

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

103rd Legislative Day

May 12, 1992

PRESIDENT ROCK:

The hour of twelve having arrived, the Senate will please come to order. Will the Members be at their desks, and will our guests in the gallery please rise. Prayer this afternoon by the Reverend Rudolph Shoultz, Union Baptist Church, Springfield, Illinois. Reverend.

THE REVEREND RUDOLPH SHOULTZ:

(Prayer by the Reverend Rudolph Shoultz)

PRESIDENT ROCK:

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

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I move that reading and approval of the Journals of Wednesday, May 6th, and Thursday, May 7th, in the year 1992, be postponed, pending arrival of the printed Journals.

PRESIDENT ROCK:

You've heard the motion as placed by Senator Hall. Is there any discussion? If not, all in favor, indicate by saying Aye. All opposed. The Ayes have it. The motion carries, and it is so ordered. Message 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 bills of the following titles, in the passage of which I am instructed to ask the concurrence of the Senate, to wit:

House Bills 1132, 1504, 2678, 2728, 2737, 2748, 2784, 2818, 2824, 2905, 2921, 2940, 2946, 2962, 2968, 2969, 3037, 3045, 3054, 3055, 3056, 3100, 3119, 3183, 3202, 3208, 3248, 3269, 3344, 3410, 3427, 3436, 3454, 3461, 3506, 3583, 3598, 3599, 3641, 3643, 3695, 3731, 3814, 3823, 3902, 4008, 4094 and 4067 <sic>

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(4167).

Passed the House, May 6, 1992.

I have a Message from the House from Mr. O'Brien, Clerk.

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

House Bills 2299, 2766, 2817, 2966, 3087, 3101, 3256, 3418, 3460, 3493, 3618, 3619, 3672, 3735, 3769, 3770, 3780, 3811, 3862, 3872, 3878, 3898, 3917, 4052, 4055, 4104, 4106, 4168 and 3985.

Passed the House, May 7, 1992.

PRESIDENT ROCK:

All right. With leave of the Body, we'll move to page 26 on the Calendar, Ladies and Gentlemen. We are now visited with a number of House bills that have come over from the House. I would ask the Members to take a look and assume sponsorship, if requested by the House sponsor. Pages 26 and 27, Madam Secretary. House Bills 1st Reading.

SECRETARY HAWKER:

House Bill 1081 offered by Senators Berman and Jones.

(Secretary reads title of bill)

House Bill 2993 offered by Senator Hawkinson.

(Secretary reads title of bill)

House Bill 3095 offered by Senator Geo-Karis.

(Secretary reads title of bill)

And House Bill 3325 offered by Senator Brookins.

(Secretary reads title of bill)

1st Reading of the bills.

PRESIDENT ROCK:

Rules Committee. Resolutions.

SECRETARY HAWKER:

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Senate Resolution 1238 offered by Senator Geo-Karis.
Senate Resolution 1239 offered by Senator Geo-Karis.
Senate Resolution 1240 offered by Senator Geo-Karis.
Senate Resolution 1241 offered by Senator J.E. Joyce.
Senate Resolution 1242 offered by Senator J.E. Joyce.
Senate Resolution 1243 offered by Senator Brookins.
Senate Resolution 1244 offered by Senator Kelly.
Senate Resolution 1245 offered by Senator Cullerton.
And Senate Resolution 1246 offered by Senator Vadalabene.

They're all congratulatory resolutions.

PRESIDENT ROCK:

Consent Calendar. All right. Ladies and Gentlemen, if I can have your attention. Allow me, please, to outline what the next couple of days are going to look like, so everybody has an idea, and we're all on the same wavelength. This afternoon, as I'm sure you're aware, there is a very heavy committee schedule in Appropriations I. So it is our intention to work here for approximately an hour on the Order of 2nd Reading. And Senator Topinka has requested that we take up and address the proposed Constitutional Amendment. Tomorrow we will -- there is again a heavy committee commitment in the morning. So we will start at approximately 12:30 tomorrow, and we will start on the Order of Senate Bills 3rd Reading. We will take final action tomorrow on a number of bills, and we will work till approximately 5:30 tomorrow night. Also, Senator Jacobs, as the Chairman of the Conference Committee on Senate Bill 511, which is the telecommunications rewrite, that will be dealt with tomorrow. He assures me that all Members will have copies later this afternoon, and we will take that up. There is a deadline, as you well know, and the Governor has requested that we present the bill to him, if possible, before midnight Thursday. So we'll deal with that. We'll do 3rd Reading and -- and that bill for sure on Wednesday. On Thursday, there

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are -- both Appropriations Committee meetings are set, for the purpose, I am told, of offering amendments in committee. I am well aware that the Republicans have an event of some importance Thursday night. So what we will do is, we will start Session at 11:30 on Thursday, and work until approximately 1:30, so that everybody can have an opportunity to get back up to Chicago for the event. Senator Geo-Karis, for what purpose do you arise?

SENATOR GEO-KARIS:

Senator Rock and Ladies and Gentlemen of the Senate, there will be a Republican Caucus after this morning's Session, immediately after Session in Senator Pate Philip's Office. I repeat, Republican Caucus after we finish this morning.

PRESIDENT ROCK:

Senator Philip looks like he's delighted with that opportunity. Yes. Senator Demuzio, for what purpose do you arise, sir?

SENATOR DEMUZIO:

Thank you, Mr. President. I'd like the record to reflect that Senator Lechowicz is absent due to illness, please.

PRESIDENT ROCK:

The record will so reflect. Senator Philip, for what purpose do you arise, sir?

SENATOR PHILIP:

Thank you, Mr. President. Senator Etheredge's mother died, and he is in, I believe, Oregon or Texas, and may be gone all week. Wish the record would indicate that.

PRESIDENT ROCK:

All right. The record will so reflect. Senator Geo-Karis, for what purpose do you arise?

SENATOR GEO-KARIS:

Mr. President, a point of personal privilege.

PRESIDENT ROCK:

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State your point, please.

SENATOR GEO-KARIS:

It's my pleasure to introduce two of my constituents, Reverend Ron Petrick of Waukegan and also Reverend Norman Schneller of Zion, who are here today. Will you please help me welcome them?

PRESIDENT ROCK:

Gentlemen, welcome to Springfield. The Secretary just reminded me - everybody should have received a notice - but we are again going to attempt to take a group photograph. And that will be done tomorrow at the beginning of Session. So I would ask the Members to -- 12:30 tomorrow to please present yourself on the Floor. Senator DeAngelis, get a different tie for tomorrow, will you? Thank you very much.

PRESIDING OFFICER: (SENATOR COLLINS)

Ladies and Gentlemen, we are now -- we'll turn to page 2 on your Calendar on the Order of 2nd Reading. We will begin at the top at Senate Bill 400, and we will proceed right through on 2nd Reading on the Calendar. Senator Rock, on Senate Bill 400. Read the bill.

SECRETARY HAWKER:

Senate Bill 400.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Rock, on Committee Amendment No. 1.

SENATOR ROCK:

Thank you, Madam President, Ladies and Gentlemen of the Senate. Committee Amendment No. 1 to Senate Bill 400 represents about five years of work by various groups. It is a technical and substantive reworking or rewrite of the Illinois Domestic Violence Act. It is a very lengthy amendment - one that was discussed at

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some length over the past -- particularly over the past eighteen months, by various -- both -- both Bar associations and those interested in the operation of the domestic violence law. It contains about fifteen substantive changes, all of which have met with universal agreement. I know of no objection, and I intend to offer a Floor amendment to solve the one problem that was brought to my attention. So I would move the adoption of Committee Amendment No. 1.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Rock moves the adoption of Committee Amendment No. 1 to Senate Bill 400. Discussion? No discussion. All in favor, indicate by saying Aye. Opposed, Nay. The Ayes have it. The amendment is adopted. Any further committee amendments?

SECRETARY HAWKER:

No further committee amendments.

PRESIDING OFFICER: (SENATOR COLLINS)

Any amendments from the Floor?

SECRETARY HAWKER:

Senator Rock offers Amendment No. 2.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Rock, Amendment No. 2.

SENATOR ROCK:

Thank you, Madam President, Ladies and Gentlemen of the Senate. Amendment No. 2 attempts to solve the problem that was brought to my attention by -- by the protection and advocacy group led, obviously, by Dolly Hallstrom. The question concerns itself with the access to the Act and its remedies on the part of adults with disabilities, who are certainly vulnerable to abuse and neglect and exploitation. A couple of years ago we, in fact, put in this group of persons as protected under this Act. They were inadvertently left out. Amendment No. 2, offered at this moment, puts them back into the Act, so that the Act will again apply to

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and afford the remedies for those adults with disabilities. And I would -- I know of no objection, and I would move the adoption of Amendment No. 2.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Rock moves the adoption of Amendment No. 2 to Senate Bill 400. Discussion? If not, all in favor, indicate by saying Aye. Opposed, Nay. The Ayes have it. The amendment is adopted. Any further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDING OFFICER: (SENATOR COLLINS)

3rd Reading. Senate Bill 969. Senator Demuzio. Read the bill, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 969.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Demuzio, Committee Amendment No. 1.

SENATOR DEMUZIO:

Well, thank you very much. ...(machine cutoff)...Madam President, I -- I didn't know there was to be a committee amendment. Committee Amendment No. 1 would delete everything after the enacting clause, and would require the State Board of Education to develop a code of ethics for test administration and to provide implementation assistance to school districts upon request. It's an initiative of the Illinois Education Association. I would move its adoption.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Demuzio moves the adoption of Committee Amendment No. 1 to Senate Bill 969. Discussion? If not, all in favor, indicate

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by saying Aye. Opposed, No. The Ayes have it. The amendment is adopted. Any further committee amendments?

SECRETARY HAWKER:

No further committee amendments.

PRESIDING OFFICER: (SENATOR COLLINS)

Any amendments from the Floor?

SECRETARY HAWKER:

No Floor amendments.

PRESIDING OFFICER: (SENATOR COLLINS)

3rd Reading. Senator Jones. Senate Bill 1468. Senator Dudycz. Senate Bill 1474. Senator Carroll. 1479. Senator Topinka. 1490. Senator Smith. 1495. Senator Dunn - Thomas Dunn. Read the bill, Madam Secretary. 1499.

SECRETARY HAWKER:

Senate Bill 1499.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR COLLINS)

Any amendments from the Floor?

SECRETARY HAWKER:

No Floor amendments.

PRESIDING OFFICER: (SENATOR COLLINS)

3rd Reading. Senator Geo-Karis. Senate Bill 1509. Read the bill, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 1509.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR COLLINS)

Any amendments from the Floor?

SECRETARY HAWKER:

No Floor amendments.

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PRESIDING OFFICER: (SENATOR COLLINS)

3rd Reading. Senate Bill 1511. Senator del Valle. Senate Bill 1526. Senator Welch. At the top of page 3 - Senate Bill -- sorry, fiscal note requested. Senate Bill 1533. Senator Severns. Senate Bill 1541. Senator Marovitz. Senate Bill 1542. Senator Joyce. Senate Bill -- Senate Bill 1552. Senator Hall. Read the bill, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 1552.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator -- any Floor amendments?

SECRETARY HAWKER:

No Floor amendments.

PRESIDING OFFICER: (SENATOR COLLINS)

3rd Reading. Senate Bill 1565. Senator Cullerton. Senate Bill 1567. Senator Cullerton. Senate Bill 1570. Senator -- Senator Cullerton. Which one? 1567? 1565. Read the bill, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 1655 -- pardon me, 1565.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR COLLINS)

Any amendments from the Floor?

SECRETARY HAWKER:

Senator Cullerton offers Amendment No. 1.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Cullerton, Amendment No. 1.

SENATOR CULLERTON:

Thank you, Madam President, Members of the Senate. This

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amendment reflects an agreement that I have worked out with the National Rifle Association and with the Illinois State Rifle Association. The bill deals with the issue of the sale of BB guns to children. And what this amendment says is that -- and it -- right now, by the way, an air rifle cannot be sold to a child under the age of thirteen. This would say that the air rifle cannot be sold to a person under the age of sixteen, unless they have the written permission of a parent or a guardian. And this is agreed by the National Rifle Association and the Illinois State Rifle Association. And of course, if it wasn't, I wouldn't even be here presenting this amendment, because I know that we have to have their support, and thank God, we do.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Cullerton has moved the adoption of Amendment No. 1 to -- to Senate Bill 1665 <sic> (1565). Discussion? Senator Davidson.

SENATOR DAVIDSON:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR COLLINS)

He indicates he will yield. Senator Cullerton.

SENATOR DAVIDSON:

Senator Cullerton, does this also include the ones who are under sixteen, I believe it is, with the normal BB gun - one that you can't pump up - would be excluded from having to have a FOID card?

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Cullerton.

SENATOR CULLERTON:

Yes. The current law is a little complicated, because it talks about muzzle velocity. Anything with a certain muzzle velocity over seven hundred would require you to get an FOID card, which you can't get if you're -- unless you're, I believe,

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seventeen or eighteen. So what we've done is we've -- we've struck that language, and we've clarified it so that now you don't need to get an FOID card to have a BB gun. But you -- you -- we are saying if you're under -- between thirteen and sixteen, you have to have parental permission to purchase it. You can still possess it without parental permission. It's just the purchase that this has affected.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Davidson.

SENATOR DAVIDSON:

Well, Madam President, I'd like to rise in support of this amendment. This is as the sponsor stated. This is a worked-out agreement of all parties concerned, and I'm delighted to support this. And at opportune time, now that it's been amended, I will go on as a hyphenated co-sponsor of this bill.

PRESIDING OFFICER: (SENATOR COLLINS)

Further discussion? If not, those in favor will indicate -- Senator Cullerton has moved the adoption of -- of Amendment No. 1 to Senate Bill 1565. Those in favor will indicate by saying Aye. Opposed, Nay. The Ayes have it. The amendment is adopted. Any further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDING OFFICER: (SENATOR COLLINS)

3rd Reading. Senator Cullerton. 1567. 1517 <sic> (1570). Senator Davidson. Senator Davidson. Read the bill. Senator Davidson, for what purpose do you arise?

SENATOR DAVIDSON:

Take it out of the record. We have an agreement we have to have an amendment, with Senator Dunn and myself, and we have not received the amendment.

PRESIDING OFFICER: (SENATOR COLLINS)

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Out of the record. Senator Carroll, on 1588. Read the bill, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 1588.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR COLLINS)

Any amendments from the Floor?

SECRETARY HAWKER:

Senator Carroll offers Amendment No. 1.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Carroll.

SENATOR CARROLL:

Thank you, Madam President, Ladies and Gentlemen of the Senate. Floor Amendment No. 1 would be to basically reinstate what we had passed last year, which is to make the Prompt Payment Act automatic for all vendors, so that the two-percent late payment penalty will start applying July 1st, if the State fails to meet its obligation to pay the bills in a timely fashion. I would ask for adoption of Amendment No. 1.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Carroll moves the adoption of Amendment No. 1 to Senate Bill 1588. Discussion? Senator Keats.

SENATOR KEATS:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR COLLINS)

He indicates he will yield.

SENATOR KEATS:

I don't have a copy of the amendment. So -- I wanted to do is slow this bill down so people can find out exactly what's going on. You said the penalty starts July 1st. Knowing the efficiency of the Legislature, there are many times there is no budget July

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1st. Should it not read when we, in reality, have a budget?

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Carroll.

SENATOR CARROLL:

Thank you, Madam President. Senator Keats, I apologize. I did misspeak. When we eliminated prompt payment, it was supposed to be for the year, many of us thought, and that was not automatic. You had to file for it. This obviously would not become effective till it becomes law. It has no special date in it. So upon the Governor's signing it, and then it applies as automatic sixty days after the bill should have been paid. And the difference is, instead of having to go through the process of waiting till you're paid and then applying, which could be a year later, it would be an automatic at the sixty-day level.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Keats.

SENATOR KEATS:

Would this include some of the pinstripe patronage legal contracts if they've been not been paid on time? Because two percent a month is a fairly high interest rate, remembering prime's about six and a half. So are we, in reality, including a few of our pinstripe patronage guys in this?

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Carroll.

SENATOR CARROLL:

I would be happy to accept an amendment to take them out. The law, as it says now, allows them to get it by applying. The difference is that they, like everyone else, has to apply after they've gotten paid. This would say it's automatic, so that small business and everyone else would be entitled to what the State now provides, and that's two percent. The difference is whether they get it and get it on a monthly basis, or have to wait six, eight

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months. And -- you know, if you want to go into that issue, I think we've all heard from a lot of businesses who have unfortunately done business with the State, many of whom have been forced to close because they were never paid. They couldn't even get interest payments from the State, because of the silliness of our existing law that you can't even apply until after you got paid. This makes all of that automatic. But if you have a problem with any particular Section, particularly as to the pinstripe patronage, be more than amenable to taking that out totally.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Keats.

SENATOR KEATS:

Final question then. We may be back with an amendment, because the previous bill -- every word you've said I totally agree with. I'm not sure this bill really deals with exactly what you said, 'cause I agree with what you said. But last year when we passed it, we said the agencies would work out a formula. Now we're leaving it completely in the hands of the Comptroller, who we all have the greatest confidence in. But if you don't mind, we will try to get back to you with an amendment; although, the basic direction of the bill is fine, and again if -- I just think it might be fine-tuning.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Carroll has moved the adoption of Amendment No. 1 to Senate Bill 1588. Those in favor will indicate by saying Aye. Opposed, Nay. The Ayes have it. The amendment is adopted. Any further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDING OFFICER: (SENATOR COLLINS)

3rd Reading. Senator Severns, on 1589. Senator Severns.

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Read the bill, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 1589.

(Secretary reads title of bill)

1st Reading of the -- pardon me, 2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR COLLINS)

Any amendments from the Floor?

SECRETARY HAWKER:

No Floor amendments.

PRESIDING OFFICER: (SENATOR COLLINS)

3rd Reading. 1592, fiscal note requested. 1599. At the top of page 4. Senator Weaver. 1600. Senator Marovitz. 1603. Senator Carroll. Read the bill, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 1603.

(Secretary begins to read title of bill)

PRESIDING OFFICER: (SENATOR COLLINS)

You -- out of the record? Out of the record. 1606. Senator Kelly. Senator Kelly. Senate Bill 1606. Read the bill, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 1606.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR COLLINS)

Any amendments from the Floor?

SECRETARY HAWKER:

Senator Kelly offers Amendment No. 1.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Kelly.

SENATOR KELLY:

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Thank you, Madam President and Members of the Senate. This Floor amendment would provide -- or lower the population within Cook County from fifteen thousand to ten thousand for municipalities, in order to have the power to maintain, operate and finance senior citizen housing. That's all it does, and the -- I wasn't here in committee to have this bill come before the committee, and I'm incorporating the concept of Senate Bill 1580. I had spoken to Senator Fawell, who had some concerns about reviewing this bill, and this -- anyway, I would appreciate your support, and I move for the adoption of Floor Amendment No. 1.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Kelly has moved the adoption of Senate -- of Amendment No. 1 to 1606. Discussion? If not, those in favor will indicate by saying Aye. Opposed, Nay. The Ayes have it. The amendment is adopted. Any further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDING OFFICER: (SENATOR COLLINS)

3rd Reading. 1616. Senator Jacobs. 1625. Senator Geo-Karis. 1635. Senator Macdonald. Read the bill, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 1635.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR COLLINS)

Any amendments from the Floor?

SECRETARY HAWKER:

Senator Macdonald offers Amendment No. 1.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Macdonald.

SENATOR MACDONALD:

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Thank -- thank you, Madam President. This amendment merely -- this whole bill is regarding paying by credit card to the clerks of the court. This amendment just says that if a person has been convicted or pleaded guilty to a violation of the Illinois Credit Card and Debt <sic> (Debit) Card Act, or a similar law of another jurisdiction, that they cannot use their credit card. So I move passage of this amendment.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Macdonald has moved the adoption of Amendment No. 1 to Senate Bill 1635. Discussion? Hearing none, all in favor will indicate by saying Aye. Opposed, Nay. The Ayes have it. The amendment is adopted. Any further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDING OFFICER: (SENATOR COLLINS)

3rd Reading. Senate Bill 1636. Senator Demuzio. Read the bill, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 1636.

(Secretary begins to read title of bill)

PRESIDING OFFICER: (SENATOR COLLINS)

I'm sorry. Out of the record. Senate Bill 1638. Senator Carroll. Read the bill, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 1638.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR COLLINS)

Any amendments from the Floor?

SECRETARY HAWKER:

No Floor amendments.

PRESIDING OFFICER: (SENATOR COLLINS)

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3rd Reading. Senate Bill 1640. Senator Cullerton. 1640.
Senator Cullerton. Senate Bill 1649. Senator -- fiscal note on
1649. Senate Bill 1652. Senator Maitland. Senate Bill 1655.
Senator Joyce. Read the bill, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 1655.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Joyce, on Amendment No. 1.

SENATOR J.E. JOYCE:

Amendment No. 1 is technical. I move its adoption.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Joyce has moved the adoption of Committee Amendment
No. 1 to Senate Bill 1655. Those in favor will indicate by saying
Aye. Opposed, Nay. The Ayes have it. The amendment is adopted.
Any further committee amendments?

SECRETARY HAWKER:

No further committee amendments.

PRESIDING OFFICER: (SENATOR COLLINS)

Any amendments from the Floor?

SECRETARY HAWKER:

No Floor amendments.

PRESIDING OFFICER: (SENATOR COLLINS)

3rd Reading. Senate Bill 1657. Senate Bill 1661. Senator
Jones. Read the bill, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 1661.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR COLLINS)

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Any amendments from the Floor?

SECRETARY HAWKER:

Senator Jones offers Amendment No. 1.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Jones, on Amendment No. 1.

SENATOR JONES:

Yeah. Thank you, Madam President. Amendment No. 1 removes audiologists licensed under the Illinois Speech, Language and Pathology and Audiologists Practice Act from the list of providers of hearing aid services that shall be covered by the insurer, and I move its adoption.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Jones moves the adoption of Amendment No. 1 to Senate Bill 1661. Discussion? Senator Madigan. Senator Madigan.

SENATOR MADIGAN:

Madam President, question of the sponsor.

PRESIDING OFFICER: (SENATOR COLLINS)

He indicates he will yield.

SENATOR MADIGAN:

Senator, could you tell me what the purpose is in this amendment to remove audiologists?

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Jones.

SENATOR JONES:

Well, the reason why we removed audiologists licensed under the Speech, Language and Pathology Act is that such individuals cannot fit hearing aid dispensers. So therefore, since they cannot do such, they should not be reimbursed by insurers. That's why we removed them.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator -- further discussion? Senator Jones has moved the adoption of Amendment No. 1 to Senate Bill 1661. Those in favor

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will indicate by saying Aye. Opposed, Nay. The Ayes have it.
The amendment is adopted. Any further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDING OFFICER: (SENATOR COLLINS)

3rd Reading. Senator Jones, on 1662? Read the bill.

SECRETARY HAWKER:

Senate Bill 1662.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR COLLINS)

Any amendments from the Floor?

SECRETARY HAWKER:

No Floor amendments.

PRESIDING OFFICER: (SENATOR COLLINS)

3rd Reading. Senate Bill 1665. Senator Jacobs. Fiscal note
- I'm sorry - has been requested. Senate Bill 1667. Senator
Leverenz. Senate Bill 1671. Senator Maitland. Senate Bill 1680.
Senator Topinka. Senate Bill 1685. Senator Holmberg. Senate
Bill 1695. Senator Rea. Senate Bill 1622 <sic> (1722). Senator
Carroll. 1622. Senate Bill 1731. Senator Lechowicz. Senate
Bill 1739. Senator Kelly. Senate Bill 1741. Senator Dunn.
Senate Bill -- Senate Bill 1747. Senator Jacobs. Senate Bill
1750. Senator Woodyard. Senate Bill 1766. Senator Welch.
Senate Bill 1768. Senator Welch. Senate Bill 1771. Senator
Jones. Read the bill, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 1771.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR COLLINS)

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Senator Jones, Committee Amendment No. 1.

SENATOR JONES:

Yeah. Thank you, Madam President. Committee Amendment No. 1 deletes everything in the bill and makes it merely a pension vehicle bill, and I move its adoption.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Jones has moved the adoption of Committee Amendment No. 1 to Senate Bill 1771. All in favor, indicate by saying Aye. Opposed, Nay. The Ayes have it. The amendment is adopted. Any further committee amendments?

SECRETARY HAWKER:

No further committee amendments.

PRESIDING OFFICER: (SENATOR COLLINS)

Any amendments from the Floor?

SECRETARY HAWKER:

No Floor amendments.

PRESIDING OFFICER: (SENATOR COLLINS)

3rd Reading. Senate Bill 1773. Senator Thomas Dunn. Senate Bill 1776. Senator Friedland. Read the bill, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 1776.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Friedland, Committee Amendment No. 1.

SENATOR FRIEDLAND:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This amendment is at the request of Senator Jacobs in the committee, and I'd move its adoption.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Maitland <sic> has moved the adoption of Committee

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Amendment No. 1 to Senate Bill 1776. Discussion? If not, those in favor, indicate by saying Aye. Opposed, Nay. The Ayes have it. The amendment is adopted. Any further committee amendments?

SECRETARY HAWKER:

No further committee amendments.

PRESIDING OFFICER: (SENATOR COLLINS)

Any amendments from the Floor?

SECRETARY HAWKER:

No Floor amendments.

PRESIDING OFFICER: (SENATOR COLLINS)

3rd Reading. Senate Bill 1779. Fiscal note requested. Senate Bill 1783. Senator Topinka. Read the bill.

SECRETARY HAWKER:

Senate Bill 1783.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on State Government Organization and Administration offers Committee Amendment No. 1.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Topinka, Committee Amendment No. 1.

SENATOR TOPINKA:

Madam Chairman -- Madam President and Ladies and Gentlemen of the Senate, Committee Amendment No. 1 is a technical amendment and basically it -- it's at -- we take it at the request of Central Management Services. It provides periodic reports are deleted, and in-house print shops are included. Specific standards are generalized and the reporting deadline is changed.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Topinka moves the adoption of Committee Amendment No. 1 to Senate Bill 1783. Those in favor will indicate by saying Aye. Opposed, Nay. The Ayes have it. The amendment is adopted. Any further committee amendments?

SECRETARY HAWKER:

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Committee Amendment No. 2.

PRESIDING OFFICER: (SENATOR COLLINS)

Committee Amendment No. 2, Senator Topinka.

SENATOR TOPINKA:

Madam President, Committee Amendment No. 2 comes to us at the request of the Comptroller, and requests that the bill's jurisdiction does not cover the Executive Branch.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Topinka moves the adoption of Committee Amendment No. 2 to Senate Bill 1783. Those in favor will indicate by saying Aye. Opposed, Nay. The Ayes have it. The amendment is adopted. Any further committee amendments?

SECRETARY HAWKER:

No further committee amendments.

PRESIDING OFFICER: (SENATOR COLLINS)

Any amendments from the Floor?

SECRETARY HAWKER:

No Floor amendments.

PRESIDING OFFICER: (SENATOR COLLINS)

3rd Reading. Senate Bill 1783 <sic> (1787) has a fiscal note. Senate Bill 1788, fiscal note requested. Senate Bill 1793. Senator del Valle. Senator del Valle. Read the bill, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 1793.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR COLLINS)

Any amendments from the Floor?

SECRETARY HAWKER:

No Floor amendments.

PRESIDING OFFICER: (SENATOR COLLINS)

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3rd Reading. Senate Bill 1794. Senator Severns. Senate Bill 1796. Senator Dunn. Fiscal note requested. Senate Bill 1803. Senator Marovitz. Senate Bill 1815. Senator Holmberg. Top of page 7, Senate Bill 1816. Senator Holmberg. Fiscal note requested. 1818. Senator Holmberg. Senate Bill 1827. Senator Marovitz. Senate Bill 1830. Senator Marovitz. Senate Bill 1858. Senator Thomas Dunn. Senate Bill 1860. Senator Severns. Senate Bill 1862. Etheredge. Senate Bill 1889. Senator Hall. Senate Bill -- Senator Hall. Read the bill, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 1889.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Hall, Committee Amendment No. 1.

SENATOR HALL:

Thank you, Madam President and Ladies and Gentlemen of the Senate. This amendment makes technical changes in the definition of Medicaid providers' participation fees. Senate Bill 1889 will be amended to address the reimbursement system for disproportionate share hospitals, such as St. Elizabeth, Chicago, and St. Mary's of East St. Louis. The summary is that DPA shall examine payments made to certain health care providers who provide service to Medicaid and AMI recipients. The amendment is the recommendation of the ancillary hospitals. This bill will further be amended to address disproportionate share hospitals. Mandates DPA to analyze reimbursements made to Medicaid and Aid to the Medically Indigent - AMI - health care providers, to ascertain the fair distribution of these payments to disproportionate share hospitals. Two, the report in digest shall be transmitted to the Governor and General Assembly on or before 1/1/93. The report

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shall include suggestions on how to enhance the balance of funding from nondisproportionate share hospital providers to disproportionate share hospital providers. I move for the adoption of this amendment.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Hall has moved the adoption of Committee Amendment No. 1 to Senate Bill 1889. Discussion? If not, those in favor, indicate by saying Aye. Opposed, Nay. The Ayes have it. The amendment is adopted. Any further committee amendments?

SECRETARY HAWKER:

No further committee amendments.

PRESIDING OFFICER: (SENATOR COLLINS)

Any amendments from the Floor?

SECRETARY HAWKER:

No Floor amendments.

PRESIDING OFFICER: (SENATOR COLLINS)

3rd Reading. Senate Bill 1890. Senator del Valle. Senate Bill 1902. Senator Mahar. Read the bill, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 1902.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR COLLINS)

Any amendments from the Floor?

SECRETARY HAWKER:

No Floor amendments.

PRESIDING OFFICER: (SENATOR COLLINS)

3rd Reading. Senate Bill 1907. Senator Davidson. Senate Bill 1908. Senator Etheredge. Senate Bill 1910. Senator Mahar. Read the bill, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 1910.

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(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR COLLINS)

Any amendments from the Floor?

SECRETARY HAWKER:

Senators Smith and Hall offer Amendment No. 1.

PRESIDING OFFICER: (SENATOR COLLINS)

Amendment No. 1, Senator Hall. Senator Smith. Senator Smith.

SENATOR SMITH:

Thank you, Madam President. Amendment No. 1 to Senate Bill 1910 allows the Department of Mental Health and Developmental Disabilities to use up to two percent of the appropriated funds for State-operated facilities operations and administration, as if the funds were appropriated for community services and programs. The Department of Mental Health and Developmental Disabilities shall notify the Governor and General Assembly concerning the transfer. I move the adoption of this amendment.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Smith has moved the adoption of Amendment No. 1 to Senate Bill 1910. Discussion? If not, those in favor will indicate by saying Aye. Opposed, Nay. The Ayes have it. The amendment is adopted. Any further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDING OFFICER: (SENATOR COLLINS)

3rd Reading. Top of page 8. Senate Bill 1911. Senator Topinka. Read the bill, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 1911.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR COLLINS)

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Any amendments from the Floor?

SECRETARY HAWKER:

Senators Philip and Rock offer Amendment No. 1.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Philip, Amendment No. 1.

SENATOR PHILIP:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. What this does is leave the Parole and Pardon Board exactly where it is and intact.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator -- further discussion? Senator Davidson.

SENATOR DAVIDSON:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR COLLINS)

He indicates he will yield.

SENATOR DAVIDSON:

Well, in committee, with the consent from the Governor's Office, the conversation going on in relation to the Governor's Council on Health and Fitness in this bill, and he was supposed to get back to us before this bill moved on to 3rd, as far as the amendment, and I've not heard from him.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Philip, sponsor of the amendment. Out of the record?

SENATOR PHILIP:

I don't care.

PRESIDING OFFICER: (SENATOR COLLINS)

Take it out of the record. Senate Bill 1912. Senator Madigan. Senate Bill 1930. Senator Welch. Senate Bill 1931. Senator Welch. Senate Bill 1941. Senator Hudson. Senate Bill 1942. Senator Hudson. Fiscal note on 1942. Fiscal note on 1943. Senate Bill 1945. Senator Woodyard. Senate Bill -- fiscal note on 1946. It's answered? Senator Schaffer. Senate Bill 1948.

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1947. Senator Rigney. Read the bill, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 1947.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR COLLINS)

Any amendments from the Floor?

SECRETARY HAWKER:

Senator Rigney offers Amendment No. 1.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Rigney, Amendment No. 1.

SENATOR RIGNEY:

Madam President, this is a Department of Agriculture bill dealing with inspection fees for various activities of the meat and livestock inspection. Provides new fees <sic> for such things as illegal advertising, selling without being a licensed broker, uninspected meat and so forth.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Rigney has moved the adoption of Amendment No. 1 to Senate Bill 1947. Discussion? Senator Macdonald. Senator Macdonald.

SENATOR MACDONALD:

Yes, Madam President. A point of inquiry. When these fiscal notes are requested, it was my understanding that - from our staff - that if five days have passed and the fiscal note has not come forward. Now we understand that there is no fiscal impact in this bill. We've been told that, but if it hasn't been officially filed, I'd like to know what the ruling is about fiscal notes and moving these bills ahead.

PRESIDING OFFICER: (SENATOR COLLINS)

It's my understanding that it is five days that it -- after it is requested from the agency. Senator Macdonald.

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SENATOR MACDONALD:

I don't know when the -- this was requested early last week, and so I -- you mean it has to be five days from when the agency gets the request. Is that...

PRESIDING OFFICER: (SENATOR COLLINS)

I would guess so.

SENATOR MACDONALD:

Thank you. Thank you.

PRESIDING OFFICER: (SENATOR COLLINS)

It says five days after it's requested from the agency. Senator -- Senator Rigney.

SENATOR RIGNEY:

Madam President, I've explained the amendment.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Rigney has moved the adoption of Amendment No. 1 to Senate Bill 1947. Senator Demuzio. Senator Demuzio.

SENATOR DEMUZIO:

Well, Senator, we -- we really haven't had an opportunity to look at this amendment. I was just wondering if you might take it out of the record for a couple of minutes and allow our staff to take a look at it.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Rigney.

SENATOR RIGNEY:

I understand that your staff has seen it, but, Madam President, if we could have leave to come back to it in a little bit, it's fine with me.

PRESIDING OFFICER: (SENATOR COLLINS)

I'm sure that we'll be going back through the Calendar probably again, Senator, anyway. Senator Rigney.

SENATOR RIGNEY:

I was kind of hoping maybe they'd have a chance to look it

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over and we could come back to it today.

PRESIDING OFFICER: (SENATOR COLLINS)

Well, Senator, he's -- he's withdrawing his objection, I assume. Senator Demuzio.

SENATOR DEMUZIO:

If -- the two Gentlemen are discussing this thing now, and you know, if we have leave to get back to it, fine, today or tomorrow, or Monday or Tuesday. Whatever.

PRESIDING OFFICER: (SENATOR COLLINS)

Okay. Take it out of the record, and we'll -- we'll get back to you. Next -- Senator -- Senate Bill 1948. Senator Karpziel. Senate Bill 1949. Senator Schaffer. Top of page 9, Senate Bill -- fiscal note -- Senate Bill 1955. Senator Woodyard. Senate Bill 1956. Senator Rigney. Fiscal note requested. Senate Bill 1971. Senator Schaffer. Senate Bill 1979. Senator Hawkinson. Senate Bill 1980. Senator -- fiscal note requested. Senate Bill 1986. Senator Leverenz. Read the bill, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 1986.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR COLLINS)

Any amendments from the Floor?

SECRETARY HAWKER:

No Floor amendments.

PRESIDING OFFICER: (SENATOR COLLINS)

3rd Reading. Senate Bill 1992. Senator del Valle. Read the bill, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 1992.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

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PRESIDING OFFICER: (SENATOR COLLINS)

Any amendments from the Floor?

SECRETARY HAWKER:

Senators Dudycz, Philip and Schuneman offer Amendment No. 1.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Dudycz, Amendment No. 1.

SENATOR DUDYCZ:

Thank you, Madam President. Amendment No. 1 would make the election judge pay hikes apply Statewide, and it would make it permissive.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Dudycz had moved the adoption of Amendment No. 1 to Senate Bill 1992. Discussion? If not, those in favor, indicate by saying Aye. Opposed, Nay. The Ayes have it. The amendment is adopted. Any further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDING OFFICER: (SENATOR COLLINS)

3rd Reading. Senate Bill 2000. Senator Palmer. Senate Bill 2048. Senator Mahar. Fiscal note requested. Senate Bill 2062. Senator Cullerton. Senate Bill 2066. Fiscal note requested. Senate Bill 2068. Senator Jacobs.

SECRETARY HAWKER:

Senate Bill...

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Jacobs. Read the bill.

SECRETARY HAWKER:

Senate Bill 2068.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR COLLINS)

Any amendments from the Floor?

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SECRETARY HAWKER:

Senators Jacobs and Smith offer Amendment No. 1.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Jacobs, Amendment No. 1.

SENATOR JACOBS:

Thank you, Madam President. And if you would, I'd like to have you add Senator Topinka to the amendment also. This amendment strictly is technical in nature, in response to some of the concerns the Department of Public Aid has. To be perfectly honest, Department of Public Aid is still in opposition to this bill, which I think they would be regardless of what happens. So, just ask for support of the amendment.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Jacobs has moved the adoption of Amendment No. 1 to Senate Bill 2068. Discussion? If not, those in favor, indicate by saying Aye. Opposed, Nay. The Ayes have it. The amendment is adopted. Any further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDING OFFICER: (SENATOR COLLINS)

3rd Reading. Senate Bill 2076. Senator Berman. Top of page 10, Senate Bill 2094. Senator Jones. Senate Bill 2099. Senator del Valle. Senate Bill 2100. Senator Luft. Read the bill, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 2100.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR COLLINS)

Any amendments from the Floor?

SECRETARY HAWKER:

No Floor amendments.

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PRESIDING OFFICER: (SENATOR COLLINS)

3rd Reading. Senate Bill 2101. Senator Cullerton. Senate Bill 2104. Senator Savickas. Senate Bill 2008 <sic> (2108). Senator Hall. Senator Hall. Read the bill, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 2108.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR COLLINS)

Any amendments from the Floor?

SECRETARY HAWKER:

No Floor amendments.

PRESIDING OFFICER: (SENATOR COLLINS)

3rd Reading. Senate Bill 2111. Senator Karpziel. Read the bill, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 2111.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Karpziel, Committee Amendment No. 1.

SENATOR KARPIEL:

Thank -- thank you, Madam President. The committee amendment simply changes the word "affected" to "directly affected," to make it so that the parents will be on boards that only directly affect education of the children, and not other technical matters.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Karpziel moves the adoption of Committee Amendment No. 1 to Senate Bill 2111. Those in favor, indicate by saying Aye. Opposed, Nay. The Ayes have it. The amendment is adopted. Any further committee amendments?

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SECRETARY HAWKER:

No further committee amendments.

PRESIDING OFFICER: (SENATOR COLLINS)

Any amendments from the Floor?

SECRETARY HAWKER:

No Floor amendments.

PRESIDING OFFICER: (SENATOR COLLINS)

3rd Reading. Senate Bill 2114. Okay. Correctional budget note has been requested. Senate Bill 2118. Senator Karpziel. Senate Bill 2119. Senator Jones. Senate Bill 2125. Senator Jones. Senate Bill 2134. Senator Barkhausen. Senate Bill 2140. Senator Rock. Senate Bill 2141. Senator Madigan. Top of page 11. Senate Bill -- correctional budget note requested. Senate Bill 2153. Senator Barkhausen. Senate Bill -- you want to move it? Read the bill.

SECRETARY HAWKER:

Senate Bill 2153.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Barkhausen, Committee Amendment No. 1.

SENATOR BARKHAUSEN:

Well, Madam President, Committee Amendment No. 1 is an update of those provisions of the Illinois Insurance Code dealing with the Office of the Special Deputy. It's an agreed amendment. I'd be glad to answer any questions, and would otherwise move its adoption.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Barkhausen has moved the adoption of Committee Amendment No. 1 to Senate Bill 2153. Those in favor, indicate by saying Aye. Opposed, Nay. The Ayes have it. The amendment is

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adopted. Any further committee amendments?

SECRETARY HAWKER:

No further committee amendments.

PRESIDING OFFICER: (SENATOR COLLINS)

Any amendments from the Floor?

SECRETARY HAWKER:

Senator Barkhausen offers Amendment No. 2.

PRESIDING OFFICER: (SENATOR COLLINS)

Amendment No. 2, Senator Barkhausen.

SENATOR BARKHAUSEN:

Madam President, Amendment No. 2 moves the language in the Insurance Code which allows the Director of the Department of Insurance to bring an action, claim or suit or proceeding into that Section of the Code which establishes the Director's duties as a liquidator of an insurance company. Furthermore, it clarifies that indemnification of the employees, receivers or advisors of the Office of Special Deputy shall be considered an administrative expense. And I move its adoption.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator -- discussion? Senator Jones.

SENATOR JONES:

Yes. Thank you, Madam President. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR COLLINS)

He indicates he will yield.

SENATOR JONES:

Yes. Senator Barkhausen, I know we did agree on the committee amendment, but this is the first I've heard of this particular amendment, and I don't have the real substance of it. Could you temporarily take it out of the record so we can really look at it?

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Barkhausen.

SENATOR BARKHAUSEN:

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Take it out...

PRESIDING OFFICER: (SENATOR COLLINS)

Out of the record? Out of the record. Senate Bill 2155.
Senator Barkhausen. Senator Barkhausen. Senate Bill 2156.
Senator Schuneman. Senate Bill 2159. Senator Marovitz. Senate
Bill 2163. Senator Barkhausen. Read the bill, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 2163.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR COLLINS)

Any amendments from the Floor?

SECRETARY HAWKER:

Senator Barkhausen offers Amendment No. 1.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Barkhausen, Amendment No. 1.

SENATOR BARKHAUSEN:

Madam President and Members, Amendment No. 1 is a rather involved addition to our Statutes dealing with business entities, and it would establish under Illinois law the opportunity to develop what would be known as limited liability companies. These would be characterized as -- as having some characteristics of partnerships, on the one hand - that is, the ability to be treated for tax purposes like a partner, but at the same time be treated as a corporation from the standpoint of having one's potential liability limited to the extent of one's investment in this particular entity. There have been, up to this point, nine states which have adopted legislation authorizing limited liability companies. This product has gone through two or three years of technical review by the Business Corporation Act Advisory Committee of the Secretary of State's Office. I would be glad to attempt to answer any of your questions, and would otherwise, move

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its adoption.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Barkhausen has moved the adoption of Amendment No. 1 to Senate Bill 2163. Discussion? Senator Hawkinson.

SENATOR HAWKINSON:

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

PRESIDING OFFICER: (SENATOR COLLINS)

He indicates he will yield.

SENATOR HAWKINSON:

Senator, does this attempt - this new form of corporation - attempt to get around the current Subchapter S prohibition of foreign investors, capturing the benefit of Subchapter S provisions?

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Barkhausen.

SENATOR BARKHAUSEN:

In general, Senator, I know that it -- it has much more liberal provisions with regard to the number of shareholders and who can be a shareholder. How specifically it treats -- would treat a alien shareholder, I don't know.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Hawkinson.

SENATOR HAWKINSON:

Well, I guess that's the kind of question that -- that concerns me, when a major change like this comes to us on -- on 2nd Reading of something that hasn't gone through committee. And I guess I'd like an answer to that before we proceed. You want to find out and come back to us?

PRESIDING OFFICER: (SENATOR COLLINS)

Take it out of record. Senate Bill 2167. Senator Davidson. Senate Bill 2171. Senator Barkhausen. Senate Bill 2177. Senator

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Welch. Senate Bill 2178. Senator Alexander. Senate Bill 2179. Fiscal note requested. Senate Bill 2181. Senator Schaffer. Senate Bill 2183. Fiscal note requested. Top of page 12. Senate Bill 2197. Senator Karpziel. Senate Bill 2201. Senator Marovitz. Senate Bill 2211. Fiscal note requested. Senate Bill 2218. Fiscal note requested. Senate Bill 2225. Senator Rock. Senate Bill 2233. Senator Berman. Read the bill, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 2233.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR COLLINS)

Any amendments from the Floor?

SECRETARY HAWKER:

No Floor amendments.

PRESIDING OFFICER: (SENATOR COLLINS)

3rd Reading. Okay. Okay. We will now go to page 23 -- no, 28. I'm sorry. 28. Constitutional Amendments 3rd Reading, SJR -- HJRCA2. Read the bill. Read the amendment.

ACTING SECRETARY: (MR. HARRY)

House Joint Resolution Constitutional Amendment 2.

(Secretary reads HJRCA No. 2)

3rd Reading of the resolution.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Topinka.

SENATOR TOPINKA:

...(machine cutoff)... There we go. Madam President, it's my understanding that having been read three times now, that we can indeed bring this issue to a vote today. This particular amendment was put forward by James Madison as one of the original twelve amendments that would have - should it have been ratified at that time - part of our Bill of Rights. Ten of those

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amendments were adopted at that time. This one was not, and as we've heard read into the record -- that numerous states have subsequently ratified this particular amendment, the most notable ones being last week, the thirty-eighth state, which was Michigan - New Jersey following it. Should we ratify this amendment, we would be the fortieth. Conceivably, we could even yet be the thirty-eighth state, should there be any challenges to this particular amendment, which would ask that the original eight states that voted this in in the seventeen hundreds be asked to reconsider and to continue to support their position, because of the extreme age of this amendment. What this amendment very simply does is allows for an intervening election to occur before congressmen can raise their salaries. It has been discussed on at least seven times in the General Assembly here. It has gotten through the House. I would urge its adoption so that we can take our place with others who would like to regulate salaries on the congressional level, much as we do here in the State of Illinois, and I would ask your favorable vote.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Topinka has moved the adoption of HJRCA 2. Further discussion? Senator Rock.

SENATOR ROCK:

Well, I'm -- I'm probably wailing at the wind, Madam President. But the fact is, I have, for one, a great deal of confidence in James Madison - at least from what I have read. And I think if, indeed, he had been truly interested in putting this into the Constitution, he would have done it. He was sitting there the whole time. Just seems to me that we have bigger fish to fry than this. This is over two hundred years old, and frankly, I don't think our ratification is legal. So I intend to vote No.

PRESIDING OFFICER: (SENATOR COLLINS)

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Further discussion? If not, Senator Topinka moves the adoption of HJRCA 2. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 49 Ayes, 3 Nays, none voting Present. Having received the required majority vote, the amendment is adopted. Resolutions.

ACTING SECRETARY: (MR. HARRY)

Senate Resolution 1247 offered by Senator Woodyard.

Senate Resolution 1248 offered by Senator Rock.

1249, by Senator Dunn.

And 1250, by Senator Philip.

They're all congratulatory and death resolutions.

PRESIDENT ROCK:

Consent Calendar.

ACTING SECRETARY: (MR. HARRY)

Senate Joint Resolution 161 offered by Senator Dudycz.

It's substantive.

PRESIDENT ROCK:

Executive. Senator Carroll, for what purpose do you arise, sir?

SENATOR CARROLL:

Just by way of an announcement, to remind you the Appropriations I Committee will be meeting immediately following adjournment in Room 212. Immediately following adjournment. Thank you, Mr. President.

PRESIDENT ROCK:

Senator Hall, for what purpose do you seek recognition?

SENATOR HALL:

Thank you, Mr. President, Ladies -- I just want to call the attention to everybody that Appropriation II will meet at 10:00 a.m. tomorrow morning. Please be there, and prompt, so we can get on with the meeting.

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PRESIDENT ROCK:

All right. Any further business? Senator Kelly, for what purpose do you arise, sir?

SENATOR KELLY:

Thank you, Mr. President. Similar announcement. Tomorrow morning the Executive Appointments and Veterans' Affairs Committee will have a meeting. It says nine -- well, nine o'clock tomorrow morning. I'd ask all the Members to be there at nine, and we'll be out of there within an hour.

PRESIDENT ROCK:

All right. Executive Appointments at nine o'clock tomorrow morning. Appropriations II at ten o'clock in the same room. Senator Geo-Karis, for what purpose do you arise?

SENATOR GEO-KARIS:

Mr. President -- Mr. President and Ladies and Gentlemen of the Senate, a reminder to the Republicans - caucus in Senator Philip's Office immediately right after.

PRESIDENT ROCK:

All right. Republican Caucus immediately in Senator Philip's Office. Appropriations I will meet immediately in Room 212. If there is no further business, Senator Vadalabene moves that the Senate stand adjourned until 12:30 tomorrow. 12:30, Ladies and Gentlemen. And don't forget, we're going to get our group picture taken. So 12:30 on the Floor tomorrow. Senate stands adjourned until 12:30.

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