SECRETARY:

Senate Amendment No. 1 to House Bill 2151.

PRESIDENT:

Senator Welch has moved that the Senate refuse to recede from Senate Amendment No. 1 to House Bill 2151 and that a Conference Committee be appointed. Discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries. The Secretary shall so inform the House. Resolutions.

SECRETARY:

Senate Resolution 462 offered by Senator Rock and all Senators.

Senate Resolution 463 offered by Senators Philip and Rock.

Senate Resolution 464 offered by Senator Weaver.

Senate Resolution 465 offered by Senator Topinka.

Senate Resolution 466 offered by Senators Severns and O'Daniel.

Senate Resolution 467 offered by Senator Severns.

Senate Resolution 468 offered by Senator Severns.

Senate Resolution 469 offered by Senator Severns.

Senate Resolution 470 offered by Senator Watson.

Senate Resolution 471 offered by Senator Thomas Dunn.

Senate Resolution 472 offered by Senators Demuzio, Rock and others.

Senate Resolution 473 offered by Senator Welch.

Senate Resolution 474 offered by Senator Ralph Dunn.

Senate Resolution 475 offered by Senator Geo-Karis.

And they're all congratulatory.

PRESIDENT:

Consent Calendar, Madam Secretary. Senator Fawell, for what purpose do you arise?

SENATOR FAWELL:

Thank you, very much, Mr. President. I would like to discharge from committee House Joint Resolution 96, that has been okayed by you and Senator Philip and the chairman and the minority spokesman.

PRESIDENT:

All right. The lady has moved to discharge the Committee on Executive from further consideration of House Joint Resolution 96 and asked that it be placed on the Secretary's Desk on the Calendar so everybody can have a chance to look at it. All in favor of the motion to discharge indicate by saying Aye. All opposed. The Ayes have it. The motion carries. House Joint Resolution 96 will be placed on the Calendar on the Order of Secretary's Desk. Resolutions. Senator Fawell.

SENATOR FAWELL:

...thank you, Mr. President. I'd like to have immediate consideration of that...that House joint resolution, it's very noncontroversial.

PRESIDENT:

May I ask what it is?

SENATOR FAWELL:

...all it is is asking the State Board of Education to...

PRESIDENT:

Well, we've had some inquiry about it...I think being on the Calendar people will have it in front of them and they'll be able to better react. Trust me on this one. It's six-thirty at night and everybody thinks I'm trying to sneak something through, and they know you and I wouldn't do it

together but, you know,...paranoia runs rampant around here on June 29th, I can tell you that for sure. Senator DeAngelis, with another underhanded motion, go ahead.

SENATOR DeANGELIS:

A point of personal privilege, Mr. President.

PRESIDENT:

Your thing is staying in the Rules Committee...yeah, right.

SENATOR DeANGELIS:

In the balcony behind us we have the commissioner from the City of Chicago Heights, Gene Sadis and his son Gene. I would like for them to stand up and be recognized.

PRESIDENT:

All right, ladies and gentlemen, if I can have your attention. We will commence at ten o'clock tomorrow morning, and I say ten, because the Calendar at this moment is in extremely good shape and those who are in the middle of...Conference Committees or reviewing Conference Committee reports at least will have a little time, and we will from time to time then during the day have to go to Supplemental Calendars. So I'd ask those of you who know you're going to be conferring to get at it, because the Speaker and I and the other leaders have indicated that we would like to conclude our business tomorrow and the earlier the better. In addition to that, in the Senate here at one o'clock, we will have a special service in memory of our dear departed colleague Prescott Bloom. So I'd ask all of you to be sure to be in attendance. Whatever your conferees say, we...I'd like everybody to be on the Floor at one o'clock, we can hold the Conference Committees for one moment. Any further business to come before the Senate? I think we have cleared up the paper and the hour of six-thirty having arrived, nobody seems too anxious to stay. All right. Senator Demuzio moves that the Senate stand adjourned till Tuesday, June 30, tomorrow

morning, at the hour of ten o'clock. Ten o'clock tomorrow morning and we'll start promptly and hopefully conclude promptly. The Senate stands adjourned.

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