

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

28th Legislative Day

May 12, 1989

PRESIDENT ROCK:

The hour of nine having arrived, the Senate will please come to order. Will the Members be at their desks, and will our guests in the gallery please rise. Our prayer this morning by Reverend Michael M. Strong, Trinity Lutheran Church, Springfield, Illinois. Reverend.

THE REVEREND MICHAEL STRONG:

(Prayer given by the Reverend Michael M. Strong)

PRESIDENT ROCK:

Reading of the Journal, Madam Secretary.

SECRETARY HAWKER:

Senate Journals of Wednesday, March 1; Thursday, March 2; Tuesday, March 14; Wednesday, March 15; Wednesday, April 5; Thursday, April 6; Friday, April 7; Tuesday, April 11; Wednesday April 12; Thursday, April 13; Tuesday, April 18; Wednesday, April 19; Tuesday, April 25, 1989.

PRESIDENT ROCK:

Senator Hall.

SENATOR HALL:

Thank you, Mr. President. Mr. President, I move that the Journals, having been read by the Secretary, be approved unless some Senator has addition or a correction to offer.

PRESIDENT ROCK:

All right. You've heard the motion as placed by Senator Hall. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries, and it's so ordered. Senator Hall.

SENATOR HALL:

I move that reading and approval of the Journals of Wednesday, April 26th; Thursday, April 27th; Friday, April 28th; Monday, May the 1st; Tuesday, May the 2nd; Wednesday, May the 3rd; Thursday, May the 4th; Friday, May the 5th; Tuesday, May 9th; and Wednesday,

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May 10th, in the year 1989, be postponed, pending arrival of the printed Journals. And also Thursday, May the 11th.

PRESIDENT ROCK:

All right. You've heard the motion as placed by Senator Hall. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries, and it is so ordered. Madam Secretary, I understand that an additional motion in writing has been filed to further implement the agreement. Would you read the motion, please?

SECRETARY HAWKER:

I move to suspend all relevant and applicable Senate Rules to discharge all bills currently assigned to the Senate Special Temporary Appropriations I Committee, and Senate Special Temporary Appropriations II Committee, and to recommit those bills to the applicable and corresponding Senate Standing Committees as follows: All bills assigned to the Senate Special Temporary Appropriations I Committee, to the Senate Standing Appropriations I Committee. And all bills assigned to the Senate Special Temporary Appropriations II Committee, to the Senate Standing Appropriations II Committee. I further move that the posting notices as required by Senate Rule 7, be suspended and waived for the purpose of hearing...hearing of Senate Bills assigned to the Senate Appropriations I Committee and the Senate Standing Appropriations II Committee. I further move that this motion take effect immediately upon its adoption. Filed by Senator Demuzio.

PRESIDENT ROCK:

Senator Demuzio.

SENATOR DEMUZIO:

Thank you, Mr. President. This motion would, in fact, recommit all the bills that are currently assigned to the Special Temporary Appropriations I and II Committees, and to the Appropriations I -- Standing Appropriations I and II Committees.

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It waives the posting notice requirement for the Standing Committees Appropriations I and II, so that those bills can be heard Monday and Tuesday of next week. It's effective immediately upon our adoption, I would move -- Mr. -- Mr. President, with respect to this motion.

PRESIDENT ROCK:

All right. You've heard the motion as placed by Senator Demuzio. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries, and it is so ordered. All right, Ladies and Gentlemen, as soon as we finish the housekeeping stuff, we're going to turn to Page 38, 38 on the Calendar, to the Order of Senate Bills 3rd Reading. So if you'll just -- those of you who have bills that you want to get ready. It's Topinka, Hawkinson, Hawkinson, Topinka is the lead off. Committee Reports.

SECRETARY HAWKER:

Senator Carroll, Chairman of the Special Temporary Committee on Appropriations I, reports Senate Bills Numbered 12, 71, 184, 230, 259, 261, 291, 332, 462, 736, 783, 1053, 1090, 1164 Do Pass. And Senate Bills Numbered 37, 229, 461, 662, 728 and 1283, Do Pass as Amended.

PRESIDENT ROCK:

Messages from the House.

SECRETARY HAWKER:

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 Senate Joint Resolution, in the adoption of which I'm instructed to ask the concurrence of the Senate, to wit:

House Joint Resolution 44.

It is congratulatory.

And I have a like message on House Joint Resolution 46, House

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Joint Resolution 47, House Joint Resolution 48 and House Joint Resolution 49.

They are all congratulatory.

PRESIDENT ROCK:

Consent Calendar. All Right. Resolutions.

SECRETARY HAWKER:

Senate Resolution 295 offered by Senator Karpiel;

Senate Resolution 296 offered by Senators Demuzio, President Rock and all Members;

Senate Resolution 297 offered by Senator Woodyard.

They're all congratulatory.

PRESIDENT ROCK:

Consent Calendar, Madam Secretary.

SECRETARY HAWKER:

Senate Resolution 298 offered by Senators Fawell, Philip, Mahar, Hudson, Karpiel and Topinka.

It's a death resolution.

PRESIDENT ROCK:

Consent Calendar.

SECRETARY HAWKER:

Senate Resolution 299 offered by Senator Topinka.

It is substantive.

PRESIDENT ROCK:

Executive.

SECRETARY HAWKER:

Senate Joint Resolution 58 offered by Senators Watson and Brookins.

It is congratulatory.

PRESIDENT ROCK:

Consent Calendar. If I can have your attention, just so we can get an idea of a tentative schedule. It's been suggested that we will return at noon on Monday, and we will begin right on

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the Calendar, and at five o'clock we've requested that the Appropriations I Committee meet; at nine a.m. on Tuesday morning, that the Appropriations II Committee meet, with the understanding that we will go into Session at noon on Tuesday. We will again start Session at noon -- I mean, at nine o'clock, nine a.m., on Wednesday. With the understanding that we will, if the chairmen and minority spokesmen have met, we will handle agreed Motions to Discharge, that are -- I've asked the committee chairmen to meet with the minority spokesmen and determine those questions. Thursday we will meet again at nine in the morning, and attempt to accommodate the schedule of our colleagues so that they can return to Chicago. We will not be here on Friday. And then on Monday the 22nd, at the hour of noon, we will again come into Session and we will deal with individual Member's Motions to Discharge any bills that weren't subject to prior agreement, or for some reason got overlooked. Senator Geo-Karis.

SENATOR GEO-KARIS:

I'm sorry, Senator Rock. What did you say about Monday? What time did you say?

PRESIDENT ROCK:

Noon on Monday.

SENATOR GEO-KARIS:

Appropriations Committee meetings, and...

PRESIDENT ROCK:

Five o'clock.

GEO-KARIS:

Pardon me?

PRESIDENT ROCK:

All right, Ladies and Gentlemen, we will go through the Order of Senate Bills 3rd Reading, and at the conclusion of that Order we will revert to Senate Bills 2nd Reading, and attempt to do, at the sponsor's request, whatever we can, prior to our adjournment,

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which I hope will be right about noon, so that everybody can get back to their district. On the Order of Senate Bills 3rd Reading, Madam Secretary. Senate Bill 28. Read the bill, please.

SECRETARY HAWKER:

Senate Bill 28.

(Secretary reads title of the bill)

3rd Reading of the bill.

PRESIDENT ROCK:

Senator Topinka.

SENATOR TOPINKA:

Mr. President, Ladies and Gentlemen of the Senate, Senate Bill 28, basically started life coming out of my district, through a district problem, whereby one of my local school boards -- their secretary saw fit to really provide some compensation for themselves that was rather outlandish. In working with the Illinois Association of School Boards, we came up with this bill, and all this bill does, is puts a five-hundred-dollar cap on annual compensation for school board secretaries, whether they be members of the board or nonmembers. To my knowledge it's agreed to by all, it's supported by all school groups, and there is no opposition. So I would appreciate your favorable vote.

PRESIDENT ROCK:

Is there any discussion? There any discussion? If not the question is, shall Senate Bill 28 pass. Those in favor will vote Aye, opposed will vote Nay, and the voting is open. Have all voted who wish? Take the record. On that question, there are 53 Ayes, no Nays, none voting present. Senate Bill 28, having received the required constitutional majority, is declared passed. 104. On the Order of Senate Bills 3rd Reading, the bottom of Page 38, is Senate Bill 104. Read the bill, Madam Secretary, please.

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SECRETARY HAWKER:

Senate Bill 104.

(Secretary reads title of the bill)

3rd Reading of the bill.

PRESIDENT ROCK:

Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Mr. President. This bill was heard in the Elementary and Secondary Education Committee. It was suggested by a school district in my Senate district, and what it does, it allows for the construction or remodeling of a school building without referendum, but only when no tax dollars are involved. That's no tax levy, no bonding that will be repaid by taxes, it's only when it's done from gifts as is intended by the local school district, which has a citizens committee, which is seeking to raise money for a building. Or by other money that doesn't come from tax levies.

PRESIDENT ROCK:

Is there any discussion? Any discussion? If not, the question is, shall Senate Bill 104 pass. Those in favor will vote Aye, opposed, vote Nay, and the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 52 Ayes, no Nays, none voting Present. Senate Bill 104, having received the required constitutional majority, is declared passed. On the Order of Senate Bills 3rd Reading, Senate Bill 123. Read the bill, Madam Secretary, please.

SECRETARY HAWKER:

Senate Bill 123.

(Secretary reads title of the bill)

3rd Reading of the bill.

PRESIDENT ROCK:

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Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Mr. President. Two years ago, the Legislature passed a law regarding the theft offense, which made the dollar amount of the property stolen an element of the offense. And we did that two years ago because the Appellate and Supreme Courts indicated that there was confusion in the statutes about whether the value of the property stolen should be an element to be proved at the time of the offense, or only considered at sentencing. We corrected that situation, but we've now determined that the same situation exists when you have the offense of criminal damage to property, that there is confusion as to whether or not that is an element of the offense. This bill clarifies it in exactly the same way that we clarified it in the theft statute, which provides that the value, that is whether it is over or under three hundred dollars, is an element of the offense to be proven at trial. It was heard in the Judiciary Committee and passed eight to nothing, and I would ask for your support for Senate Bill 123.

PRESIDENT ROCK:

Is there any discussion? Any discussion? If not the question is, shall Senate Bill 123 pass. Those in favor will vote Aye, opposed vote Nay, and the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 53 Ayes, no Nays, none voting Present. Senate Bill 123, having received the required constitutional majority, is declared passed. 168. Senator Topinka. On the Order of Senate Bills 3rd Reading, again the bottom of Page 38, is Senate Bill 168. Read the bill, Madam Secretary, please.

SECRETARY HAWKER:

Senate Bill 168.

(Secretary reads title of the bill)

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3rd Reading of the bill.

PRESIDENT ROCK:

Senator Topinka.

SENATOR TOPINKA:

Yes. Mr. President, Ladies and Gentlemen of the Senate, Senate Bill 168 basically would lift the prohibitions that currently exist on political committees to be able to conduct raffles. It's very similar to a bill that Senators Kustra and Demuzio had last year, which was held in Rules. To my knowledge, it has no opposition. I would appreciate your favorable vote.

PRESIDENT ROCK:

Is there any discussion? Any discussion? If not, the question is, shall Senate Bill 168 pass. Those in favor will vote Aye. Opposed, vote Nay, and the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 44 Ayes, 4 Nays, 2 voting Present. Senate Bill 168, having received the required constitutional majority, is declared passed. Top of Page 39, on the Order of Senate Bills 3rd Reading, is Senate Bill 176. Read the bill, Madam Secretary, please.

SECRETARY HAWKER:

Senate Bill 176.

(Secretary reads title of the bill)

3rd Reading of the bill.

PRESIDENT ROCK:

Senator Dunn.

SENATOR THOMAS DUNN:

Thank you, Mr. President. This makes it a Class 4 felony to display the American flag on the ground or the floor. I urge adoption.

PRESIDENT ROCK:

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

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question is, shall Senate Bill 176 pass. Those in favor will vote Aye, opposed, vote Nay, and the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 Ayes, no Nays, none voting Present. Senate Bill 176, having received the required constitutional majority, is declared passed. Senator Etheredge on 182. Senator Etheredge. Senator Kustra, 189. Senator Woodyard, 218. On the Order of Senate Bills 3rd Reading, the middle of Page 39 is Senate Bill 2-1-8, 218, Madam Secretary. Read the bill, please.

SECRETARY HAWKER:

Senate Bill 218.

(Secretary reads title of the bill)

3rd Reading of the bill.

PRESIDENT ROCK:

Senator Woodyard.

SENATOR WOODYARD:

Thank you, Mr. President and Members of the Senate. Senate Bill 218 was requested by the Georgetown Cemetery Maintenance District, and would allow them to borrow and use the new land as -- as collateral, an existing cemetery, adjacent to their cemetery and would allow them to borrow up to fifty thousand dollars. This does -- does not change the tax levy, has nothing whatsoever to do with that. It just would allow them to buy this additional piece of land.

PRESIDENT ROCK:

Any discussion? Is there any discussion? If not, the question is, shall Senate Bill 218 pass. Those in favor will vote Aye, opposed, vote Nay, and the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 Ayes, no Nays, none voting Present. Senate Bill 218, having received the

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required constitutional majority, is declared passed. Senator Dunn. Senator Karpziel, 271. On the Order of Senate Bills 3rd Reading, Senate Bill 271. Read the bill, Madam Secretary, please.

SECRETARY HAWKER:

Senate Bill 271.

(Secretary reads title of the bill)

3rd Reading of the bill.

PRESIDENT ROCK:

Senator Karpziel.

SENATOR KARPIEL:

Thank you, Mr. President. This is a very simple bill. It simply changes the Illinois Public Library District Act, to say that the terms of a library district trustee is not to exceed two years, from the present two years. This is not a shell bill; we said in committee, it's -- it is a real problem that some of the libraries are having, particularly the Schaumburg Township Public Library, which -- on which Deb Miller, the Lobbyist for the Illinois Library Association, is a board member. And I ask your support.

PRESIDENT ROCK:

Any discussion? Is there any discussion? If not, the question is, shall Senate Bill 271 pass. Those in favor will vote Aye, opposed will vote Nay, and the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Ayes, no Nays, none voting Present. Senate Bill 271, having received the required constitutional majority, is declared passed. 353. Senator Karpziel. On the Order of Senate Bills 3rd Reading, Senate Bill 353. Read the bill, Madam Secretary, please.

SECRETARY HAWKER:

Senate Bill 353.

(Secretary reads title of the bill)

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3rd Reading of the bill.

PRESIDENT ROCK:

Senator Karpiel.

SENATOR KARPIEL:

Thank you, Mr. President. The analysis in -- on the Republican side is not quite correct. I don't know about the other side of the aisle. This is a piece of property that was bought -- there are two pieces of property that are adjacent to each other. One is on the -- on the road, the frontage. And then there's a part in the back. The school district owns the property that is adjacent to the road, and was going to build a school there, so the park district picked up the back part of this property to build a park. The school is no longer planning on building a park there, and is going to sell it to -- for commercial purposes. And the park district would like to do the same. I appreciate your support.

PRESIDENT ROCK:

Any discussion? Is there any discussion? If not, the question is, shall Senate Bill 353 pass. Those in favor will vote Aye, opposed, vote Nay, and the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 53 Ayes, no Nays, none voting Present. Senate Bill 353, having received the required constitutional majority, is declared passed. 467. Senator Topinka. Senator Etheredge, we'll get right back to you. That has to be called back, as you know. 467. Senator Topinka. On the Order of Senate Bills 3rd Reading, Madam Secretary, is Senate Bill 467. Read the bill, please.

SECRETARY HAWKER:

Senate Bill 467.

(Secretary reads title of the bill)

3rd Reading of the bill.

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PRESIDENT ROCK:

Senator Topinka.

SENATOR TOPINKA:

Yes, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 467 -- this is its third appearance in the General Assembly. It -- it's been in both Houses. It allows the -- it changes the Aboriginal Records and Antiquities Act, so that the State can accrue archeological records, provide penalties if they're disturbed, it's a desire to -- to keep poachers away, so we can kind of maintain Illinois' heritage. In the past, the Governor has had some problem with it; apparently he has withdrawn his opposition, so at this point it is unopposed. And I would appreciate your positive vote.

PRESIDENT ROCK:

Is there any discussion? Any discussion? If not, the question is, shall Senate Bill 4-6-7, 467, pass. Those in favor will vote Aye, opposed, vote Nay, and the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Ayes, no Nays, none voting Present. Senate Bill 467, having received the required constitutional majority, is declared passed. Senator Friedland. 487. On the Order of Senate Bills 3rd Reading, is Senate Bill 487. Read the bill, Madam Secretary, please.

SECRETARY HAWKER:

Senate Bill 487.

(Secretary reads title of the bill)

3rd Reading of the bill.

PRESIDENT ROCK:

Senator Friedland.

SENATOR FRIEDLAND:

Thank you -- thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 487 was drafted by CMS, and it would

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permit them to convey vacant real property to the local school district. It passed committee seventeen to nothing, and there is one amendment on it to make it an immediate effective date, and I'd urge your favorable support.

PRESIDENT ROCK:

Discussion? Is there any discussion? If not, the question is, shall Senate Bill 487 pass. Those in favor will vote Aye, opposed, vote Nay, and the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Ayes, no Nays, and none voting... 1 voting Present. Senate Bill 487, having received the required constitutional majority vote, is declared passed. Senator Etheredge, are you ready on 385? All right. On the Order of Senate Bills 3rd Reading, Ladies and Gentlemen, the middle of Page 39, is Senate Bill 385. Senator Etheredge, pursuant to the agreement yesterday, seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of amendments. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading is Senate Bill 385, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 385.

(Secretary reads title of the bill)

Appropriations -- there are no committee amendments.

PRESIDENT ROCK:

Any amendments from the Floor?

SECRETARY HAWKER:

Senators Welch, Rea, Severns and others offers -- offer Amendment No. 1.

PRESIDENT ROCK:

Senator Welch, on Amendment No. 1.

SENATOR WELCH:

Thank you, Mr. President. Amendment No. 1 has been passed

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out. What Amendment No. 1 will do, is add thirty million dollars to the Common School Fund. After reviewing the balance in the Lottery over the past year, the Lottery has done much better than we estimated at the end of last fiscal year. So with this extra money, what we want to do with this amendment is get it to the schools as soon as possible, and this amendment will provide thirty million dollars to do so. Fifteen million dollars of the thirty, will go towards the State Aid Formula; seven and a half million dollars will go for the regular transportation line; and seven and a half million for special education personnel reimbursement. Be glad to answer any questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Welch has moved the adoption of Amendment No. 1 to Senate Bill 385. Discussion? Senator Maitland.

SENATOR MAITLAND:

Thank you very much, Mr. President and Members of the Senate. Senator Welch, I -- I understand what you are doing here, but I think there is one very important thing that needs to be recognized here, and -- and quite frankly, we're going to recommend the defeat of -- of -- of this amendment and -- and add one -- later. This will be the first time that we have -- we have taken money from the Common School Fund and -- and taken it to General Revenue. This Body stood rather strongly, I think, a couple of years ago, in suggesting that all the money from the Lottery need to be dedicated to the Common School Fund, and -- and I think this is extremely important that we recognize this, and the amendment that we will offer a bit later will strike the last part of your amendment, where we are taking the money from the Common School Fund and -- and putting it in the General Revenue Fund.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Welch.

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SENATOR WELCH:

I would just point out that the amendment is not as dire as has been portrayed. The money that goes to the General Revenue Fund will be used for schools by way of transportation grants. So it's not as if we're sending it out there for something else.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland.

SENATOR MAITLAND:

Senator Welch, I'm not arguing that point at all, and -- and hopefully it would go there, but that -- the law simply doesn't permit that, and I think this is a dangerous precedent to set. I'd hate to see us disagree on this; this is a -- this is a -- this is a policy issue, this is -- this is actually what the law is. We simply don't want to be on record, it seems to me, as appropriating money from the Common School Fund into General Revenue.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Maitland, was that a question? Senator Maitland.

SENATOR MAITLAND:

I -- I guess it was a comment, I guess just to close, Mr. President. It's extremely important that we recognize what we are doing. I don't want to be on record as taking money away from education, and that's what, in my judgment, it seems to me we're doing. We ought be very careful about that. This General Assembly and the Governor stood very strong on this, and every school district in the State has been here hammering on us to make sure that all Lottery money goes to education. Let's assure that it does. And let's do it through the Common School Fund, like the law says we must do it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? All right. If not -- all

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right. Senator Brookins.

SENATOR BROOKINS:

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield. Senator Welch will yield. Senator Brookins.

SENATOR BROOKINS:

Yes, thank you. Senator Welch, will you please explain to me, you're not taking money away from the schools, you're adding money to the School Fund? Would you give me an explanation?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Yes. What we are doing is adding thirty million dollars for school funding this year, with this amendment. That's correct. We're not taking money away from schools; we are giving thirty million dollars to schools out of the Lottery.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Brookins. Senator Brookins.

SENATOR BROOKINS:

Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I rise in support of the amendment, because I believe there may be some confusion as to how schools are funded in Illinois. We all know that the Lottery has produced additional income this year. Significant additional income, because of the tremendous publicity in the rollover games, that has caused the State to enjoy a windfall. We all know also that the public

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believes that that money goes, in fact, for school funding. Additionally to that, however, we also know that the way in which schools are funded is by an allocation in the Common School Fund and an allocation of General Revenue dollars. If we do nothing, then these extra dollars will not go directly to the schools. These extra dollars will sit there to be used in General Revenue to build the bank balance. People believe when they buy tickets, the profits go to schools. If we don't add to the allocation out of the Common School Fund, they really do not go to the schools. This amendment will give the money to the schools. Make no mistake about it. The question is whether the schools get it, or the bank balance. This amendment gives it to the schools.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Fawell.

SENATOR FAWELL:

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield. Senator Fawell.

SENATOR FAWELL:

If I understand this, Senator Welch, this is Lottery money we are talking about, that has accumulated. There is a surplus and -- and we are going to use it for schools. Am I right?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

That's correct, Senator.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Fawell.

SENATOR FAWELL:

What I also understand, though, is that we have passed a law that says all Lottery money goes into the Common School Fund. Am I right?

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PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

That's correct, Senator.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Fawell.

SENATOR FAWELL:

And what you are doing is you are putting half of it into the Common School Fund, and the other half you are putting into a Transportation Fund. And I'm not saying that, you know, that that's not a good thing. What I am saying is, I don't think we can do it. We have passed a law that specifically says we put it into the Common School Fund. That's one pocket. There's a different pocket, that talks about transportation, and unless you want to go contrary to what the law is, which frankly I think is going to confuse a lot of people - because most people do not understand there are different budgets set up for the schools - and -- and what you are doing, although your intent may be well-founded, is nevertheless against the present law that we, as an Assembly, have passed, and we have said the money goes to the Common School Fund, and if -- if you find language that says otherwise, I would like to see it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Severns.

SENATOR SEVERNS:

Thank you, Mr. President and Members of the Senate. I don't think my district is unique, when the most often asked question is, "Where do our Lottery dollars go?" What this amendment does, is force us to keep the commitment, that our Lottery dollars go to help fund the classrooms of this State. This amendment forces us to put our money where our mouth has been. Revenues in Lottery are up, we must make certain that those dollars go to our schools.

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A vote Yes on this amendment is to say that we are going to keep that commitment that we've made, we're going to put the extra revenue from Lottery into the classrooms of this State. A vote No is to say we're not going to keep that commitment, we're going to let our year-end balance build up. I think we need to keep the commitment, to the children, to the parents of this State, that when Lottery revenues are up, those dollars are going to the classrooms of this State. That's the purpose of this amendment. I urge an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Jones.

SENATOR JONES:

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield. Senator Jones.

SENATOR JONES:

Yes. Senator Welch, that portion and half portion that you have going to the School Code, pursuant to Section 4-13-01, is that the transportation portion of the School Code?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Yes, it is.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

Is that the portion of the School Code that does reimbursements to parents of children under the law that we passed, so that they can get reimbursed for their transportation, or is that -- or is this amount going to the school districts to reimburse them for transportation of students?

PRESIDING OFFICER: (SENATOR DEMUZIO)

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Senator Welch.

SENATOR WELCH:

This reimburses school districts, not parents.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

Well, I -- I rise in opposition to the amendment, simply because the law specifically states that it goes into the School Code. And by you changing and putting this in the reimbursement to school district, that is -- that does not fall true to the -- to the agreement as a relief to the Lottery. I feel that it should go -- go into the Common School Fund, and from that point all the other General -- General Revenue will go toward the -- the -- transportation. Now if it was going back to reimburse those parents, pursuant to the law that we passed a few years ago, then perhaps I could be supportive of that portion. But I can't be supportive with it not going into Common School Fund.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Schaffer.

SENATOR SCHAFFER:

Well, I think I understand what Senator Welch is attempting to do, and I know what the amendment that follows is attempting to do, and I suspect if I did a computer run, which you're so fond of, I probably ought to be for this amendment. But I'm not going to be, because I don't want to have to stand up and say, "Well, all the Lottery money goes into the Common School Fund, except occasionally we take money out of the Common School Fund and we put it in the General Fund, and sometimes we spend some of that money on education." I think it's a bad precedent. I think most of us have had a hard time explaining where the Lottery money goes. The simplest thing is to put it in the Common School Fund, which goes through the formula. That's the easiest way to explain

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it, and if we start pulling money out of the Common School Fund, for any reason, you're going to spend the rest of your life explaining it. The bottom line is that we did pass a law to put the Lottery money there, and while I'm not terribly enamored with the School Aid Formula that currently exists, it is a commitment we made to the people of this State, and while you could argue we're -- we're shifting money from one pocket in the education community to another pocket in the education community, why not just leave it all in the pocket that we promised we were going to put it in? How many time do we have to change directions?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. I think there is a lot of confusion; let me try to clarify the alternatives that are presented to us this morning, as I understand it, talking with Senator Welch and with Senator Maitland. Senator Welch is saying that we take thirty million dollars from the Lottery Fund and we put thirty million dollars into school funding. Furthermore, Senator Welch is following the general formula that we followed in our allocation of school money last June. And that is to take roughly half the money that's available for schools and leaving it for the General State Aid distribution, and the other half for categoricals. However, I want to make -- make it specific that -- that there's only two categoricals that are funded under the Welch amendment. Half of the half that's going to catagorical is going to transportation, the other -- the other half of the half, is going to Special Ed reimbursement. Now the Maitland amendment - and just shake your head if I'm properly describing it - would not -- would not divide the thirty million between General State Aid and categorical. It would leave it all in the...

PRESIDING OFFICER: (SENATOR DEMUZIO)

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That's the wrong explanation.

SENATOR BERMAN:

...all right, then -- then, what I would ask, Mr. President, when I'm done, is perhaps if we could just allow Senator Maitland to clarify his amendment, so that we understand what we're voting on. I'm going to stand in support of the Welch amendment, and the reason I say that is this: the funds that are -- there is no doubt an Aye vote is putting Lottery money for schools. I don't want anybody to say that that's not true. It's true. An Aye vote is putting Lottery money for schools, and we're following the same general distribution that we followed last year, of half of the money going to General State Aid, the other half for categoricals. The only difference, as I view this, is that we are singling out the two largest -- general -- the two largest categorical grants for funding out of this money. I don't have a printout. I can't tell you which district gets better or worse, but it certainly follows the general approach that we have taken in the past, regarding school money. If you want to say that we are allocating the Lottery proceeds to schools, we are doing that by voting Aye. I intend to vote Aye.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Maitland.

SENATOR MAITLAND:

Thank you -- thank you very much, Mr. President and Members of the Senate, and Senator Berman, an explanation of the amendment that will follow. First of all, we -- we understand and support the first -- the first part of Senator Welch's amendment which does appropriate the fifteen million dollars. We have to understand that as the Lottery grows, the receipts to the State grow, the Common School Fund grows as a consequence of that. And we have appropriated X number of dollars in 18-8 of the School Code that funds the School Aid Formula. So as the school -- as a

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Common School Fund grows because Lottery receipts are greater, whatever it takes from General Revenue to match the total appropriation in 18-8, which is the School Aid Formula, the General Revenue Fund grows, because the Common School Fund has grown, so it take less money. In theory -- in theory, and in my judgment as well, the -- the -- the two parts of the transportation formula that we are funding, the money should be there in the General Revenue Fund now, because it has grown substantially, because of increased receipts. But what Senator Welch's amendment goes on to do, is to take fifteen million dollars out of the Common School Fund and allow that to go someplace else. If you really want to...to do it right, then, another fifteen million dollars to the Common School Fund is the way you increase funding through the -- through General State Aid. I -- I think, Senator Welch, this is a dangerous departure from what -- what the law is. Applaud what you're doing, but legally we can't do it. It's just simply wrong.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I too, rise in support of this amendment, and I think the premise under which we are all operating is that we've all read in the paper that the Lottery has enjoyed a windfall, and we ought to make that money available, now. Instead of the estimate that we had from the Lottery Department and the Bureau of the Budget that was five hundred and fifty, it's now going to be five eighty. So what we are saying by virtue of this amendment is yes, we want to use that thirty, and we want to use it for schools. And every year and within the next month, we will again engage in the argument that the formula is inequitable; nobody likes the formula. Upstate, downstate, suburban, rural - nobody likes it.

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So what we are saying is, take half that windfall, please, and put it into the Common School Fund for general distribution, and take half, as we try to do with the categoricals and the formula, and put it into two admittedly underfunded categoricals - Transportation Reimbursement and Special Ed. I don't see anything wrong with this. There is no one that can walk out of here and say we haven't made that thirty million dollars specifically available to schools, which is everybody's understanding. I would urge an Aye vote on this amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator DeAngelis. Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. Senator Berman, I think that we ought to oppose this for the very reason that you support it. I have observed, while you were trying to explain what's going on with this amendment, the look on the eyes of the Members of this Body, and I, along with many others, had a look of consternation and confusion. I looked in the press box, and they were scratching their heads, too. Now can you imagine what we have to do when we go back to our districts? I have spent a good time of my campaign time trying to explain where the Lottery money goes. In fact, my seventy-seven-year-old mother still thinks that it's buried in somebody's backyard -- that we are not making that available. And now, all we're doing is going to confuse the public all over again. Because if we're confused ourselves, can you imagine what the public is going to be like when we pass out this amendment? Now, Senator Welch, we are not opposed to what you are doing. But let me just tell you the primary beneficiary of the Lottery money is not the Common School Fund, because the more that goes in there, the less that comes out of General Revenue. The primary beneficiary is the General Revenue Fund.

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And if we're going to give the thirty million, let's do it the right way, and let's be able to go back home and say we did give that additional money. We will not have to spend half of our time explaining how we looted the Common School Fund. And frankly, all we have to argue here is basically the pride of authorship. Senator Maitland had an amendment that's going to give that money to the people -- to the schools. And I don't think the pride -- the pride of authorship, is a price great enough to have to go back home and explain this thing after we do this.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? For a first time, Senator Schuneman. All right. For a second time, Senator Brookins.

SENATOR BROOKINS:

Thank you. I've been wrestling with Lottery now for six years, every since I've been a Member of the General Assembly. And I've talked all over the United States concerning Lottery in Florida and other places where it went in. And one of the biggest tricks, and as our late mayor would have said, "Hocus-pocus Dominocus," is that we're not really, in essence, giving anything from Lottery to -- to education. What we're doing is taking it out of one pocket and putting it in another pocket. And then going out and telling our constituency that Lottery is going to education. It is not, in reality. In reality, what we are doing is supplementing the General Revenue Fund with Lottery money. If we were serious about what we're doing, we would fund education to the level of whatever we're funding it. And then take Lottery money and place it in on top of that, as an add-on, or as a supplement. This is what we really, really should be doing. And now, what we are attempting to do, is play a further trick in both the amendment - this one here and the one coming up - a further trick on the people of the State of Illinois. We're going to tell them that we are funding education of the Common School Fund with

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Lottery money. And in effect, we're still not. We're going to separate a way, fifteen or half, fifteen million dollars, and put it in the Common School Fund, and then siphon away another fifteen million dollars for transportation, for other folks outside of where it really should be going. I think that this is wrong, and we will have explanations to make all over. In my community, in the City of Chicago, they don't believe that we're funding education, period. From the look of the schools and what is happening, we're not funding education at all. I think this is dangerous, this is wrong, and this is tricky. Therefore, I will have to stand in opposition of this amendment. And the one that follow.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? For a third time, Senator Maitland.

SENATOR MAITLAND:

I apologize, Mr. President, and I -- I -- I really am concerned about the confusion, not only on this Floor, but the confusion that the media might -- might get from all of this. I'm going to simply try one more time, and Senator Rock, we can accomplish what you want to accomplish, but we can do it the right way. First of all, the fifteen million dollars nobody understands. The second part, the 27.5 million dollars, it can be said that that's Lottery money, because the General Revenue Fund had grown by that amount, because the demand is less on it. So because the Lottery has done well, transportation's going to benefit from that with Senator Welch's amendment. But what the third part of his amendment does, is to take then fifteen million dollars from the Common School Fund, and put it in the General Revenue Fund. And that's where we have our disagreement. It's not a political disagreement. It's just a I -- I think it's a -- I don't know what kind of a disagreement it is, but it is something

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we ought not do. Senator Rock, if you want to do what you want to do, then appropriate another fifteen million dollars from the General Revenue Fund to the Common School Fund. Then we accomplish that. But I don't want to be on record as pulling money out of the Common School Fund, and putting it in the General Revenue. That's absolutely, fundamentally wrong. And I would urge -- opposition to this amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Jones, for a second time.

SENATOR JONES:

Thank you, Mr. President. There seems to be some confusion on this amendment. I want to make sure I cast the -- the right vote, in the -- in the best interest of the children. Could I ask the sponsor of the bill, will you -- be willing to take this out of the record till we can get those figures together and come back to it later? Will the sponsor mind taking this bill out of the record temporarily?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

I -- I think it's pretty clear, what the amendment says. I think that it's a -- argument over where the money comes from. It's all coming out of the School Fund, and it's all going to schools.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

All I was asking that it would be taken out temporarily, till we can get some clarified points on setting the issues as related to the Transportation Fund. And -- you know, I want to be able to cast the right vote.

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PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator -- Senator Welch.

SENATOR WELCH:

Take it out of the record and come back to it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Welch seeks leave to take it out of the record. Take it out of the record. Further amendments?

SECRETARY HAWKER:

Senate Amendment No. 1 offered by Senator O'Daniel.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator O'Daniel.

SENATOR O'DANIEL:

Thank you, Mr. President and Members of the Senate. I have several additional hyphenated sponsors to this bill, and I'd make it -- that of record. It's Senator Rea, Senator Demuzio, Senator Donahue, Senator Watson, Senator Woodyard and Senator Ralph Dunn. What this amendment does is makes an appropriation to the State Board of Education. Eight hundred and twenty-eight thousand dollars is required to complete the Common School Fund payments to the school districts for the 1986 farm assessment hold harmless grants. We passed legislation in 1986, and made a commitment to the school districts and the people of the State of Illinois that we would pick up the shortfall for two years. And that's what this does; it really honors that commitment we made when we passed that legislation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Discussion? Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. I rise in support of the amendment. It is an obligation that we made in 1986, and unfortunately, this revenue has been in a -- appropriations bill before, and got to the Governor's desk and unfortunately, the Governor has vetoed

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this in the past. I think we need to send a message to the Governor, that this is an important obligation the General Assembly made to the people of this State and the schools and -- and the respective districts of this State, and it needs to be signed. And hopefully he'll get that message, and I certainly support the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President. Just to also indicate my support, I was the sponsor of the bill that -- that caused the hold harmless. We had commitments from virtually everybody that we would do this. It's been embarrassing to me, it's been embarrassing to a number of the Members who supported my position back when we passed the bill. So I would likewise urge support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further Discussion? If not, Senator O'Daniel has moved the adoption of Amendment No. 1 to Senate Bill 385. Those in favor will indicate by saying Aye. Opposed, Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY HAWKER:

Amendment No. 2 offered by Senator Carroll.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is in the Court of Claims section of the supplemental appropriation, and it does as we have done before, and that is to add all awards that have been signed by the requisite number of judges, up to the time that the Court of Claims brought it forward. I would move adoption of Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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

SENATOR ETHEREDGE:

Will the sponsor yield, please.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield. Senator Etheredge.

SENATOR ETHEREDGE:

Senator, has this amendment been distributed?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Best of my knowledge, it has been.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge.

SENATOR ETHEREDGE:

We have not received a copy of this amendment over on this side, and it's -- lending some confusion to the procedure here. I have filed an amendment also, to pay these claims, and I have not been able to determine the relationship between my amendment and your amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

All I know, Senator Etheredge, is that it had been distributed, I am advised; I obviously didn't personally distribute it. And it is, as I am told, the ones in which the requisite number of Members have signed...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge.

SENATOR ETHEREDGE:

Senator, I've just been handed an amendment, just received at this moment, but there is no name on it. I have no idea. This

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does deal with the topic, though, of the Court of Claims Awards, but it has just now been handed me. And as I say, your name is not on it, Senator. So I can't confirm the fact that it is, in fact, yours.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

If he wishes to take the bill out of the record and look at the amendment, I'd have no objection.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge.

SENATOR ETHEREDGE:

I would -- if you would be good enough to do that, Senator, then we can compare these and make sure that -- if -- if they -- if they track. I -- and then we can come back to it later.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Is he taking the bill out of the record, so we have a chance to look over the whole thing? This confusion...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge -- wait a minute, I beg your pardon. Senator Carroll.

SENATOR CARROLL:

I mean there's confusion on all of these amendments now, this is something, Senator Etheredge, we had filed days and days and -- if you want to take the whole thing out. I think we're getting too confused about the whole process.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge.

SENATOR ETHEREDGE:

Well -- Mr. President and -- and Senator Carroll, I would like

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to have the opportunity to compare the amendment which we have prepared, that deals with the Court of Claims, with this one that is presented. I've just been handed the amendment. I think it's...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge. The Gentleman has suggested that perhaps you take the bill completely out of the record, so we can get all of these amendments together and perhaps we'll address it sometime first -- first time -- first thing Monday. If -- if that's agreeable to you.

SENATOR ETHEREDGE:

Senator, no, I would -- I would not be willing to do that, because there are other elements in this supplemental which we should act on today. We have circuit breaker payments to a hundred and one thousand people, that -- that depend upon our ability to move this bill forward. So I would like to have us proceed with these amendments as expeditiously as we possibly can, but at the same time, I'd like to know what I'm doing.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President. I think that's something that all of us would like, so let me suggest that you take it out for about an hour, and we get all these pieces of paper together and you and Senator Carroll sit down and go over all these pieces of paper. I mean there's paper flying now that -- I've not seen before. These amendments have been on file for a little better than a week. And all I'm suggesting is -- I'm sure that with your competence, you can sort it out in less than an hour, and we'll get back to it before we adjourn. Everybody is kind of anxious to get out of here. The fact is, we can go right to the Order of 2nd Reading and do what we can do, and we'll get back to it when you tell us

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you're ready.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge.

SENATOR ETHEREDGE:

Mr. President, with that -- with the assurance that we will get back to this bill today in order that we can consider these amendments and act upon them, I will take the bill out of the record.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, take it out of the record.

SENATOR ROCK:

If I can have your attention, then we'll turn to Page 2 on the Calendar. On the Order of Senate Bills 2nd Reading, and I would ask the Members to be sensitive to the fact that some of these bills may require amendment or may have some controversy, and what we'd like to do is in the remaining couple of hours here, just go through as many as we can for the purpose of moving them from 2nd to 3rd, and I would ask the Members to bear that admonition in mind as we move through the Calendar. All right. Madam Secretary, on the Order of Senate Bills 2nd Reading, top of Page 2, Senate Bill 1. Senator Welch. Read the bill, Madam Secretary, please.

SECRETARY HAWKER:

Senate Bill 1.

(Secretary reads title of the bill)

2nd Reading of the bill. No committee amendments.

PRESIDENT ROCK:

Any amendments from the Floor?

SECRETARY HAWKER:

No Floor amendments.

PRESIDENT ROCK:

3rd Reading. Senate Bill 3. Senator Welch. Senate Bill 4.

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On the Order of Senate Bills 2nd Reading is Senate Bill 4. Read the bill, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 4.

(Secretary reads title of the bill)

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

PRESIDENT ROCK:

Senator Welch, on Amendment No. 1.

SENATOR WELCH:

Amendment No. 1 to Senate -- was as amendment suggested by the Illinois Commerce Commission. It totally changed the bill from being a bill affecting take-or-pay natural gas rates to giving the Commerce Commission the authority to review what local distribution companies are doing to try to keep down the cost of natural gas contracts from fifteen to twenty years ago.

PRESIDENT ROCK:

All right. Senator Welch has moved the adoption of Amendment No. 1 to Senate Bill 4. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY HAWKER:

No further committee amendments.

PRESIDENT ROCK:

Any amendments from the Floor?

SECRETARY HAWKER:

No Floor amendments.

PRESIDENT ROCK:

3rd Reading. Senate Bill 5. Senator del Valle. Senate Bill 6. Senator Brookins. Page 2 on the Calendar. Senate Bill 6. You want to hold it, or you want to move it? All right. On the Order of Senate Bills 2nd Reading is Senate Bill 6. Read the

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bill, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 6.

(Secretary reads title of the bill)

2nd Reading of the bill. The Committee on Elections offers Amendment No. 1.

PRESIDENT ROCK:

Senator Brookins, on Amendment No. 1.

SENATOR BROOKINS:

Thank you, Mr. President. Amendment No. 1 would remove the portion of the bill which would make same day registration as agreed in committee, Senator Lechowicz, and therefore I move for the passage of Amendment No. 1.

PRESIDENT ROCK:

All right. Senator Brookins has moved the adoption of Committee Amendment No. 1 to Senate Bill 6. Discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment's adopted. Further amendments?

SECRETARY HAWKER:

No further committee amendments.

PRESIDENT ROCK:

Any amendments from the Floor?

SECRETARY HAWKER:

Senator Brookins offers Floor Amendment No. 2.

PRESIDENT ROCK:

Senator Brookins, on Amendment No. 2. All right. That amendment's being withdrawn at the request of the sponsor. Further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDENT ROCK:

3rd Reading. Senate Bill 7. Senator Brookins.

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SENATOR BROOKINS:

Pass.

PRESIDENT ROCK:

Senate Bill 8. Senator Marovitz. Senate Bill 10. Senator Welch. Senate Bill 11. Senator Jones. Senate Bill 13. Senator Berman. On the Order of Senate Bills 2nd Reading, middle of Page 2, is Senate Bill 13. Read the bill, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 13.

(Secretary reads title of the bill)

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

PRESIDENT ROCK:

Senator Berman, on Committee Amendment No. 1.

SENATOR BERMAN:

Thank you, Mr. President. Senate -- Committee Amendment No. 1 to Senate Bill 13 rewrites the bill and tightens up the language which would give rise to a cause of action by an attorney who has been fired for failure to break the law. I'd be glad to respond to any questions. I move the adoption of Committee Amendment No. 1.

PRESIDENT ROCK:

All right. Senator Berman's moved the adoption of Committee Amendment No. 1 to Senate Bill 13. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment's adopted. Further amendments?

SECRETARY HAWKER:

No further committee amendments.

PRESIDENT ROCK:

Any amendments from the Floor?

SECRETARY HAWKER:

No Floor amendments.

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PRESIDENT ROCK:

3rd Reading. Senate Bill 16. Senator Berman. On the Order of Senate Bill 2nd Reading is Senate Bill 16. Read the bill.

SECRETARY HAWKER:

Senate Bill 16.

(Secretary reads title of the bill)

2nd Reading of the bill. No committee amendments.

PRESIDENT ROCK:

Any amendments from the Floor?

SECRETARY HAWKER:

No Floor amendments.

PRESIDENT ROCK:

3rd Reading. 17. Senator del Valle. 20. Senator Jones. 22. Senator Netsch. Bottom of Page 2, Ladies and Gentlemen. 23. Senator Netsch. On the Order of Senate Bills 2nd Reading, Senate Bill 23. Read the bill, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 23.

(Secretary reads title of the bill)

2nd Reading of the bill. No committee amendments.

PRESIDENT ROCK:

Any amendments from the Floor?

SECRETARY HAWKER:

No Floor amendments.

PRESIDENT ROCK:

3rd Reading. 24. 25. Senator del Valle. 31. Top of Page 3, Ladies and Gentlemen, Senate Bill 32. Senator Smith. Senate Bill 33. Senator Brookins. Senate Bill 34. Senator O'Daniel. Senate Bill 36. Senator Watson. On the Order of Senate Bills 2nd Reading is Senator Bill 36. Read the bill, Madam Secretary, please.

SECRETARY HAWKER:

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Senate Bill 36.

(Secretary reads title of the bill)

2nd Reading for the bill. The Committee on Executive offers Amendment No. 1.

PRESIDENT ROCK:

Senator Watson, on Committee Amendment No. 1.

SENATOR WATSON:

Thank you, Mr. President. Committee Amendment No. 1 simply clarifies that the comptroller's duty in this process will report to the Secretary of State those people making thirty-five thousand dollars or more. I move for its adoption.

PRESIDENT ROCK:

All right, Senator Watson's moved the adoption of Committee Amendment No. 1 to Senate Bill 36. Any discussion? It not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment's adopted. Are there further amendments?

SECRETARY HAWKER:

No further committee amendments.

PRESIDENT ROCK:

Any amendments from the Floor?

SECRETARY HAWKER:

No Floor amendments.

PRESIDENT ROCK:

3rd Reading. 38. Senator Welch. 41. Senator O'Daniel. 43. Senator Marovitz. 44. Senator Smith. On the Order of Senate Bills 2nd Reading is Senate Bill 44. Read the bill, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 44.

(Secretary reads title of the bill)

2nd Reading of the bill. No committee amendments.

PRESIDENT ROCK:

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Any amendments from the Floor?

SECRETARY HAWKER:

No Floor amendments.

PRESIDENT ROCK:

3rd Reading. 45. Senator Smith. Yes. No. What?

SENATOR SMITH:

There was a committee amendment on this -- Number 44 -- Senate Bill 44. A technical.

SECRETARY HAWKER:

My apologies. Senate Bill 44 has -- committee -- the Committee on Executive offers Amendment No. 1.

PRESIDENT ROCK:

All right. Senator Smith, on Committee Amendment No. 1. Senate Bill 44, Madam Secretary. You ought to change the board. Senator Smith, on Committee Amendment No. 1.

SENATOR SMITH:

Thank you, Mr. Chairman -- the amendment on Senate Bill 44 is technical. It merely deletes the language requiring the Department of Public Health to administer the Act. And with that, the Department supports the -- legislation.

PRESIDENT ROCK:

All right. Senator Smith has moved the adoption of Committee Amendment No. 1 to Senate Bill 44. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment's adopted. Further amendments?

SECRETARY HAWKER:

No further committee amendments.

PRESIDENT ROCK:

Any amendments from the Floor?

SECRETARY HAWKER:

No Floor amendments.

PRESIDENT ROCK:

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3rd Reading. 45. Senator Smith. On the Order of Senate Bills 2nd Reading is Senate Bill 45. Read the bill, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 45.

(Secretary reads title of the bill)

2nd Reading of the bill. No committee amendments.

PRESIDENT ROCK:

Are there amendments from the Floor?

SECRETARY HAWKER:

No Floor amendments.

PRESIDENT ROCK:

3rd Reading. 46. Senator Smith. On the Order of Senate Bills 3rd Reading is Senate Bill 46. Read the bill, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 46.

(Secretary reads title of the bill)

2nd Reading of the bill. No committee amendments.

PRESIDENT ROCK:

Any amendments from the Floor?

SECRETARY HAWKER:

No Floor amendments.

PRESIDENT ROCK:

3rd Reading. 47. Senator Smith. On the Order of Senate Bills 2nd Reading is Senate Bill 47. Read the bill.

SECRETARY HAWKER:

Senate Bill 47.

(Secretary reads title of the bill)

2nd Reading of the bill. No committee amendments.

PRESIDENT ROCK:

Any amendments from the Floor?

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SECRETARY HAWKER:

No Floor amendments.

PRESIDENT ROCK:

3rd Reading. 48. Senator Smith. On the Order of Senate Bills 2nd Reading is Senate Bill 48. Read the bill. All right. Senator Smith, the Chair has been informed that a request for a fiscal note has been filed. I would just urge all the Members, if indeed, that's certainly within their rights. They -- they really ought to notify the sponsor or send the sponsor a copy. But that request has been filed. 50. Senator -- we'll take it out of the record. Senate Bill 50. Senator O'Daniel. On the Order of Senate Bills 2nd Reading is Senate Bill 50. Read the bill, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 50.

(Secretary reads title of the bill)

2nd Reading of the bill. No committee amendments.

PRESIDENT ROCK:

Are there amendments from the Floor?

SECRETARY HAWKER:

No Floor amendments.

PRESIDENT ROCK:

3rd Reading. 51. Senator Dunn. On the Order of Senate Bills 2nd Reading is Senate Bill 51. On Senate Bill 51, a request for a fiscal note has been filed, Senator Dunn, and I would again reiterate if, indeed, those are to be filed, copies ought to be made available to the sponsor just as a matter of courtesy. Senate Bill 55. Senator Topinka. On the Order of Senate Bills 2nd Reading is Senate Bill 55. Read the bill.

SECRETARY HAWKER:

Senate Bill 55.

(Secretary reads title of the bill)

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

PRESIDENT ROCK:

Senator Topinka, on Committee Amendment No. 1.

SENATOR TOPINKA:

On -- Mr. President and Ladies and Gentlemen of the Senate, on Committee Amendment No. 1, it basically clarified the definitions, especially in terms of switching stations, and it removed private internal communication systems which we were not trying to regulate.

PRESIDENT ROCK:

All right. Senator Topinka has moved the adoption of Committee Amendment No. 1 to Senate Bill 55. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY HAWKER:

No further committee amendments.

PRESIDENT ROCK:

Any amendments from the Floor?

SECRETARY HAWKER:

No Floor amendments.

PRESIDENT ROCK:

3rd Reading. 57. Senator Welch. Top of Page 4, Ladies and Gentlemen. Senator Zito, on 59 and 60. 61. Senator Lechowicz. On the Order of Senate Bills 2nd Reading, the top of Page 4, is Senate Bill 61. Read the bill.

SECRETARY HAWKER:

Senate Bill 61.

(Secretary reads title of the bill)

2nd Reading of the bill. The Committee on Executive offers Committee Amendment No. 1.

PRESIDENT ROCK:

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Senator Lechowicz, on Committee Amendment No. 1.

SENATOR LECHOWICZ:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Committee Amendment No. 1 establishes a procedure to add precincts which initially failed to qualify the adjoining territory for home equity. It allows a contiguous precinct to be added to an existing program territory. It's a governing commission ...(inaudible)... fifty percent of the precinct electors signed the petition. It also permits the home equity commission to issue tax anticipation warrants, which would be the start-up money for the program. I move for its adoption.

PRESIDENT ROCK:

All right. Senator Lechowicz has moved the adoption of Committee Amendment No. 1 to Senate Bill 61. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment's adopted. Are there further amendments?

SECRETARY HAWKER:

No further committee amendments.

PRESIDENT ROCK:

Are there amendments from the Floor?

SECRETARY HAWKER:

No Floor amendments.

PRESIDENT ROCK:

3rd Reading. 62. Senator Joyce. 63. Senator Demuzio. On the Order of Senate Bills 2nd Reading is Senate Bill 63. Fiscal note has been -- request for a fiscal note has been filed on 63.

END OF TAPE

TAPE 2

Right. 64. Senator Demuzio. 65. On the Order of Senate Bills

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2nd Reading is Senate Bill 65. Read the bill, Madam Secretary, please.

SECRETARY HAWKER:

Senate Bill 65.

(Secretary reads title of the bill)

2nd Reading of the bill. No committee amendments.

PRESIDENT ROCK:

Any amendments from the Floor?

SECRETARY HAWKER:

No Floor amendments.

PRESIDENT ROCK:

3rd Reading. 68. Senator D'Arco. On the Order of Senate Bills 2nd Reading is Senate Bill 68. Read the bill.

SECRETARY HAWKER:

Senate Bill 68.

(Secretary reads title of the bill)

2nd Reading of the bill. No committee amendments.

PRESIDENT ROCK:

Any amendments from the Floor?

SECRETARY HAWKER:

No Floor amendments.

PRESIDENT ROCK:

3rd Reading. 69. Senate D'Arco. On the Order of Senate Bills 2nd Reading is Senate Bill -- I'm sorry. Request for a fiscal note has been filed on Senate Bill 69, Senator D'Arco. Senate Bill 70. Do you wish to proceed with 70? On the Order of Senate Bills 2nd Reading is Senate Bill 70. Read the bill, Madam Secretary, please.

SECRETARY HAWKER:

Senate Bill 70.

(Secretary reads title of the bill)

2nd Reading of the bill. No committee amendments.

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PRESIDENT ROCK:

Any amendments from the Floor?

SECRETARY HAWKER:

No Floor amendments.

PRESIDENT ROCK:

3rd Reading. 79. Senator Maitland. On the Order of Senate Bills 2nd Reading is Senate Bill 79. Read the bill.

SECRETARY HAWKER:

Senate Bill 79.

(Secretary reads title of the bill)

2nd Reading of the bill. No committee amendments.

PRESIDENT ROCK:

Any amendments from the Floor?

SECRETARY HAWKER:

No Floor amendments.

PRESIDENT ROCK:

3rd Reading. 83. Senator Topinka. 85. Senator Jacobs. 89. Senator Collins. 90. Senator Lechowicz. On the Order of Senate Bills 2nd Reading is Senate Bill 90. Read the bill, Madam Secretary, please.

SECRETARY HAWKER:

Senate Bill 90.

Secretary reads title of the bill)

2nd Reading of the bill. No committee amendments.

PRESIDENT ROCK:

Any amendments from the Floor?

SECRETARY HAWKER:

No Floor amendments.

PRESIDENT ROCK:

3rd Reading. 93. Senator Smith. Top of Page 5, Ladies and Gentlemen. 95. Senator Jones. 96. 97. 100. 107. 110. Senator Rea. On the Order of Senate Bills 2nd Reading, top of

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Page 5 is Senate Bill 110. Fiscal note request has been filed. 112. Senator Berman. On the Order of Senate Bills 2nd Reading is Senate Bill 112. Read the bill, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 112.

(Secretary reads title of the bill)

2nd Reading of the bill. The Committee on Higher Education offers Committee Amendment No. 1.

PRESIDENT ROCK:

Senator Berman, on Committee Amendment No. 1.

SENATOR BERMAN:

Thank you, Mr. President. This is a bill that was introduced merely as a vehicle, and the amendment -- becomes the bill. It addresses the issue of the admission requirements by the State Board of Higher Education into our public universities and colleges. What the amendment has done is to try to address the concerns voiced by many segments of the State. We have built some flexibility into here. We've maintained the fifteen hours, but what we've done is to break it down so that there is a -- an ability of a student to have substitution, including, I would point out, occupational -- I mean vocational education into the areas, so that there are at least three hours of flexibility built in. I think that it's a subject that we want to continue to look at, but at the moment I would -- move the adoption of Committee Amendment No. 1, and we'll discuss it further in the next few weeks.

PRESIDENT ROCK:

All right. Senator Berman's moved the adoption of Committee Amendment No. 1 to Senate Bill 112. Discussion? If not all in favor indicate by saying Aye. All Opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

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No further amendments. Pardon me. No further committee amendments.

PRESIDENT ROCK:

Any amendments from the Floor?

SECRETARY HAWKER:

No Floor amendments.

PRESIDENT ROCK:

3rd Reading. 113. 115. 116. 117. 118. 119. 126. Senator Hawkinson.

PRESIDENT ROCK:

127. Senator Smith. On the Order of Senate Bills 2nd Reading is Senate Bill 127. Madam Secretary, read the bill, please.

SECRETARY HAWKER:

Senate Bill 127.

(Secretary reads title of the bill)

2nd Reading of the bill. The Committee on Executive offers Amendment No. 1.

PRESIDENT ROCK:

Senator Smith on Amendment No. 1.

SENATOR SMITH:

Thank you, Mr. Chairman. The amendment on Senate Bill 127 was done in committee. It deletes -- or it provides for the repeal of the Minority and Female Business Enterprise. And -- the -- sunset is up to September 6th, 1994.

PRESIDENT ROCK:

All right. Senator Smith's moved the adoption of Committee Amendment No. 1 to Senate Bill 127. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment's adopted. Are there further amendments?

SECRETARY HAWKER:

No further committee amendments.

PRESIDENT ROCK:

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SECRETARY HAWKER:

No Floor amendments.

PRESIDENT ROCK:

3rd Reading. 128. Senator Jones. Top of Page 6, 129. Senator Collins. Top of Page 6. 131. Senator Geo-Karis. 133. Senator Luft. 134. Senator D'Arco. On the Order of Senate Bills 2nd Reading is Senate Bill 134. Read the bill, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 134.

(Secretary reads title of the bill)

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

PRESIDENT ROCK:

Senator D'Arco, on Committee Amendment No. 1.

SENATOR D'ARCO:

Thank you, Mr. President. Amendment No. 1 provides that the court be -- I'm sorry -- it provides that a grandparent who wishes to petition the court, be allowed to do so if they file the petition based on affidavits saying that there is reason to believe that the child's present environment may endanger his physical, moral or emotional health. This is to protect the court from frivolous lawsuits by people who aren't sincere in their belief in such matters. And I would move to adopt Amendment No. 1.

PRESIDENT ROCK:

All right. Senator D'Arco has moved the adoption of Committee Amendment No. 1 to Senate Bill 134. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment's adopted. Are there further amendments?

SECRETARY HAWKER:

No further committee amendments.

PRESIDENT ROCK:

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Any amendments from the Floor?

SECRETARY HAWKER:

No Floor amendments.

PRESIDENT ROCK:

3rd Reading. 136. Senator Dunn. On the Order of Senate Bills 2nd Reading is -- fiscal note. 141. Senator Welch. 142. Senator O'Daniel. On the Order of Senate Bills 2nd Reading is Senate Bill 142. Read the bill, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 142.

(Secretary reads title of the bill)

2nd Reading of the bill. No committee amendments.

PRESIDENT ROCK:

Any amendments from the Floor?

SECRETARY HAWKER:

No Floor amendments.

PRESIDENT ROCK:

3rd Reading. 148. Senator Kelly. Fiscal note's been required -- or requested, yes. 158. Senator Severns. All right. Ladies and Gentlemen, Channel 20 has requested permission to shoot some film. Without objection, leave is granted. 160. Senator Luft. 162. Senator Demuzio. On the Order of Senate Bills 2nd Reading is Senate Bill 162. Read the bill.

SECRETARY HAWKER:

Senate Bill 162.

(Secretary reads title of the bill)

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

PRESIDENT ROCK:

Senator Demuzio, on Committee Amendment No. 1.

SENATOR DEMUZIO:

Thank you, Mr. President. Committee Amendment No. 1 changes

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the effective date for the survivor benefits from January 1st of this year to January 1st of 1990. I would move adoption of Committee Amendment No. 1.

PRESIDENT ROCK:

All right. Senator Demuzio has moved the adoption of Committee Amendment No. 1 to Senate Bill -- 162. Discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment's adopted. Are there further amendments?

SECRETARY HAWKER:

Committee Amendment No. 2.

PRESIDENT ROCK:

Senator Demuzio, on Committee Amendment No. 2.

SENATOR DEMUZIO:

Thank you, Mr. President. This -- Committee Amendment No. 2 is the bill that's -- of Senator Davidson's -- it is also effective January 1st of '90, provides a one-time increase in widow and survivor annuitants, that began on or before one -- January the 1st of 1981, equal to a dollar fifty cents a month. Dollar fifty for each full year that had elapsed since the annuity began. I would move adoption of Committee Amendment No. 2.

PRESIDENT ROCK:

Senator Demuzio's moved the adoption of Committee Amendment No. 2 to Senate Bill 162. Discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment's adopted. Are there further amendments?

SECRETARY HAWKER:

No further committee amendments.

PRESIDENT ROCK:

Are there amendments from the Floor?

SECRETARY HAWKER:

No Floor amendments.

PRESIDENT ROCK:

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3rd Reading. 166. Senator Netsch. On the Order of Senate Bills 2nd Reading is Senate Bill 166. Read the bill, Madam Secretary, please.

SECRETARY HAWKER:

Senate Bill 166.

(Secretary reads title of the bill)

2nd Reading of the bill. No committee amendments.

PRESIDENT ROCK:

Any amendments from the Floor?

SECRETARY HAWKER:

No Floor amendments.

PRESIDENT ROCK:

3rd Reading. On the Order of Senate Bills 2nd Reading is Senate Bill 169. Senator Luft. Read the bill, Madam Secretary, please.

SECRETARY HAWKER:

Senate Bill 169.

(Secretary reads title of the bill)

2nd Reading of the bill. No committee amendments.

PRESIDENT ROCK:

Any amendments from the Floor?

SECRETARY HAWKER:

No Floor amendments.

PRESIDENT ROCK:

3rd Reading. 170. Senator Jones. On the Order of Senate Bills 2nd Reading, bottom of Page 6, is Senate Bill 170. Read the bill, Madam Secretary, please.

SECRETARY HAWKER:

Senate Bill 170.

(Secretary reads title of the bill)

2nd Reading of the bill. No committee amendments.

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SECRETARY HAWKER:

No Floor amendments.

PRESIDENT ROCK:

3rd Reading. Top of Page 7, 179. Senator Welch. 181.  
Senator Marovitz. 185. Senator Jacobs. Read the bill, Madam  
Secretary, please. 1-8-5.

SECRETARY HAWKER:

Senate Bill 1-8-5.

(Secretary reads title of the bill)

2nd Reading of the bill. The Committee on Executive offers  
Committee Amendment No. 1.

PRESIDENT ROCK:

Senator Jacobs, on Committee Amendment No. 1.

SENATOR JACOBS:

Thank you, Mr. President and Ladies and Gentlemen of the  
Senate. Number one, let me state that this is Senator Sam's bill.  
I talked to him yesterday, and he sends his best wishes to all of  
you, and thanks you for all your calls and all your prayers. This  
amendment increases a financial support certain authorities may  
receive from DCCA, and this is just an amendment to the  
substantive bill, and would like to move if forward.

PRESIDENT ROCK:

All right. Senator Jacobs has moved the adoption of Committee  
Amendment No. 1 to Senate Bill 185. Discussion? If not, all in  
favor indicate by saying Aye. All opposed. The Ayes have it.  
The amendment's adopted. Further amendments?

SECRETARY HAWKER:

No further committee amendments.

PRESIDENT ROCK:

Any amendments from the Floor?

SECRETARY HAWKER:

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No Floor amendments.

PRESIDENT ROCK:

3rd Reading. 186. Senator Dunn. 187. Senator Maitland. 187. John. Top of Page 7, okay. 195. Senator Kelly. On the Order of Senate Bills 2nd Reading is Senate Bill 195. Read the bill, Madam Secretary, please.

SECRETARY HAWKER:

Senate Bill 195.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Executive offers Committee Amendment No. 1.

PRESIDENT ROCK:

Senator Kelly, on Committee Amendment No. 1.

SENATOR KELLY:

Thank you, Mr. President and Members of the Senate. Committee Amendment No. 1 merely adds some new language: ordinary, skillful, careful, and prudent physician. And it replaced some similar language. And I move for the adoption of Committee Amendment No. 1.

PRESIDENT ROCK:

All right. Senator Kelly has moved the adoption of Committee Amendment No. 1 to Senate Bill 195. Discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment's adopted. Are there further amendments?

SECRETARY HAWKER:

Committee Amendment No. 2.

PRESIDENT ROCK:

Senator Kelly, on Committee Amendment No. 2.

SENATOR KELLY:

Thank you, Mr. President and Members of the Senate. Committee Amendment No. 2 is very similar to Committee Amendment No. 1. And it adds the word intentionally, knowingly, or recklessly violates

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the subsection. And it is on the last page of the bill. And it's a minor change. And I move for the adoption of Committee Amendment No. 2.

PRESIDENT ROCK:

All right, Senator Kelly has moved the adoption of Committee Amendment No. 2 to Senate Bill 195. Discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment's adopted. Are there further amendments?

SECRETARY HAWKER:

No further committee amendments.

PRESIDENT ROCK:

Any amendments from the Floor?

SECRETARY HAWKER:

No Floor amendments.

PRESIDENT ROCK:

3rd Reading. 198. Senator Jacobs. On the Order of Senate Bill 2nd Reading is Senate Bill 198. Read the bill, Madam Secretary, please.

SECRETARY HAWKER:

Senate Bill 198.

(Secretary reads title of the bill)

2nd Reading of the bill. No committee amendments.

PRESIDENT ROCK:

Any amendments from the Floor?

SECRETARY HAWKER:

No Floor amendments.

PRESIDENT ROCK:

3rd Reading. 199. Senator Jacobs. On the Order of Senate Bills 2nd Reading is Senate Bill 199. Read the bill, Madam Secretary, please.

SECRETARY HAWKER:

Senate Bill 199.

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(Secretary reads title of the bill)

2nd Reading of the bill. No committee amendments.

PRESIDENT ROCK:

Any amendments from the Floor?

SECRETARY HAWKER:

No Floor amendments.

PRESIDENT ROCK:

3rd Reading. 200. Senator Holmberg. 201. Senator Jacobs. 204. 212. Senator Netsch. 219. Senator Schuneman. What about 213? All right. On the Order of Senate Bills 2nd Reading, bottom of Page 7, is Senate Bill 213. Read the bill, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 213.

(Secretary reads title of the bill)

2nd Reading of the bill. No committee amendments.

PRESIDENT ROCK:

Any amendments from the Floor?

SECRETARY HAWKER:

Senator Netsch offers -- offers Floor Amendment No. 1.

PRESIDENT ROCK:

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. The amendment that is being offered today, provides for - this incidentally deals with Private Activity Bond Allocation Act. The basic bill substitutes a council for the Governor's executive order for the general administration of it. The amendment also deals with the question of home rule units and their reallocation of any unused volume cap. The amendment is extremely similar to a bill that Senator Topinka had also introduced separately, Senate Bill 899 and I had spoken to her about this. She has no objection to my adding the amendment also to this bill. Basically what it sets up is a

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procedure by which the home rule units who have a guaranteed bond cap, will report to the State, and when there is unused -- capacity after a certain date, it can then be used by the State, that is reallocated. In no way at all does it at all impinge on the full authority of the home rule units to protect and make full use of their bond cap, which is guaranteed by the federal act. It just sets up a procedure so that none of it goes unused at the end of the year. I would move the adoption of Amendment No. 1 to Senate Bill 213.

PRESIDENT ROCK:

All right. Senator Netsch has moved the adoption of Amendment No. 1 to Senate Bill 213. Discussion? Senator Keats.

SENATOR KEATS:

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

PRESIDENT ROCK:

Sponsor indicates she will yield. Senator Keats.

SENATOR KEATS:

Asking a -- on this bond, Private Bond Fund you're talking about. Are we in reality simply taking local bonding -- local unused bonding authority and giving it to the State? Are we not in reality, increasing State bonding authority? I don't have an analysis. Explain that to me again, 'cause if that's what you're doing, I don't like the idea. If it's a simply shifting it around, then do me a favor, please reexplain.

PRESIDENT ROCK:

Senator Netsch.

SENATOR NETSCH:

In no way does it increase the authority of the State of Illinois to issue bonds in the sense that we, the Legislature, still control that by statute. What we are dealing with is a different matter. There are caps on the amount of -- so-called Private Activity Bonds that can be issued by each State, pursuant

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to a formula that Congress has set. If the bonds are to be tax exempt, we can always issue the bonds if they're taxable in any event. There is a complicated formula. In Illinois there is a particular wrinkle because the congressional statute was written to carve out the protection of home rule units with respect to the total State available bond cap. All this procedure does, is to set up -- all this amendment does is to set up a procedure under which the -- if the home rule units do not use the cap that is available to them, it becomes known to the State, and the State can reallocate the authority to use it, either to State agencies or to non-home rule units who may no longer have adequate cap under the congressional -- so it doesn't really let anybody issue the bonds, it just deals with how we use this total maximum cap that is now available to Illinois for issuing tax-exempt Private Activity Bonds.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Keats.

SENATOR KEATS:

Thank you, Mr. President. I appreciate your explanation, and if I could quote a good loyal friend of many -- many of ours, Chairman Dan Rostenkowski of the Ways and Means Committee. Dawn, the reason the federal government has a hundred some billion dollar budget deficit on the record and another hundred some billion dollars off the record, is because all the things we do to take away federal revenue. Now this isn't taking away State revenue, but you are in -- in reality simply maximizing revenue loss at the federal level, and I admit in Illinois we don't bother to offend Congress a whole lot, because they don't give us much, but, unless I'm completely misunderstanding you, and since I have talked to Chairman Rostenkowski on this exact point, what you're doing is simply guaranteeing the maximum revenue loss from the State of Illinois in terms of revenues for the Federal Government.

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That's how he would interpret it, and probably would say, "Do you really want to do this?"

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Netsch.

SENATOR NETSCH:

No, I think you're misreading what is being done here. The restriction on the amount of bonds that can be issued in this category, the so-called Private Activity, is already there. It's now down to fifty dollars per capita for all states, including Illinois, and that has cut in -- oh, approximately cut in half, the amount of tax-exempt Private Activity Bonds that can be issued by the State of Illinois. In no way are we interfering with that. All we are saying is that sometimes the -- the amount that is specifically reserved in a very unusual fashion for home rule units only in the State of Illinois, sometimes that is not known to the State level of government, so that it can be properly reallocated. We do not in any way increase the amount that can be issued.

PRESIDING OFFICER: (SENATOR D'ARCO)

Are we done? We're not done? Senator Keats.

SENATOR KEATS:

Once more, Dawn, let me please reexplain your bill to you. What you are doing is taking lapsed fund spending from category X, in this case Home Rule Bonding Authority, and taking those lapsed fund spending, i. e. the bonds, and shifting into category Y to make sure that those lapsed funds are spent. That's what Chairman Rostenkowski is complaining about.

PRESIDING OFFICER: (SENATOR D'ARCO)

All right. Further discussion? Hearing none, Senator Netsch moves the adoption of Amendment No. 1 to Senate Bill 213. All -- I'm sorry. You want a roll call? All in favor vote Aye. All opposed, vote Nay. The voting is open. Have all voted who wish?

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Have all voted who wished? Have all voted who wished? Take the record, Madam Secretary. On the question, there are 28 Ayes, and 22 Nays, 1 voting Present. And Amendment No. 1 to Senate Bill 213 is adopted. Any further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDING OFFICER: (SENATOR D'ARCO)

3rd Reading. No further amendments? 3rd Reading. Senate Bill 219. Senator Schuneman. Read the bill, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 219.

(Secretary reads title of the bill)

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

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. This is a bill that would give cities in Illinois the option of either electing or appointing the City Treasurer. Amendment No. 1 -- Committee Amendment No. 1 makes the bill applicable only to cities under ten thousand population. Move the adoption of the amendment.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Schuneman moves the adoption of amendment -- Committee Amendment No. 1. Any discussion? Any discussion? Hearing none, all in favor say Aye. All opposed, say Nay. The Ayes have it. Amendment No. 1 to Senate Bill 220 is adopted. Any further amendments? I'm sorry. Senate Bill 219 is adopted. Any further committee amendments?

SECRETARY HAWKER:

No further committee amendments.

PRESIDING OFFICER: (SENATOR D'ARCO)

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Any Floor amendments?

SECRETARY HAWKER:

No amendments from the Floor.

PRESIDING OFFICER: (SENATOR D'ARCO)

3rd Reading. Senate Bill 220. Senator Schaffer. Read the bill, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 220.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR D'ARCO)

Any amendments from the Floor?

SECRETARY HAWKER:

Senator Schaffer offers Floor Amendment No. 1.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Schaffer.

SENATOR SCHAFFER:

Mr. President, Members of the Senate. Senate...Floor Amendment No. 1 comes at the request of the McHenry County Board. And specifically, what it says is if the electorate of our county choose to, and its...strictly affects McHenry County, increase the bonding authority of the Conservation District; that the five-member board be expanded to seven members; that a requirement for a two-thirds vote for a condemnation is imposed; and that the authority gets the power to...when they buy a piece of land within two years, if they choose to dispose of a portion of it, they have that authority. Occasionally, they'll come to a property owner who wants to sell them the whole property, not all of which is consistent with an open space program, and they need to...the authority to dispose of it, so that it's...the land they acquire is only consistent with the goals of the authority. I don't think there's any opposition.

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PRESIDING OFFICER: (SENATOR D'ARCO)

Any discussion? Senator Schaffer moves the adoption of Amendment No. 1 to Senate Bill 220. All those in favor say Aye. All those opposed Nay. The Ayes have it. Amendment No. 1 to Senate Bill 220 is adopted. Any further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDING OFFICER: (SENATOR D'ARCO)

3rd Reading. Senate Bill 228. J.J. Joyce. Senate Bill 231. Senate Bill 237. Senate Bill 237. Luft. No? Senator Luft. Senate Bill 243. Senate Bill 244. Senator Dudycz as a hyphenated co-sponsor. Mr. President.

PRESIDENT ROCK:

Thank you. I'd ask leave of the Body to show Senator John Daley as the chief sponsor of 243, 244, 245 and 247, and ask the Secretary to note that accordingly.

PRESIDING OFFICER: (SENATOR D'ARCO)

Leave is granted. 243. Senator Daley. Read the bill, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 243.

(Secretary reads title of the bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR D'ARCO)

Any Floor amendments?

SECRETARY HAWKER:

No amendments from the Floor.

PRESIDING OFFICER: (SENATOR D'ARCO)

3rd Reading. Senate Bill 244. Senator Dudycz. I'm sorry, Senator Daley. Any committee amendments, Madam Secretary? Read the bill.

SECRETARY HAWKER:

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Senate Bill 244.

(Secretary reads title of the bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR D'ARCO)

Any amendments from the Floor?

SECRETARY HAWKER:

No Floor amendments.

PRESIDING OFFICER: (SENATOR D'ARCO)

3rd Reading. Senate Bill 245. Senator Daley. Read the bill,  
Madam Secretary.

SECRETARY HAWKER:

Senate Bill 245.

(Secretary reads title of the bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR D'ARCO)

Any Floor amendments?

SECRETARY HAWKER:

No Floor amendments.

PRESIDING OFFICER: (SENATOR D'ARCO)

3rd Reading. Senate Bill 247. Senator Daley. Read the bill,  
Madam Secretary.

SECRETARY HAWKER:

Senate Bill 247.

(Secretary reads title of the bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR D'ARCO)

Any Floor amendments?

SECRETARY HAWKER:

No Floor amendments.

PRESIDING OFFICER: (SENATOR D'ARCO)

3rd Reading. Senate Bill 248. Senator Zito. Senate Bill 249.  
J.J. Joyce. Senate Bill 250. Senate Bill 252. Senator Rea.

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Read the bill, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 252.

(Secretary reads title of the bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR D'ARCO)

Any amendments from the Floor?

SECRETARY HAWKER:

No Floor amendments.

PRESIDING OFFICER: (SENATOR D'ARCO)

3rd Reading. Senator Rock, do you wish to be recognized? How about Senator Holmberg, 254? Read the bill, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 254.

(Secretary reads title of the bill)

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

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Holmberg.

SENATOR HOLMBERG:

Thank you, Mr. President. Senate Amendment No. 1 to Senate Bill 254, basically implements the new rules from the State Board of Education as to early childhood programs and teacher certification procedures. It allows teachers holding elementary certificates with experience in kindergarten or preschool or baccalaureate degrees in child development to teach in early childhood programs. DCFS licensure people will be grandfathered in at this time, and after July 1st, 1998, all teachers in these programs will also hold early childhood certificates. It provides the Teacher Certification Board with additional procedures to conduct revocation hearings.

PRESIDING OFFICER: (SENATOR D'ARCO)

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Senator Demuzio. Your light is on, do you wish to address this issue?

SENATOR DEMUZIO:

Not this issue, Mr. President, but if you would -- if you'd come right back to me after it.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Hawkinson.

SENATOR HAWKINSON:

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

PRESIDING OFFICER: (SENATOR D'ARCO)

She indicates she will yield.

SENATOR HAWKINSON:

Senator, you indicated that DCFS licensed individuals would be grandfathered in. If those individuals have been licensed by DCFS to teach early childhood and for some reason, the license expires, perhaps because of the closing of a preschool, or something of that nature, if they want to get back in, can they get back in once they -- if they've been certified by DCFS, or are they going to have to meet some new requirements to get back in if the school closes for a year and its license lapses?

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Holmberg.

SENATOR HOLMBERG:

If -- it's my understanding that if they lost their -- certificate or license, they would have to meet the new standards in order to then work additionally.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Hawkinson.

SENATOR HAWKINSON:

Does the teacher -- does the teacher lose the license -- or is a teacher license separate and apart from the school? So that it -- a -- if a school closed, a teacher -- who was out of work,

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could keep up his or her license?

SENATOR HOLMBERG:

Yes.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Holmberg moves the adoption of Committee Amendment No. 1 to Senate Bill 254. Is there any more discussion? If not, all those in favor say Aye. All those opposed say Nay. The Ayes have it. Amendment No. 1 to Senate Bill 254 is adopted. 3rd Reading. As amended. Oh, any further -- any further committee amendments?

SECRETARY HAWKER:

Committee Amendment No. 2.

PRESIDING OFFICER: (SENATOR D'ARCO)

Committee Amendment No. 2. Senator Holmberg.

SENATOR HOLMBERG:

Committee Amendment No. 2 -- following the same teachers certification requirements, exempts from the Act, the part of meetings of the State Teacher Certification Board, in which suspension or revocation of an individual certificate is deliberated.

PRESIDING OFFICER: (SENATOR D'ARCO)

Any discussion? Seeing none, Senator Holmberg moves the adoption of Committee Amendment No. 2 to Senate -- Senate Bill 254. All in favor say Aye. All opposed say Nay. The Ayes have it. Amendment No. 2 is adopted. Any further committee amendments?

SECRETARY HAWKER:

No further committee amendments.

PRESIDING OFFICER: (SENATOR D'ARCO)

Any Floor amendments?

SECRETARY HAWKER:

No Floor amendments.

PRESIDING OFFICER: (SENATOR D'ARCO)

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3rd Reading. 255. Senator Rock. 257. Senator Luft. Read the bill, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 257.

(Secretary reads title of the bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR D'ARCO)

Any Floor amendments?

SECRETARY HAWKER:

No Floor amendments.

PRESIDING OFFICER: (SENATOR D'ARCO)

3rd Reading. 260. Senator Rock. 266. 267. Senator Rigney. Read the bill, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 267.

(Secretary reads title of the bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR D'ARCO)

Any Floor amendments?

SECRETARY HAWKER:

No Floor amendments.

PRESIDING OFFICER: (SENATOR D'ARCO)

3rd Reading. 270. Read the bill, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 270.

(Secretary reads title of the bill)

2nd Reading of the bill. The Committee on Transportation offers Committee Amendment No. 1.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Berman, on Committee Amendment No. 1.

SENATOR BERMAN:

Thank you, Mr. President. Committee Amendment No. 1 provides

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that the CTA can be liable when they have notice of an unsafe condition and fail to take adequate precautions to protect their passengers. The bill is limited to a cause of action for serious bodily injury or disfigurement. I move the adoption of Committee Amendment No. 1.

PRESIDING OFFICER: (SENATOR D'ARCO)

Any discussion? And if not -- there is some? Senator Keats.  
SENATOR KEATS:

Thank you, Mr. President. This amendment, we're not going to challenge it on 2nd Reading, but this is an extremely major amendment that is clearly what we kiddingly call the ambulance chasing subcommittee type amendment, and it's a 3rd Reading issue, but I want to mention to everybody, this is an amendment of tremendous magnitude that'll cost the taxpayers a fortune, and we'll challenge it on 3rd Reading.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Berman moves the adoption of Committee Amendment No. 1 to Senate Bill 270. Any discussion? If not, all those in favor say Aye. All those opposed say Nay. The Ayes have it. Committee Amendment No. 1 to Senate Bill 270 is adopted. Any further committee amendments?

SECRETARY HAWKER:

No further committee amendments.

PRESIDING OFFICER: (SENATOR D'ARCO)

Any Floor amendments?

SECRETARY HAWKER:

No Floor amendments.

PRESIDING OFFICER: (SENATOR D'ARCO)

3rd Reading. 272. Senator Smith. 73, 4 and -- 292. Senator Netsch. Senator Netsch. 293. Senator Berman. Senator Berman. 293. Read the bill, Madam Secretary.

SECRETARY HAWKER:

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Senate Bill 293.

(Secretary reads title of the bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR D'ARCO)

Any Floor amendments?

SECRETARY HAWKER:

No Floor amendments.

PRESIDING OFFICER: (SENATOR D'ARCO)

3rd Reading. 297. J.J. Joyce. 297. He doesn't look interested, let me see. Senator Smith. 300. Senator Netsch. 301. Read the bill, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 301.

(Secretary reads title of the bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR D'ARCO)

Any Floor amendments?

SECRETARY HAWKER:

No Floor amendments.

PRESIDING OFFICER: (SENATOR D'ARCO)

3rd Reading. 302. Senator Netsch. Read the bill, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 302.

(Secretary reads title of the bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR D'ARCO)

Any Floor amendments?

SECRETARY HAWKER:

No Floor amendments.

PRESIDING OFFICER: (SENATOR D'ARCO)

3rd Reading. 306. Senator Jones. Senator Jones. You want

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-- you want to read the bill? 306. Take it out of the record.  
307. Senator Rea. Does he? Read the bill, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 307.

(Secretary reads title of the bill)

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

PRESIDING OFFICER: (SENATOR D'ARCO)

Take it out of the record? Take it out of the record, Madam  
Secretary. 308. Senator Berman. Read the bill, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 308.

(Secretary reads title of the bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR D'ARCO)

Any amendments from the Floor?

SECRETARY HAWKER:

No Floor amendments.

PRESIDING OFFICER: (SENATOR D'ARCO)

3rd Reading. 309. Read the bill, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 309.

(Secretary reads title of the bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR D'ARCO)

Any amendments from the Floor?

SECRETARY HAWKER:

No Floor amendments.

PRESIDING OFFICER: (SENATOR D'ARCO)

3rd Reading. 311. Senate Bill 311. 319. Senator Keats.  
319. Senate Bill 333. Senator del Valle. 335. 336. Senator  
del Valle. Read the bill, Madam Secretary. Senate Bill 336.

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SECRETARY HAWKER:

Senate Bill 336.

(Secretary reads title of the bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR D'ARCO)

Any amendments from the Floor?

SECRETARY HAWKER:

No Floor amendments.

PRESIDING OFFICER: (SENATOR D'ARCO)

3rd Reading. Senate Bill 338. Senator Smith. Senate Bill 339. Senator Carroll. Senate Bill 341. Senator Brookins. Senate Bill 347. Senator Severns. Senate Bill 348. Senator Berman. Read the bill, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 348.

(Secretary reads title of the bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR D'ARCO)

Any amendments from the Floor?

SECRETARY HAWKER:

No Floor amendments.

PRESIDING OFFICER: (SENATOR D'ARCO)

3rd Reading. Senate Bill 354. Senator Karpziel. Read the bill, Madam Secretary.

SECRETARY HAWKER:

✓ Senate Bill 354.

(Secretary reads title of the bill)

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

PRESIDING OFFICER: (SENATOR D'ARCO)

Committee Amendment No. 1. Senator Karpziel. Senator Demuzio, for what purpose do you arise?

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SENATOR DEMUZIO:

Well, thank you, Mr. President. I've had my light on now for about the last twenty minutes, and I just wanted to tell you how much I really like your tie.

PRESIDING OFFICER: (SENATOR D'ARCO)

I couldn't -- I couldn't see your light. I'm telling you the truth.

SENATOR DEMUZIO:

One of the -- we've been working so hard around here now these last several days that we have failed to recognize our newest Member of the Senate who came over from the House, Senator John Daley, who is with us today, and we congratulate him on having the wisdom and the fortitude and the desire to come to the upper Chamber of the General Assembly. Welcome.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Daley.

SENATOR DALEY:

Thank you, Mr. President and Members of the -- Senate. It is indeed a great honor for me to join you. I am the third member of my family to serve in this Body. As you know, my dad served here, my brother, Rich, I -- I am the third, and this is a unique honor. I look forward to working with each and every one of you, for your respective districts, because your concerns will be my concerns. Thank you very much.

PRESIDENT ROCK:

Top of Page 11, on the Order of Senate Bills 2nd Reading is Senate Bill 354. Read the bill please, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 354.

(Secretary reads title of the bill)

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

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PRESIDENT ROCK:

Senator Karpziel, on Committee Amendment No. 1.

SENATOR KARPIEL:

Thank you, Mr. President. Committee Amendment No. 1 was simply a technical amendment which had been requested by Enrolling and Engrossing.

PRESIDENT ROCK:

Senator Karpziel has moved the adoption of Committee Amendment No. 1 to Senate Bill 354. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment's adopted. Are there further amendments?

SECRETARY HAWKER:

No further committee amendments.

PRESIDENT ROCK:

Any amendments from the Floor?

SECRETARY HAWKER:

No Floor amendments.

PRESIDENT ROCK:

3rd Reading. 355. Senator Jones. On the Order of Senate Bills 2nd Reading is Senate Bill 355. Read the bill, please.

SECRETARY HAWKER:

Senate Bill 355.

(Secretary reads title of the bill)

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

PRESIDENT ROCK:

Senator Jones, on Committee Amendment No. 1.

SENATOR JONES:

Yeah. Thank you, Mr. President and Members of the Senate. Amendment No. 1 sets a minimum funding for the State Retirement System. It sets a final average salary for county sheriffs, and it removes the town attorney from the Municipal Pension Board, and

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I move its adoption.

PRESIDENT ROCK:

Senator Jones has moved the adoption of Committee Amendment No. 1 to Senate Bill 355. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment's adopted. Further amendments?

SECRETARY HAWKER:

No further committee amendments.

PRESIDENT ROCK:

Any amendments from the Floor?

SECRETARY HAWKER:

No further amendments.

PRESIDENT ROCK:

3rd Reading. 3-5-6. Senator Jones. On the Order of Senate Bills 2nd Reading is Senate Bill 356. Read the bill, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 356.

(Secretary reads title of the bill)

2nd Reading of the bill. No committee amendments.

PRESIDENT ROCK:

Any amendments from the Floor?

SECRETARY HAWKER:

No Floor amendments.

PRESIDENT ROCK:

3rd Reading. 361. Senator Jones. 369. Senator Etheredge. 370. Senator Demuzio. On the Order of Senate Bills 2nd Reading, middle of Page 11, is Senate Bill 370. Read the bill, please.

SECRETARY HAWKER:

Senate Bill 370.

(Secretary reads title of the bill)

2nd Reading of the bill. No committee amendments.

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PRESIDENT ROCK:

Any amendments from the Floor?

SECRETARY HAWKER:

No Floor amendments.

PRESIDENT ROCK:

3rd Reading. 371. On the Order of Senate Bills 2nd Reading is also 371. Read the bill, Madam Secretary, please.

SECRETARY HAWKER:

Senate Bill 371.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDENT ROCK:

Any amendments from the Floor?

SECRETARY HAWKER:

No Floor amendments.

PRESIDENT ROCK:

3rd Reading. 373. Senator O'Daniel. 374. Senator Smith. On the Order of Senate Bills 2nd Reading is Senate Bill 374. Read the bill, please.

SECRETARY HAWKER:

Senate Bill 374.

(Secretary reads title of the bill)

2nd Reading of the bill. No committee amendments.

PRESIDENT ROCK:

Any amendments from the Floor?

SECRETARY HAWKER:

No Floor amendments.

PRESIDENT ROCK:

3rd Reading. 375. Senator Smith. On the Order of Senate Bills 2nd Reading is Senate Bill 375. Read the bill, please.

SECRETARY HAWKER:

Senate Bill 375.

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(Secretary reads title of the bill)

2nd Reading of the bill. No committee amendments.

PRESIDENT ROCK:

Any amendments from the Floor?

SECRETARY HAWKER:

No Floor amendments.

PRESIDENT ROCK:

3rd Reading. 376. Senator Smith. 383. Senator Jones. On the Order of Senate Bills 2nd Reading, the bottom of Page 11, is Senate Bill 383. Read the bill, please.

SECRETARY HAWKER:

Senate Bill 383.

(Secretary reads title of the bill)

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

PRESIDENT ROCK:

Senator Jones, on Committee Amendment No. 1.

SENATOR JONES:

Yeah, thank you, Mr. President and Members of the Senate. Amendment No. -- No. 1 modifies the process concerning complaints in for nursing home residents, and I move its adoption.

PRESIDENT ROCK:

Senator Jones has moved the adoption of Committee Amendment No. 1 to Senate Bill 383. Discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment's adopted. Are there further amendments?

SECRETARY HAWKER:

No further committee amendments.

PRESIDENT ROCK:

Any amendments from the Floor?

SECRETARY HAWKER:

No Floor amendments.

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PRESIDENT ROCK:

3rd Reading. 384. Senator Jones. 388. Senator Zito. 389. Senator Demuzio. On the Order of Senate Bills 2nd Reading is Senate Bill 389. Read the bill.

SECRETARY HAWKER:

Senate Bill 389. (Secretary reads title of the bill)

PRESIDENT ROCK:

Take it out of the record, Madam Secretary. 391. Senator Welch. 392. Senator D'Arco. 393. Senator Welch. 400. Senator Carroll. 449. Senator Severns. 452. Senator Rea. 472. Senator Lechowicz. Senator Lechowicz. 472. On the Order of Senate Bills 2nd Reading is Senate Bill 472. Read the bill, please.

SECRETARY HAWKER:

Senate Bill 472.

(Secretary reads title of the bill)

2nd Reading of the bill. No committee amendment.

PRESIDENT ROCK:

Any amendments from the Floor?

SECRETARY HAWKER:

No Floor amendments.

PRESIDENT ROCK:

3rd Reading. 3 -- 473. On the Order of Senate Bills 2nd Reading is Senate Bill 473. Read the bill.

SECRETARY HAWKER:

Senate Bill 473.

(Secretary reads title of the bill)

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

PRESIDENT ROCK:

Senator Lechowicz, on Committee Amendment No. 1.

SENATOR LECHOWICZ:

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

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Senate. This amendment expands the time frame under which rates are calculated. Senate Bill 473 would make the rate for fiscal '91 based on the facility costs for 1989. This amendment cuts one year off the time frame reflecting the previous year's costs instead, and I move for its adoption.

PRESIDENT ROCK:

All right. Senator Lechowicz has moved the adoption of Committee Amendment No. 1 to Senate Bill 473. Discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment's adopted. Further amendments?

SECRETARY HAWKER:

No further committee amendments.

PRESIDENT ROCK:

Any amendments from the Floor?

SECRETARY HAWKER:

No Floor amendments.

PRESIDENT ROCK:

3rd Reading. 477. Senator O'Daniel. On the Order of Senate Bills 2nd Reading is Senate Bill 477. Read the bill, Madam Secretary, please.

SECRETARY HAWKER:

Senate Bill 477.

(Secretary reads title of the bill)

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

PRESIDENT ROCK:

Senator O'Daniel, on Committee Amendment No. 1.

SENATOR O'DANIEL:

Thank you, Mr. President and Members of the Senate. This is technical amendment, it restores language inadvertently deleted by the bill referring to the State Board of Education's alternate evaluation.

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PRESIDENT ROCK:

All right. Senator O'Daniel has moved the adoption of Committee Amendment No. 1 to Senate Bill 477. Discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment's adopted. Further amendments?

SECRETARY HAWKER:

No further committee amendments.

PRESIDENT ROCK:

Any amendments from the Floor?

SECRETARY HAWKER:

No Floor amendments.

PRESIDENT ROCK:

3rd Reading. Senator Jones. 482. Senator Topinka. 489. On the Order of Senate Bills 2nd Reading is Senate Bill 489. Read the bill, Madam Secretary, please.

SECRETARY HAWKER:

Senate Bill 489.

(Secretary reads title of the bill)

2nd Reading of the bill. No committee -- pardon me -- the Committee on Public Health, Welfare and Corrections offers Committee Amendment No. 1.

PRESIDENT ROCK:

Senator Topinka, on Committee Amendment No. 1.

SENATOR TOPINKA:

Yes, Mr. President, on 489 -- wait -- okay, I'm not showing Committee Amendment No. 1. Do you have one there? Well, at this point, your guess is as good as mine 'cause I'm showing it in my file, but if Mr. Harry will give me a copy of it, I think I can tell you more about it. Yeah. It's basically lines 7 through 11, and I'm not quite sure what that means, and I can't explain it any more fully, but I know it was adopted unanimously in Committee, if that will be of any assistance.

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PRESIDENT ROCK:

All right. Senator Topinka has moved the adoption of Committee Amendment No. 1 to Senate Bill 489. Discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment's adopted. Further amendments?

SECRETARY HAWKER:

No further committee amendments.

PRESIDENT ROCK:

Any amendments from the Floor?

SECRETARY HAWKER:

No Floor amendments.

PRESIDENT ROCK:

3rd Reading. Senator Holmberg. 494. 495. On the Order of -- top of Page 13 -- top of Page 13, Ladies and Gentlemen, is Senate Bill 495. Read the bill, Madam Secretary, please.

SECRETARY HAWKER:

Senate Bill 495.

(Secretary reads title of the bill)

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

PRESIDENT ROCK:

Senator Holmberg, on Committee Amendment No. 1.

SENATOR HOLMBERG:

Committee Amendment No. 1 is basically technical. It just defines the spousal impoverishment rights by reference to specific existing definitions in State and federal law.

PRESIDENT ROCK:

Senator Holmberg moves the adoption of Committee Amendment No. 1 to Senate Bill 495. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment's adopted. Further amendments?

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No further committee amendments.

PRESIDENT ROCK:

Any amendments from the Floor?

SECRETARY HAWKER:

No Floor amendments.

PRESIDENT ROCK:

3rd Reading. 498. On the Order of Senate Bills 2nd Reading is Senate Bill 498. Read the bill, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 498.

(Secretary reads title of the bill)

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

PRESIDENT ROCK:

Senator Friedland, on Committee Amendment No. 1.

SENATOR FRIEDLAND:

Thank you, Mr. President. The Committee Amendment removes the exemption for local governments.

PRESIDENT ROCK:

All right. Senator Friedland's moved the Committee Amendment to -- moved the adoption of Committee Amendment No. 1 to Senate Bill 498. Discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment's adopted. Further amendments?

SECRETARY HAWKER:

No further amendments -- pardon me -- no further committee amendments.

PRESIDENT ROCK:

Any amendments from the Floor?

SECRETARY HAWKER:

No Floor amendments.

PRESIDENT ROCK:

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3rd Reading. 499. Senator del Valle. 500. All right. With leave of the Body, we'll move that for Senator Sam. On the Order of Senate Bills 2nd Reading is Senate Bill 500. All right. There is a Committee Amendment; we'll hold that then. With leave of the Body, we'll get back to that one. 503. 514. Senator Dunn. On the Order of Senate Bills 2nd Reading, is Senate Bill 5-1-4. Read the bill, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 5-1-4.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Executive offers Committee Amendment No. 1.

PRESIDENT ROCK:

Senator Dunn, on Committee Amendment No. 1.

SENATOR T. DUNN:

Thank you, Mr. President. Committee No. 1 is a technical amendment.

PRESIDENT ROCK:

Senator Dunn moves for the adoption of Committee Amendment No. 1 to Senate Bill 514. Discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY HAWKER:

No further committee amendments.

PRESIDENT ROCK:

Any amendments from the Floor?

SECRETARY HAWKER:

Senator Tom Dunn offers Floor Amendment No. 2.

PRESIDENT ROCK:

Senator Dunn, on Amendment No. 2.

SENATOR T. DUNN:

That is also a technical amendment. It was an LRB correction,

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requested by them.

PRESIDENT ROCK:

Senator Dunn's moved the adoption of Amendment No. 2 to Senate Bill 514. Discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment's adopted. Are there further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDENT ROCK:

3rd Reading. 515. Senator Luft. On the Order of Senate Bills 2nd Reading is Senate Bill 515. Read the bill, Madam Secretary, please.

SECRETARY HAWKER:

Senate Bill 515.

(Secretary reads title of the bill)

2nd Reading of the bill. No committee amendment.

PRESIDENT ROCK:

Any amendments from the Floor?

SECRETARY HAWKER:

No Floor amendments.

PRESIDENT ROCK:

3rd Reading. 517. Senator Luft. On the Order of Senate Bills 2nd Reading is Senate Bill 517. Read the bill, Madam Secretary, please.

SECRETARY HAWKER:

Senate Bill 517.

(Secretary reads title of the bill)

2nd Reading of the bill. No committee amendments.

PRESIDENT ROCK:

Any amendments from the Floor?

SECRETARY HAWKER:

No Floor amendments.

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PRESIDENT ROCK:

3rd Reading. Senator Fawell. Can't see you. Here you are.  
519. On the Order of Senate Bills 2nd Reading is Senate Bill 519.  
Read the bill, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 519.

(Secretary reads title of the bill)

2nd Reading of the bill. No committee amendments.

PRESIDENT ROCK:

Are there amendments from the Floor?

SECRETARY HAWKER:

No Floor amendments.

PRESIDENT ROCK:

3rd Reading. 522. Senator Fawell. On the Order of Senate  
Bills 2nd Reading is Senate Bill 522. Read the bill, Madam  
Secretary, please.

SECRETARY HAWKER:

Senate Bill 522.

(Secretary reads title of the bill)

2nd Reading of the bill. No committee amendments.

PRESIDENT ROCK:

Are there amendments from the Floor?

SECRETARY HAWKER:

No Floor amendments.

PRESIDENT ROCK:

3rd Reading. 525. Senator Luft. On the Order of Senate Bills  
2nd Reading is Senate Bill 525. Read the bill, Madam Secretary,  
please.

SECRETARY HAWKER:

Senate Bill 525.

(Secretary reads title of the bill)

2nd Reading of the bill. No committee amendments.

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PRESIDENT ROCK:

Any amendments from the Floor?

SECRETARY HAWKER:

No Floor amendments.

PRESIDENT ROCK:

3rd Reading. 526. Senator Luft. On the Order of Senate Bills 2nd Reading is Senate Bill 526. Read the bill, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 526.

(Secretary reads title of the bill)

2nd Reading of the bill. No committee amendments.

PRESIDENT ROCK:

Top of Page 14. 527. Senator Luft. On the Order of Senate Bills 2nd Reading is Senate Bill 527. Read the bill.

SECRETARY HAWKER:

Senate Bill 527.

(Secretary reads title of the bill)

2nd Reading of the bill. No committee amendments.

PRESIDENT ROCK:

Any amendments from the Floor?

SECRETARY HAWKER:

No Floor amendments.

PRESIDENT ROCK:

3rd Reading. 529. Senator Luft. Senator Topinka, for what purpose do you arise?

SENATOR TOPINKA:

Yes. Point of order, Mr. President.

PRESIDENT ROCK:

Yes.

SENATOR TOPINKA:

If you recall, when we were discussing moving Senate Bill 489

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from 2nd Reading to 3rd Reading and there was a little discussion on whether or not there was a committee amendment. I said there wasn't. The Clerk said there was. They brought me an amendment. I said fine and all that, and it -- it is still our understanding that there is not an amendment on that bill. So it's my understanding it was a problem on the Secretary's Desk or somewhere a mistake, and they are willing to clear up the paper work, but that bill should be reported as coming straight out of committee with no amendment.

PRESIDENT ROCK:

All right. I'm told there was a clerical error, a transposition of numbers, so I think what we can do is accommodate that by -- by reconsidering the vote by which that committee amendment was adopted. So with leave of the Body, Senator Topinka has asked that Senate Bill 4-8-9 which is currently on 3rd Reading as amended, be returned to the Order of 2nd Reading for the purpose of Tabling an amendment that didn't belong there, and -- is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading then is Senate Bill 489, and Senator Topinka, having voted on the prevailing side, moves to reconsider the vote by which Amendment No. 1 was adopted in error. All in favor of the motion to reconsider indicate by saying Aye. All opposed. The Ayes have it. The vote is reconsidered. Senator Topinka now moves to Table Amendment No. 1 to Senate Bill 4-8-9. All in favor of the motion indicate by saying Aye. All opposed. The Ayes have it. Amendment No. 1 is Tabled, since it was attached in error. Now, Madam Secretary, are there any further amendments to 489?

SECRETARY HAWKER:

No further amendments.

PRESIDENT ROCK:

Any amendments from the Floor?

SECRETARY HAWKER:

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No Floor amendments.

PRESIDENT ROCK:

3rd Reading. 5-3-5. Top of Page 14. 535. Senator Hall.  
540. Senator Demuzio. 571. Senator Jacobs. On the Order of  
Senate Bills 2nd Reading is Senate Bill 571. Read the bill, Madam  
Secretary, please.

SECRETARY HAWKER:

Senate Bill 571.

(Secretary reads title of the bill)

2nd Reading of the bill. The Committee on Labor offers Committee  
Amendment No. 1.

PRESIDENT ROCK:

All right. Senator Jacobs, on Committee Amendment No. 1.

SENATOR JACOBS:

We pulled that from the record. I'm not -- I wasn't aware of  
it.

PRESIDENT ROCK:

Take it out of the record, Madam Secretary. 572. 573. On the  
Order of Senate Bills 2nd Reading is Senate Bill 573. Read the  
bill, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 573.

(Secretary reads title of the bill)

2nd Reading of the bill. No committee amendments.

PRESIDENT ROCK:

Any amendments from the Floor?

SECRETARY HAWKER:

No Floor amendments.

PRESIDENT ROCK:

3rd Reading. 575. 577. Senator Jones. On the Order of  
Senate Bills 2nd Reading is Senate Bill 577. Read the bill, Madam  
Secretary.

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SECRETARY HAWKER:

Senate Bill 577.

(Secretary reads title of the bill)

2nd Reading of the bill. No committee amendments.

PRESIDENT ROCK:

Any amendments from the Floor?

SECRETARY HAWKER:

No Floor amendments.

PRESIDENT ROCK:

3rd Reading. 588. Senator Netsch. On the Order of Senate Bills 2nd Reading is Senate Bill 588. Read the bill, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 588.

(Secretary reads title of the bill)

2nd Reading of the bill. The Committee on Revenue offers Committee Amendment No. 1.

PRESIDENT ROCK:

Senator Netsch, on Committee Amendment No. 1.

SENATOR NETSCH:

Thank you, Mr. President. Committee Amendment No. 1 is fairly extensive. Some of it is quite technical and other parts of it do some clarification and expansion of the provisions dealing with non-cash bids. The basic statute deals with the tax delinquent property and the so-called scavenger sale. I could go through the fourteen or fifteen separate provisions of the amendment, which I will not do because I think they've been a made -- made available to staff on both sides. I would point out that in large part they reflect some concerns, particularly with respect to the non-cash bid procedures that were raised by the Cook County Board, and they have been carefully gone through by the Task Force on -- Task Force on Tax Delinquent Properties, which had been responsible for

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producing the basic bill itself. So I think while extensive, they are quite acceptable to all of those who've been involved in this project, and I would move the adoption of Amendment No. 1 to Senate Bill 588.

PRESIDENT ROCK:

Senator Netsch has moved the adoption of Committee Amendment No. 1 to Senate Bill 588. Discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment's adopted. Are there further amendments?

SECRETARY HAWKER:

No further committee amendments.

PRESIDENT ROCK:

Any amendments from the Floor?

SECRETARY HAWKER:

No Floor amendments.

PRESIDENT ROCK:

3rd Reading. 590. Senator Mahar. 591. On the Order of Senate Bills 2nd Reading is Senate Bill 591. Read the bill, Madam Secretary, please.

SECRETARY HAWKER:

Senate Bill 591.

(Secretary reads title of the bill)

2nd Reading of the bill. No committee amendments.

PRESIDENT ROCK:

Any amendments from the Floor?

SECRETARY HAWKER:

No Floor amendments.

PRESIDENT ROCK:

3rd Reading. 592. Senator Holmberg. 593. On the Order of Senate Bills 2nd Reading is Senate Bill 593. Read the bill.

SECRETARY HAWKER:

Senate Bill 593.

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(Secretary reads title of the bill)

2nd Reading of the bill. No committee amendments.

PRESIDENT ROCK:

Any amendment from the Floor?

SECRETARY HAWKER:

No Floor Amendments.

PRESIDENT ROCK:

3rd Reading. 606. Senator Jacobs. 611. Senator O'Daniel.  
On the Order of Senate Bills 2nd Reading is Senate Bill 611. Read  
the bill, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 611.

(Secretary reads title of the bill)

2nd Reading of the bill. No committee amendments.

PRESIDENT ROCK:

Any amendments from the Floor?

SECRETARY HAWKER:

No Floor amendments.

PRESIDENT ROCK:

3rd Reading. Ladies and Gentlemen, I think that's an  
appropriate place to -- we had earlier sought leave to -- to go  
back to Senator Etheredge's supplemental appropriation request and  
all the amendments that were in the process of being offered. It  
is our hope, obviously, that this will, aside from the Resolutions  
and the Adjournment Resolution and whatever announcements there  
are, this will be the last order of business, so that we can all  
get on our way. Senator O'Daniel, for what purpose do you arise?

SENATOR O'DANIEL:

Mr. President and Members of the Senate. For a point of  
personal privilege.

PRESIDENT ROCK:

State your point, sir.

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SENATOR O'DANIEL:

In the Gallery to the rear on the right is thirty students from the history and government class from the Altamont School. I'd like for them to be recognized at this time.

PRESIDENT ROCK:

Will our guests please stand and be recognized. Welcome to Springfield. Senator Demuzio, for what purpose do you arise?

SENATOR DEMUZIO:

While we're on this order of business. I just spoke with Senator Vadalabene, and he -- he's doing well and he should be home in a few days. Thank you.

PRESIDENT ROCK:

All right. Senator Etheredge. We had earlier taken out of the record Senate Bill 385. Senator Etheredge asks leave to get back to that now; it is currently on the Order of 2nd Reading. We had taken it out of the record, so it seems appropriate to readopt Amendment No. 1, which I understand was agreed to anyway. That was the O'Daniel farm assessment amendment. So Madam Secretary, let's start from the beginning. Read the bill a second time, please.

<Sic> 3rd Reading

SECRETARY HAWKER:

Senate Bill 385.

(Secretary reads title of the bill)

3rd Reading of the bill.

PRESIDENT ROCK:

All right. Senator Etheredge seeks leave of the Body to recall that bill to the Order of 2nd Reading for purposes of amendments. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading is Senate Bill 385. Madam Secretary.

SECRETARY HAWKER:

Senate Bill 385.

(Secretary reads title of the bill)

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2nd Reading of the bill. No committee amendments.

PRESIDENT ROCK:

Amendments from the Floor?

SECRETARY HAWKER:

Senator O'Daniel offers Amendment No. 1.

PRESIDENT ROCK:

Senator O'Daniel, we're going to start over, so if just -- you just reexplain Amendment No. 1, we'll move right through this, I hope.

SENATOR O'DANIEL:

Thank you, Mr. President and Members of the Senate. What Amendment No. 1 does is -- it appropriates eight hundred and twenty-eight thousand dollars to pick up our obligation for the commitment we made ...(inaudible)... passed the farmland assessment and -- and this lives up to our obligation.

PRESIDENT ROCK:

All right. Senator O'Daniel has moved the adoption of Amendment No. 1 to Senate Bill 385. Discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment's adopted. Further amendments?

SECRETARY HAWKER:

Amendment No. 2 offered by Senator Carroll.

PRESIDENT ROCK:

Senator Carroll, on Amendment No. 2.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. As I had indicated before, and -- and hopefully now it has been read, this is the awards as given to us by the Court of Claims, including the two corrections suggestions of the Governor as to what fund approved award should come from, and I would seek adoption of Amendment No. 2.

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Senator Carroll has moved the adoption of Amendment No. 2. Discussion? Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President. We now have had the opportunity to compare the two amendments which had been offered, and they differ in that the amendment now presented to us by Senator Carroll does include two claims that I had not had in my amendment. I would suggest that we support this amendment. One of the claims involves a -- evolves from an incident at the -- in East St. Louis at the State Community College. The other one is a claim which comes from Senator Vadalabene's district, which we had earlier approved, but it paid out of the wrong fund. We now propose to pay it out of a -- another fund, which we hope will meet the earlier concerns.

PRESIDENT ROCK:

All right. Senator Carroll has moved the adoption of Amendment No. 2 to Senate Bill 385. Further discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment's adopted. Are there further amendments?

SECRETARY HAWKER:

Amendment No. 3 offered by Senator Welch.

PRESIDENT ROCK:

Senator Welch, on Amendment No. 3.

SENATOR WELCH:

Thank you, Mr. President. Mr. President, last year we passed a major program to comply with the Federal Clean Water Act, allowing for two hundred and twenty-six towns to receive grants of seventy percent of the amount necessary to improve their sewer system and to comply with that Clean Water Act. The deadline for applying for those funds came and went, and there were seventy-two communities who applied who underestimated the cost of their sewer treatment repair. What this amendment would do, it would increase

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the Build Illinois funding by eighty-six million dollars, and allow for the seventy percent grants. The amount specifically in this amendment is forty-eight million two hundred thousand dollars. This will cover municipalities throughout the State of Illinois.

PRESIDENT ROCK:

Senator Welch has moved the adoption of Amendment No. 3 to Senate Bill 385. Discussion? Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President. Just for the information of the Members over on our side of the aisle, we have distributed a list of the projects that would be involved in the amendment that just presented by Senator Welch, both this one and the next one, which I presume that he will -- he will offer, and as you review this list I think that all of us will find that we do have projects that -- that are involved. And this certainly is a -- an item -- a matter of which needs to be addressed. I would point out to everyone that we are exceeding the amount of bonds by approving this and the following amendment; we are -- exceeding the level of bond funding which has been made available and which is covered by the revenue stream which we have earlier approved. So that I want you to be fully aware of that, but at the same time, we realize that these are very important projects to the communities that we represent.

PRESIDENT ROCK:

All right. Senator Welch has moved the adoption of Amendment No. 3 to -- to Senate Bill 385. Further discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment's adopted. Further amendments?

SECRETARY HAWKER:

Amendment No. 4 offered by Senators Zito, Kelly, Welch, Jones, J.E. Joyce and others.

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PRESIDENT ROCK:

Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President and Members of the Senate. Senator Zito and I are hyphenated sponsors with Senator Welch and Senator Zito asked me to sponsor, so with leave of the Body, I will do so. This amendment would provide a forty-eight million dollars from the Build Illinois Bond Fund. Also for compliance to the Clean Water Act for some thirty-seven communities throughout the State of Illinois. There -- I would move for the adoption. It's very similar in nature to the last amendment we just had.

PRESIDENT ROCK:

All right. Senator Kelly's moved the adoption of Amendment No. 4 to Senate Bill 385. Discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment's adopted. Further amendments?

SECRETARY HAWKER:

Amendment No. 5 offered by Senator Welch.

PRESIDENT ROCK:

Senator Welch, on Amendment No. 5.

SENATOR WELCH:

END OF TAPE

TAPE 3

Thank you, Mr. President. What Amendment No. 5 does, is delete legal expenses for unsettled lawsuits because we don't know how much the expenses are going to be. It's a reduction of two hundred and fifty thousand dollars in General Revenue Funds from the Department of Children and Family Services.

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PRESIDENT ROCK:

All right. Senator Welch has moved the adoption of Amendment No. 5 to Senate Bill 385. Discussion? Senator Etheredge.

SENATOR ETHEREDGE:

Will the Senator yield?

PRESIDENT ROCK:

Indicates he will yield. Senator Etheredge.

SENATOR ETHEREDGE:

Senator, do I understand that what you are doing here is deleting the amount of money that would have been spent in legal fees for only those cases that are not yet settled, where we do not know for sure how much, in fact, is going to be due and owing?

PRESIDENT ROCK:

Senator Welch.

SENATOR WELCH:

That's correct, Senator.

PRESIDENT ROCK:

Senator Etheredge.

SENATOR ETHEREDGE:

Then I would rise in support of this amendment.

PRESIDENT ROCK:

All right. Senator Welch has moved the adoption of Amendment No. 5 to Senate Bill 385. Further discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment's adopted. Further amendments?

SECRETARY HAWKER:

Amendment No. 6 offered by Senator Welch.

PRESIDENT ROCK:

Senator Welch, on Amendment No. 6.

SENATOR WELCH:

Thank you, Mr. President. What Amendment No. 6 does, is amend the DCFS budget, adding language that legal contracts extended

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only after the Attorney General's approval. So this would change the awarding of contracts from this Department, is the intent.

PRESIDENT ROCK:

Senator Welch has moved the adoption of Amendment No. 6 to Senate Bill 385. Discussion? Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President. I rise in strong opposition to this amendment. What this does is to significantly broaden and expand the powers of the Attorney General, I think in a fashion which is not required. We have operated as we do at the present time for quite a few years. I see no need for this amendment, and I would urge a No vote.

PRESIDENT ROCK:

All right. Senator Welch has moved the adoption of Amendment No. 6. You wish to close, Senator Welch?

SENATOR WELCH:

Thank you, Mr. President. The purpose of this is to try to get a handle on the ever-growing amount of legal expenses in State Government. This requires the Department to seek approval from the Attorney General for expenditures for -- from legal fees. I think that there should be some lawyer in charge of how much money is spent in the State on lawyers, and perhaps that should be the elected lawyer for all us, the Attorney General. This is an attempt to basically pull in the reins on legal services that have basically been running wild in the State, and I would move for adoption of this amendment.

PRESIDENT ROCK:

All right. Senator Welch has moved the adoption of Amendment No. 6 to Senate Bill 3-8-5. Senator Etheredge has requested a roll call. Those in favor of the adoption of the amendment will vote Aye. Opposed will vote Nay, and the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who

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wish? Take the record. On that question there are 29 -- 29 Ayes and 26 Nays, none voting Present. Amendment No. 6 is adopted.

Further amendments?

SECRETARY HAWKER:

Amendment No. 7 offered by Senators Welch and Thomas Dunn.

PRESIDENT ROCK:

Senator Welch, on Amendment No. 7.

SENATOR WELCH:

Thank you, Mr. President. When the Director of the Department of Children and Family Services appeared in the committee over the past few weeks, what he said was he was going to transfer money out of downstate districts to Chicago for personal services to even up the caseload between Chicago and downstate districts. Basically, what this is going to do is to restore that money for the downstate districts, so that we don't end up with a shift of some thirty-four jobs, I believe it is, to the Chicago area. I would move for adoption of the amendment.

PRESIDENT ROCK:

All right. Senator Welch has moved the adoption of Amendment No. 7 to Senate Bill 385. Discussion? Senator Etheredge.

SENATOR ETHEREDGE:

I would just point out, there are a number of people on this side of the aisle that have an interest in this, too. I would -- what is involved here, I know that Senator Fawell has, and myself, both, have questioned the business of transferring money out of the downstate districts, and so I would rise in support of the amendment.

PRESIDENT ROCK:

All right. Senator Welch has moved the adoption of Amendment No. 7 to Senate Bill 385. Further discussion? If not, all in favor signify by saying Aye. All opposed. The Ayes have it. The amendment's adopted. Further amendments, Madam Secretary?

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SECRETARY HAWKER:

Amendment 8 offered by Senator Carroll.

PRESIDENT ROCK:

Senator Carroll, on Amendment No. 8.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. As introduced in the supplemental, the Department of Financial Institutions had indicated a shortfall of some fifty thousand dollars. After discussions, they indicated to us that their shortfall was only thirty-nine thousand six hundred. This would reduce it to that number, and I would move its adoption.

PRESIDENT ROCK:

(machine cutoff)... All right. Senator Carroll has moved the adoption of Amendment No. 8 to Senate Bill 385. Discussion? Senator Etheredge.

SENATOR ETHEREDGE:

I rise in opposition to this amendment. I would just point out that during the recess, we had a conversation with representatives of the Department. They indicate that, in fact, they will need more than the thirty-nine thousand six hundred dollars that this amendment proposes to spend. That they will, in fact, need something very close to the fifty thousand four hundred dollars which is in the original bill. I would also point out that these -- this expenditure is not General Revenue Fund money, but it is money which is contributed by the various credit unions themselves. I would suggest that we -- that this amendment be defeated.

PRESIDENT ROCK:

All right. Senator Carroll, to close on Amendment No. 8.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Apparently, and we had offered to sit with you during that brief

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recess and did not; we were up there waiting. This is not what the Department had told us earlier or our projections of their spending. Secondly, as you know, Senator Etheredge, these are General Revenue Fund feeder funds. And anything not spent goes into the General Revenue. Again, it's not a big amount, it is what, however, they projected spending. I don't see why we would waste money, and I would move adoption of Amendment No. 8.

PRESIDENT ROCK:

Senator Carroll has moved the adoption of Amendment No. 8 to Senate Bill 385. Senator Etheredge has requested a roll call. Those in favor of the amendment will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 28 Ayes and 28 Nays. The amendment fails. Further amendments?

SECRETARY HAWKER:

Amendment No. 9 offered by Senator Carroll.

PRESIDENT ROCK:

Senator Carroll, on Amendment No. 9.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This one is to delete a transfer from State Police, because the State Police Department has not used the statutory two percent transferability. This would not impact their operations, but merely make them account for how they are spending their money. Several people in both Chambers have had concerns about the way in which State Police have been operating, and since they have not used their transferability, we presume the better way to go is to say use your transferability now, and if you need additional monies later, come and identify them, so that we can have a better handle on -- on how funding would go. So this would not, in effect, affect how they intend to spend it, except require

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them to come back to us should they need more. This would merely say, use your transferability.

PRESIDENT ROCK:

All right. Senator Carroll has moved the adoption of Amendment No. 9 to Senate Bill 385. Discussion? Senator Etheredge.

SENATOR ETHEREDGE:

I rise in support of this amendment.

PRESIDENT ROCK:

All right. Senator Carroll has moved the adoption of Amendment No. 9. If no further discussion, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment's adopted. Further amendments?

SECRETARY HAWKER:

Amendment No. 10 offered by Senator Welch.

PRESIDENT ROCK:

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. Amendment No. 10 is -- revenue neutral. What it does is it changes language in Senate Bill 385, that said - one of the lines said it would include prior years' costs. What we've done is specifically delineate the amount that's going to be paid for implementation of the Immigration Reform and Control Act of 1986. So what the bill will do is specifically say how much is going to be spent for each year's prior costs.

PRESIDENT ROCK:

Senator Welch has moved the adoption of Amendment No. 10 to Senate Bill 385. Discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment's adopted. Further amendments?

SECRETARY HAWKER:

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Amendment No. 11 offered by Senator Maitland.

PRESIDENT ROCK:

Senator Maitland, on Amendment No. 11.

SENATOR MAITLAND:

Thank you, thank you, Mr President, Members of the Senate. Just a question of the Secretary. This is the one that does deal with the schools, is that correct?

PRESIDENT ROCK:

Indicate -- you want to get a copy of this? Yeah, yes.

SENATOR MAITLAND:

SR8550385jkbgam. Very good.

PRESIDENT ROCK:

Senator Maitland, on -- Amendment No. 11.

SENATOR MAITLAND:

Thank you. Thank you very much. Thank you very much, Mr. President. This is the amendment we talked about this morning. It would be identical to the one offered by -- by Senator Welch, except for the fact that it does not appropriate the fifteen million dollars from the Common School Fund into General Revenue. It is my understanding that there may be an amendment to follow here that resolves some of the discussion we had this morning, and I would move for the adoption, Mr. President.

PRESIDENT ROCK:

All right. Senator Maitland has moved the adoption of Amendment No. 11 to Senate Bill 385. Discussion? Senator Welch.

SENATOR WELCH:

Well, I had a question of the sponsor, Mr. President, if he'll yield.

PRESIDENT ROCK:

Sponsor indicates he will yield. Senator Welch.

SENATOR WELCH:

Senator Maitland, this is thirty million dollars, or is it

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fifteen million dollars from the Lottery Fund?

PRESIDENT ROCK:

Senator Maitland.

SENATOR MAITLAND:

Senator Welch, it is -- it is fifteen million dollars into the Common School Fund, number one, and the other the -- the -- the 7.5 and the 7.5 come from the General Revenue Fund.

PRESIDENT ROCK:

Senator Welch.

SENATOR WELCH:

Well, I have an amendment I'm going to offer later in this bill to add an additional fifteen million dollars. The purpose of my initial amendment was to point out that we had thirty million dollars surplus in the Lottery Fund, and we wanted to spend that on education. The method of doing it perhaps is -- is what was in dispute, not the intent. But what we are trying to do with Senator Maitland's bill is perhaps garner that fifteen that he is talking about and add fifteen in the later amendment. So the total would be forty-five million dollars for schools, if the two amendments are put on the bill.

PRESIDENT ROCK:

Further discussion? Senator Brookins.

SENATOR BROOKINS:

Will the sponsor yield for a clarification?

PRESIDENT ROCK:

Indicates he will yield. Senator Brookins.

SENATOR BROOKINS:

Senator Maitland, would you try to clear this up for my mind. What we're doing is taking fifteen thousand dollars and putting into the Common School Fund. Fifteen million, I'm sorry. And then we're taking another fifteen million and doing what with it?

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Senator Maitland.

SENATOR MAITLAND:

Thank -- thank you, Mr. President. Senator Brookins, I think we're doing exactly what you want us to do. We are simply appropriating fifteen million dollars to the Common School Fund, and by the same token, we are taking another total of fifteen million dollars from -- from the General Revenue Fund, and also appropriating that to schools.

PRESIDENT ROCK:

Senator Brookins.

SENATOR BROOKINS:

So your bill, in effect, is putting thirty million dollars into the Common School Fund. Is that what we're saying?

PRESIDENT ROCK:

Senator Maitland.

SENATOR MAITLAND:

No -- no sir, that is -- that is not correct. Only fifteen million dollars. The -- the second fifteen million dollars comes from the General Revenue Fund, but as I explained in -- in total, and then Senator Welch got up and reexplained what I had said, there is going to be an amendment that follows that will appropriate an additional fifteen million dollars to the Common School Fund.

PRESIDENT ROCK:

Further discussion? Senator Watson. Oh, I'm sorry. Senator Brookins.

SENATOR BROOKINS:

To speak to the amendment and what is happening here - and if I don't understand it, and I know that I'm just a common person just like the constituent out there that don't understand it - we have a thirty million dollar surplus from Lottery that we want to put into the Common School Fund and not in the General Revenue

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Fund. We want the thirty million dollars to go, in total, to the Common School Fund. In effect, it really does not and will not affect the Common School Fund one way or another. I know that. That's hard to explain to a constituent, because when we run around the district we will say to them, "Yes, we have funded the Common School Fund at thirty million dollars or funded education at thirty million dollars." In effect, we have not. So therefore it is not -- it does not make any sense for me to vote for these type of measures that is wrong. That makes us, in effect, really tell lies to our constituent, and therefore this also is a bad way to -- to disburse of that thirty million dollars that was generated by Lottery -- by the playing of Lottery, that we originally said would go to the -- to the Common School Fund, and that is where it should go.

PRESIDENT ROCK:

Further discussion? Senator Watson.

SENATOR WATSON:

Yes sir, thank you. Question of the sponsor.

PRESIDENT ROCK:

Sponsor indicates he will yield. Senator Watson.

SENATOR WATSON:

If -- if this amendment goes on and is ultimately signed by the Governor, when will the school realize this -- this additional revenue? When will a check be written?

PRESIDENT ROCK:

Senator Maitland.

SENATOR MAITLAND:

Senator Watson, this is a -- an appropriation for FY'89 and this is effective when the -- when the Governor signs the bill, and the -- the money will be distributed at that time to -- through the General State Aid Formula.

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Further discussion? Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. I don't really understand what's going on here. I mean if -- if -- if we've got thirty million dollars from the Lottery to fool around with, why should we adopt either one of these amendments? Why don't you let nature take its course, and let the money go where it would ordinarily go, which is in the Common School Fund. We don't need to be playing games with this additional money because people decide that they're going to spend X amount of dollars to play the Lottery. That's not what this is all about. And you're making it into a political game for political reasons, and both sides are engaged in a pingpong battle here to see who gets this additional money. Let's just do what's right and Table both of these amendments.

PRESIDENT ROCK:

Further discussion? Senator Demuzio.

SENATOR DEMUZIO:

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

PRESIDENT ROCK:

Sponsor indicates he will yield. Senator Demuzio.

SENATOR DEMUZIO:

Senator Maitland, support for your amendment, does that generate support for Senator Welch's amendment in the very near future?

PRESIDENT ROCK:

Senator Maitland.

SENATOR MAITLAND:

Senator Demuzio, I can't speak for every Member of this Body. I plan to support Senator Demuzio's amendment. Senator Welch's amendment.

PRESIDENT ROCK:

Senator Demuzio.

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SENATOR DEMUZIO:

Please don't confuse me with Senator Welch, Senator Maitland. He's a very dear friend of mine and he's close, but, thank you very much.

PRESIDENT ROCK:

Further discussion? Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President, and I guess I have to join Senator Brookins a little bit, that I am also confused. First of all, let me indicate to my fellow Senators that should know, that the thirty million dollars must be appropriated; it's not going to follow its natural course. But I have a more basic question. We spend all this time to where we cannot come up with more money for schools, we cannot come up with any more money for anything, but all of a sudden between fifteen minutes ago till now, we've come up with -- come up with another fifteen million dollars, and I, for one, don't know how we come up with these fifteen million here, forty-eight million dollars earlier, and I'm getting more confused as we go along, and I think that other than the fact we do have to appropriate this money, I would share with Senator D'Arco's comments. But I do understand that we have to appropriate this money.

PRESIDENT ROCK:

Further discussion? Senator Collins.

SENATOR COLLINS:

Thank you, Mr. President. I -- I guess I'm too confused also here, but if it is my understanding about all of these amendments: a) that we do have this windfall of monies from the Lotteries that was not anticipated, that must be appropriated. Am I right so far? Okay. But what appears to be happening here, and my concern, if I am correct, is the way the money will be distributed. It is a question of the distribution of the money,

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rather that whether or not we should appropriate the money. Because I think the citizens of this State would, in fact, want that money to go toward education, and it should go, because it was generated by the Lottery. But I think my concern and -- and most of us from the Chicago areas, major concern is whether or not the monies go to the School Aid Formula, for general distribution, as it is currently now distributed, or whether of not it go toward categoricals. And if it goes toward categoricals, how much of the impact would that have on us, versus whether or not that money was put into the General School Formula? Now, based on what I hear, Chicago will come out with less money if it is to go toward categorical rather than the formula. So, I hope I'm shedding some light on this for myself and for the others, and if I'm wrong, please respond to me.

PRESIDENT ROCK:

Further discussion? Senator Jones.

SENATOR JONES:

Yeah, thank you, Mr. President. The more discussion I hear on the issue I guess the more we get concerned, and ...(inaudible)... the sponsor will yield to a question.

PRESIDENT ROCK:

Senator Maitland. I understand -- been requested for -- Sponsor indicates he will yield. Senator Jones.

SENATOR JONES:

Senator Maitland, what is the current law as relate to the Lottery proceeds? What is -- what does the law say? All profits from the Lottery shall go where?

PRESIDENT ROCK:

Senator Maitland.

SENATOR MAITLAND:

We have created, Senator Jones, a mechanism that allows the -- the weekly -- the weekly -- you got a question?

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PRESIDENT ROCK:

That was a question. Where does the Lottery money go?

SENATOR MAITLAND:

He's asking me to stop.

PRESIDENT ROCK:

Senator Maitland.

SENATOR MAITLAND:

The -- the weekly proceeds from the Lottery go into the Common School Fund. We agreed to that mechanism.

PRESIDENT ROCK:

Senator Jones.

SENATOR JONES:

Well, the law says that the proceeds from the Lottery shall go into the Common School Fund. Am I correct? So, therefore, when we appropriate in the event that there are additional monies, we must reappropriate them to the Common School Fund. What your amendment is doing -- what your amendment is doing is running contrary to the law that we passed to clear up the confusion. The current law says all proceed from the Lottery shall go into the Common School Fund. Am I correct? I'm trying to get a...

PRESIDENT ROCK:

Senator Berman.

SENATOR BERMAN:

Let me try to -- try to clear things up. I will try. First of all, Senator Collins, Senator Collins, you are right. You're right. All right. Now let's -- let me try to take this a little bit further. When there are proceeds from the Lottery, it's set aside in the Common School Fund. The question before us this morning are two questions. Do we want to take the money that's in the Common School Fund and appropriate it so that the schools get it in FY'89? That's what this bill is. It's a supplemental appropriation for FY'89. So if you don't want to give the schools

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more money this year, and you want to let the pot build up, so that we can be bigger heroes for FY'90, vote No on all these amendments. All right, that's -- that's point number one. Point number two, if you want them to get more money this year because we had a seventy million dollar or a hundred million -- seventy million dollar Lottery, because we had a seventy million dollar Lottery and everybody expects more money to flow, presumably, immediately to the schools, then you vote -- then you'd want to vote Yes on the supplemental appropriation to appropriate the money from the Common School Fund to the schools. The second question, however, is whether you want the money to flow as is proposed by both Senator Maitland's amendment and the previous one by Senator Welch. And the way that flows is, half of it, fifteen million dollars, is going to go to the General State Aid Formula; seven and a half million is going to go to Transportation, line item; and seven and a half million is going to go to Special Ed personnel reimbursement. Now there's a dozen other, two dozen other categorical line items which are not going to be funded in FY'89 under these amendments. If you don't like that division, then vote No. This is May 12th. This is a supplemental appropriation bill. I will presume, and I will be surprised if I'm wrong, that Senate Bill 385 will go over to the House. The House will have some ideas as to do -- as to what should be done with this bill someplace or other. It'll come back, and under our new open conference committee rules, everybody will have a better opportunity than just today to discuss how the money ought to go. So I question realistically, politically, whether we really want to put all this money into FY'89. I suggest to you that with some of the formularies, some of the changes that have come up, that maybe we want to hold it till FY'90. Secondly, I'm not sure that I want to give it to only the two categorical line items as opposed to others, or just the School Fund. But I'm going to vote

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Yes today. I'm going to vote Yes today, so that I can go home and say, "We had a big Lottery, and I voted to get the money to the schools right away." That's a superficial explanation, but it's probably one that I and my constituents can understand. I hope I've shed a tiny bit of light in the gloom. Thank you.

PRESIDENT ROCK:

Further discussion? Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. There's one other point, though, that I think needs to be brought out again. I assume it has been made in this maze of confusing discussion about what we're doing. But now that I have, I believe, finally seen a copy of what we believe is your amendment, Senator Maitland, I want to be clear about one thing. Fifteen million of it comes from the Common School Fund. That will go, presumably, for the General State Aid Formula. That is money that we believe reflects the added profits of the Lottery. The next two sections though, which are the two categorical sections - one, as I understand it, Transportation, the second ed -- Special Ed reimbursement, is not from the Common School Fund. That is directly, as I read this, from presumably, General Revenue. So that that is really not Lottery money. It could or could not be, but it is not directly Lottery money and should not be, since all of the Lottery money, the profits from the Lottery, ought to go, by transfer, directly into the Common School Fund. So we are also, as I read this, in effect dipping into general funds for Fiscal '89 to come up with fifteen million dollars, seven and a half for Special Ed reimbursement, seven and a half for Transportation. And the -- whether we have the cash to cover it is quite another matter, and maybe we do, because revenues have been very strong. But it is not coming from the Common School Fund, and it is therefore not coming directly from the Lottery. Is that an accurate representation of what I think

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I'm now reading, is your amendment?

PRESIDENT ROCK:

Senator Maitland.

SENATOR MAITLAND:

Well, I...

PRESIDENT ROCK:

I think it's a yes or no, John.

SENATOR MAITLAND:

I -- I -- think -- I think -- I think there's a yes and a no answer to what you -- what you have asked me. The Common School Fund gets all of the Lottery profits, and it goes into that fund, but we can't -- you know in order to put that money then into 18-8 the -- the General State Aid Formula, we have to appropriate, and we are appropriating from -- okay.

PRESIDENT ROCK:

All right. Any further discussion? Senator Netsch.

SENATOR NETSCH:

That was not my question, Senator Maitland. I fully understand that. That is the first section of your amendment. The next two sections do not say anything, as I read them, about the Common School Fund. They just say that in addition to anything else we've already appropriated, we're going to spend seven and a half million dollars on Transportation reimbursement and in -- the next section, seven and a half million on Special Ed. If that is not correct, that's what I -- I want clarified. That will come, not from the Common School Fund, at least it doesn't read that way, unless there's some magic in here that I'm not finding, that will come straight out of General Revenue. Am I correct in my assumption?

PRESIDENT ROCK:

That is a yes answer, John, by the way. Senator Maitland.

SENATOR MAITLAND:

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That is correct, and I think that was Senator Welch's reason for introducing this. The General Revenue Fund has grown because of that.

PRESIDENT ROCK:

All right. Further discussion on amendment No. 11? Senator Maitland, you wish to close, sir?

SENATOR MAITLAND:

No.

PRESIDENT ROCK:

Okay. All right. Senator Maitland's moved the adoption of Amendment No. 11 to Senate Bill 3-8-5. All in favor indicate by saying Aye. All opposed. Okay. Roll call has been requested. Those in favor of the adoption of Amendment No. 11 will vote Aye. Opposed will vote Nay, and the voting is open. Have all voted who wish? Take the record. On that question, there are 49 Ayes, 3 Nays and 2 voting Present. Amendment No. 11 is adopted. Further amendments?

SECRETARY HAWKER:

Amendment No. 12 offered by Senator Etheredge.

PRESIDENT ROCK:

Senator Etheredge, on Amendment No. 12.

SENATOR ETHEREDGE:

Mr. President, may I ask which amendment this is now. Is this -- is this the...

PRESIDENT ROCK:

Some of my Members were going to ask the same question.

SENATOR ETHEREDGE:

I have one here, the last four letters are s-u-p-p? Okay. Oh, they're all -- I beg your -- all right -- let me start -- BOB, does it say BOB and then add 89 supp? All right. Then let me tell you the bottom line, what this amendment does, and then I'll

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go back and explain the various parts, because there are actually five parts to this. The net, bottom line of the adoption of this amendment is to increase expenditures by a hundred and thirty thousand dollars in non-GRF money, and it would transfer thirty thousand dollars in GRF money - and let me very quickly do the four parts. It would increase the travel within the Credit Union division of the Department of Financial Institutions by thirty thousand dollars. It would appropriate a hundred thousand dollars to the Department of Agriculture from Ag Premium Funds in order to enable the Department to use the fairgrounds, rent out the fairgrounds, we need to -- this is -- these are revenue-producing activities. We need to appropriate the expenditure of this money so that the Department can receive back in revenues an equal amount. It also appropriates a hundred thousand dollars to the Capital Development Board for a maintenance storage building in Lee County conservation area, and then it deletes a similar amount of money which was budgeted with in the Department of Conservation, and then the last item is a thirty thousand dollars transfer in GRF money to the -- in the Department of Aging in order to fund the hotline services, telephone hotline services. I'll be glad to respond to any questions.

PRESIDENT ROCK:

All right. Senator Etheredge has moved the adoption of Amendment No. 12 to Senate Bill 3-8-5. Discussion? Senator Welch.

SENATOR WELCH:

Question of the sponsor, Mr. President.

PRESIDENT ROCK:

Indicates he will yield. Senator Welch.

SENATOR WELCH:

Senator Etheredge, you're deleting thirty thousand dollars from the adult day care line and moving that to another department

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for the hotline. Why are you taking it out of adult day care?

PRESIDENT ROCK:

Senator Etheredge.

SENATOR ETHEREDGE:

Senator, we are informed by the Department that they will lapse far more than the thirty thousand dollars in that line item. They simply -- we -- we appropriated more money in that line item than they can spend this year. However, they are running short in this other grant line item, the one which funds the telephone hotline service.

PRESIDENT ROCK:

Further discussion? Senator Carroll.

SENATOR CARROLL:

I -- question of the sponsor, if he'll yield.

PRESIDENT ROCK:

Indicates he will yield.

SENATOR CARROLL:

Thank you. Senator Etheredge, are you saying that the Department says there is not a need for adult day care? I mean I'm a little leery about taking money away from adult day care. If they needed thirty thousand for something else in another fund, why not just do it? Why take General Revenue Funds out of adult day care, when we hear a crying need throughout all of our districts?

PRESIDENT ROCK:

Senator Etheredge.

SENATOR ETHEREDGE:

No, Senator, I'm not saying that, nor is the Department saying that. All I -- all I am saying is that because -- there have not been the demands for the expenditures in that line item that were anticipated at one time. They simply are not going to be able to expend all of those monies between now and the 30th of June for

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those programs.

PRESIDENT ROCK:

All right. Senator Etheredge has moved the adoption of Amendment No. 12 to Senate Bill 3-8-5. Further discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment's adopted. Further amendments?

SECRETARY HAWKER:

Amendment No. 13 offered by Senator Etheredge.

PRESIDENT ROCK:

Senator Etheredge, on Amendment No. 13.

SENATOR ETHEREDGE:

May I ask if that is a fairly hefty amendment? If that -- that is the Court of Claims amendment, then we have acted on Senator Carroll's amendment, I would ask that that be withdrawn.

PRESIDENT ROCK:

Withdraw the amendment. Further amendments?

SECRETARY HAWKER:

Amendment 13 offered by Senator Etheredge.

PRESIDENT ROCK:

Senator Etheredge, on Amendment 13.

SENATOR ETHEREDGE:

Once again, Mr. President, if I could just -- inquire. Is this -- for fifteen million dollars? All right. Thank you, Mr. President and Ladies and Gentlemen of the Senate, then what this amendment does is to allocate another fifteen million dollars in prize monies to the Lottery. As we know, the Lottery has enjoyed a very good spring, and they anticipate the need for another fifteen million dollars in payouts to prizewinners, so I would ask for the approval of this amendment.

PRESIDENT ROCK:

All right. Senator Etheredge has moved the adoption of Amendment No. 13 to Senate Bill 3-8-5. Discussion? If not, all

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in favor indicate by saying Aye. All opposed. The Ayes have it.  
The amendment's adopted. Further amendments?

SECRETARY HAWKER:

Amendment 14 offered by Senator Keats.

PRESIDENT ROCK:

Senator Keats, on Amendment No. 14.

SENATOR KEATS:

Thank -- thank you Mr. President, Ladies and Gentlemen of the Senate. This amendment is sort of a logical third conclusion to Senator Welch's two earlier amendments. His first amendment, where he reduced the speculative legal fees. The second one said, "Let's review these legal fees before we pay them." Let me tell you why this third amendment, which then takes the 1.2 million in -- in supplemental legal fees out, and says it will be put back in when we review it. First of all, the Department only asked for a hundred and ten thousand in legal fees. What we really have here is a one thousand one hundred percent increase in their request. But more importantly is what it's requested for. If you have a list of the lawsuits, let me run down a minute and tell you a few of them. Under ACYF we are suing the Federal Government, saying their regulations that they're in charge of, we don't agree. They didn't do it the way they were supposed to, and we are suing them to the tune of a quarter million dollars in legal fees so we might get a million. They're going to decide it. We're going to pay a quarter million in legal fees, and they're not going to give us our million. Let me tell you these next couple. Eric P. versus Johnson. We are suing ourself. We have lawyers on three sides of this case. We are paying all three sides. I don't even care what side I'm on. I just want to be on one, not three. The next case, B. H. versus Johnson, again we're on all three sides of the same case. We are suing ourselves. Aristotle P. versus Johnson, or Aristotle M. versus Johnson. Doe versus Lambert. These are

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lawsuits launched by ourselves against ourselves. The Attorney General, who is our lawyer, is defending ourself in all but about one of these cases. We're already paying his legal fees. We're paying the people suing us, and now we are paying a third party, private contractor to come in and tell us what else is going on. Those are 1.2 million dollars. Logically, I don't think it matters what side we're on, as long as we kind of stick to one or maybe two sides of the argument. I wouldn't even argue about two sides. So what this does is take the 1.2 million is additional legal fees out, and we say, following Senator Welch's second amendment, this says let's review these legal fees and find out what they're for. First thing we ought to find out is who -- what are we paying in hourly rates, when you're talking two hundred and fifteen thousand dollars, or two hundred and fifty thousand, on a speculative lawsuit, or we're telling the federal government they can't do it the way they want to with their own system. Maybe we ought to have that reviewed before we spend that kind of money. And the last provision I -- I would -- I would mention in terms of the problem here is this money can be put back in, but first we should find out what these lawsuits are, and why we're on three sides of the same -- suit.

PRESIDENT ROCK:

All right. Senator Keats has moved the adoption of Amendment No. 14 to Senate Bill 3-8-5. Discussion? All in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment's adopted. Further amendments?

SECRETARY HAWKER:

Amendment 15 offered by Senator Welch.

PRESIDENT ROCK:

Senator Welch, on Amendment No. 15.

SENATOR WELCH:

Thank you, Mr. President. This deals with the adult day care

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line we just spoke about, and what it does is it added -- it adds that thirty million dollars back into the adult day care line, and I would move for the adoption of this amendment. Thirty thousand dollars.

PRESIDENT ROCK:

Senator Welch.

SENATOR WELCH:

Okay. Strike what I just said. What I meant to say was this is the amendment that will appropriate fifteen million dollars from the Common School Fund because of the increase in Lottery proceeds. This is fifteen million dollars in addition to the fifteen million from the Common School Fund, appropriated just a few seconds ago through the Maitland amendment. This would make a total of thirty million dollars that we began the day with -- with the discussion, and bring us back up to that level. I move adoption.

PRESIDENT ROCK:

Senator Welch has moved the adoption of Amendment No. 15 to Senate Bill 3-8-5. Discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment's adopted. Further amendments?

SECRETARY HAWKER:

Amendment No. 16 offered by...

PRESIDENT ROCK:

16. Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. This is the amendment adding back thirty thousand dollars to the adult day care line. I would move adoption of the amendment.

PRESIDENT ROCK:

Senator Welch has moved the adoption of Amendment No. 16 to Senate Bill 3-8-5. Discussion? If not, all in favor indicate by

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saying Aye. All opposed. The Ayes have it. The amendment's adopted. Further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDENT ROCK:

3rd Reading. Senator Etheredge, can I assume you want to get back to that for passage after intervening business? About the only business we have left remaining, Ladies and Gentlemen, are the adoption of additional or consideration of additional resolutions, which, with leave, will be added to the Consent Calendar where appropriate, and then we'll adopt that and the Adjournment Resolution, then be ready to handle this bill. Resolutions, Madam Secretary.

SECRETARY HAWKER:

Senator Resolution 300 offered by Senator Hudson.

Senator Resolution 301 offered by Senators Lechowicz, President Rock, Senators Daley and Carroll.

Senate Resolution 302 offered by Senator Thomas Dunn.

Senate Resolution 303 offered by Senator Woodyard.

Senate Resolution 304 offered by Senator Rea.

Senate Resolution 305 offered by Senator Rea.

Senate Resolution 306 offered by Senator Woodyard.

They are all congratulatory.

PRESIDENT ROCK:

All right. Consent Calendar.

SECRETARY HAWKER:

Senate Resolution 307 offered by Senator Marovitz.

It is substantive.

PRESIDENT ROCK:

Executive. Senator Demuzio. Resolutions, Madam Secretary.

SECRETARY HAWKER:

Senate Joint Resolution 59. Resolved, by the Senate of the

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Eighty-sixth General Assembly of the State of Illinois, the House of Representatives concurring herein, that when the Senate adjourns on Friday, May 12, 1989, it stand adjourned until Monday, May 15, 1989, at 12:00 o'clock noon, and when the House of Representatives adjourns on Friday, May 12, 1989, it stand adjourned until Tuesday, May 16, 1989, at 12:00 o'clock noon.

PRESIDENT ROCK:

Senator Demuzio.

SENATOR DEMUZIO:

Thank you, Mr. President. This is -- indeed the Adjournment Resolution. Upon the conclusion of our business today, it calls us -- for us to come back this next Monday, Monday, at the hour of noon, May the 15th, and I would move to suspend the rules for the immediate consideration and adoption of Senate Joint Resolution 59.

PRESIDENT ROCK:

All right. Senator Demuzio has moved for the suspension of the rules for the immediate consideration and adoption of Senate Joint Resolution 59, which calls for us to return on Monday at the hour of noon. All in favor of suspension of the rules indicate by saying Aye. All opposed. The Ayes have it. The rules are suspended. Senator Demuzio now moves the adoption of Senate Joint Resolution 59. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The resolution is adopted. Madam Secretary, have any objections been filed to the Resolutions Consent Calendar?

SECRETARY HAWKER:

There have been no objections filed.

PRESIDENT ROCK:

All right. Senator Demuzio will move then, the adoption of the Resolutions Consent Calendar which contains Senate Resolution - a copy which has been distributed, I'm told - Senate Resolutions

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273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287; Senate Resolution 288, 89, 90, 291, 292, 293; Senate Joint Resolution 53, 56; House Joint Resolution 39, 40, 41 and 42 and 43; Senate Resolutions 295, 96, 97, 98, 300, 301, 302, 303, 304, 305, 306; Senate Joint Resolution 58; and House Joint Resolutions 44, 46, 47, 48 and 49. Hearing no discussion or objection, the Resolution Consent Calendar is adopted. All right, Ladies and Gentlemen, with earlier leave granted, we will now revert to the Order of Senate Bills 3rd Reading. And I -- ask you, Madam Secretary, Senate Bill 3-8-5. Read the bill a third time, please.

SECRETARY HAWKER:

Senate Bill 3-8-5.

(Secretary reads title of the bill)

3rd Reading of the bill.

PRESIDENT ROCK:

Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is the supplemental appropriation we've been talking about the better part of the moment. I'll be happy to respond to any questions. If there are none, I would ask for a favorable roll call.

PRESIDENT ROCK:

Any discussion? If not, the question is, shall Senate Bill 385, as amended, pass? Those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are none, none voting Present. Senate Bill 385, as amended, having received the required constitutional majority vote, is declared passed. Messages from the House. We are effectively finished, Ladies and

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Gentlemen. I hope everybody has a nice weekend. Messages from the House.

SECRETARY HAWKER:

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

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

House Bill 274.

I have like Messages on House Bills 1503, 1576, 1713, 1777, 1789, 16 -- pardon me, 1865, 1881, 2123, 594, 875, 1159, 1224, 1261, 1305, 1312, 1732, 1774, 2061, 776, 1349, 1401, 1479, 1567, 1674, 1764, 1896, 2035, 2374, 2383, 2427, 2428, 2433, 2436, 2514, 2543, 2649, 2678, 2757, 2776, 2805, 2808. Passed the House, May 11, 1989. John F. O'Brien, Clerk of the House.

I have like Messages on House Bills 1912, 1915, 1940, 1997, 2077, 2124, 2201, 2209, 2321, 2373, 107, 304, 446, 813, 879, 961, 1009, 1123, 1140, 1151, 1176, 1189, 1286, 1287, 1346, 1545, 1577, 1620 and 1891. Passed the House, May 11, 1989. Filed by John F. O'Brien, Clerk of the House.

PRESIDENT ROCK:

All right. With leave of the Body, we'll move to the Order of House Bills 1st Reading. A number of Members have indicated their willingness to assume sponsorship. If any of the other Members, if they're not taken a look, I'd turn their -- ask them to turn their attention to Page 39 and the following, and indicate to the Secretary or the Assistant Secretary your willingness to assume sponsorship. House Bills 1st Reading, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 2 offered by Senator Berman.

(Secretary reads title of the bill)

House Bill 4 offered by Senator Marovitz.

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(Secretary reads title of the bill)

House Bill 44 offered by Senator Rea.

(Secretary reads title of the bill)

House Bill 110, by Senator Holmberg.

(Secretary reads title of the bill)

House Bill 111 offered by Senator Schaffer.

(Secretary reads title of the bill)

Senate Bill 124, by Senator Berman.

(Secretary reads title of the bill)

House Bill 166, by Senator Holmberg.

(Secretary reads title of the bill)

House Bill 193, by Senator Maitland.

(Secretary reads title of the bill)

House Bill 209, by Senator Jacobs.

(Secretary reads title of the bill)

House Bill 213, by Senator Fawell.

(Secretary reads title of the bill)

House Bill 264, by Senator Karpziel.

(Secretary reads title of the bill)

House Bill 268, by Senator Holmberg.

(Secretary reads title of the bill)

House Bill 293, by Senator Donahue.

(Secretary reads title of the bill)

House Bill 352, by Senator Hawkinson.

(Secretary reads title of the bill)

House Bill 353, by Senator Hawkinson.

(Secretary reads title of the bill)

House Bill 364, by Senator Schaffer.

(Secretary reads title of the bill)

House Bill 365, by Senator J.J. Joyce.

(Secretary reads title of the bill)

An Act -- House Bill 374, by Senator Hawkinson.

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(Secretary reads title of the bill)

House Bill 379, by Senator Jacobs.

(Secretary reads title of the bill)

House Bill 412, by Senator Zito.

(Secretary reads title of the bill)

House Bill 418, by Senator Hawkinson.

(Secretary reads title of the bill)

House Bill 420, by Senator Hawkinson.

(Secretary reads title of the bill)

House Bill 435, by Senator Holmberg.

(Secretary reads title of the bill)

House Bill 441, by Senators Hawkinson and Luft.

(Secretary reads title of the bill)

House Bill 456, offered by Senators Daley and Topinka.

(Secretary reads title of the bill)

House Bill 465, by Senator Fawell.

(Secretary reads title of the bill)

House Bill 468, by Senator Fawell.

(Secretary reads title of the bill)

House Bill 475, by Senator Watson.

(Secretary reads title of the bill)

House Bill 489, by Senator Marovitz.

(Secretary reads title of the bill)

Senate Bill or House Bill 497, by Senator D'Arco.

(Secretary reads title of the bill)

House Bill 511, by Senator Donahue.

(Secretary reads title of the bill)

House Bill 530, by Senator Severns.

(Secretary reads title of the bill)

House Bill 541, by Senator Lechowicz.

(Secretary reads title of the bill)

House Bill 559, by Senator Berman.

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(Secretary reads title of the bill)

House Bill 610, by Senator Keats.

(Secretary reads title of the bill)

House Bill 630, by Senator Luft.

(Secretary reads title of the bill)

House Bill 638, by Senator Daley.

(Secretary reads title of the bill)

House Bill 769, by Senator Marovitz.

(Secretary reads title of the bill)

House Bill 803, by Senator Geo-Karis.

(Secretary reads title of the bill)

House Bill 805, by Senator Geo-Karis.

(Secretary reads title of the bill)

House Bill 906, by Senator O'Daniel.

(Secretary reads title of the bill)

House Bill 985, by Senator Daley.

(Secretary reads title of the bill)

House Bill 1155, by Senator Schuneman.

(Secretary reads title of the bill)

House Bill 1237, by Senators Berman and Jacobs.

(Secretary reads title of the bill)

House Bill 1564, by Senator Holmberg.

(Secretary reads title of the bill)

House Bill 1719, by Senator Luft.

(Secretary reads title of the bill)

House Bill 1838, by Senator Netsch.

(Secretary reads title of the bill)

House Bill 1876, by Senator Watson.

(Secretary reads title of the bill)

House Bill 2086, by Senators Topinka and Severns.

(Secretary reads title of the bill)

House Bill 2302, by Senator Netsch.

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(Secretary reads title of the bill)

House Bill 2324, by Senator D'Arco.

(Secretary reads title of the bill)

And House Bill 2329, by Senator Brookins.

(Secretary reads title of the bill)

1st Reading of the bills.

PRESIDENT ROCK:

All right. If there's no further business to come before the Senate, Senator Severns moves that the Senate stand adjourned until Monday, Monday, May 15, at the hour of noon, Ladies and Gentlemen. The Senate stands adjourned.

END OF TAPE

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