

82ND GENERAL ASSEMBLY

REGULAR SESSION

MAY 20, 1982

PRESIDING OFFICER: (SENATOR BRUCE)

The hour of nine having arrived the Senate will come to order. Prayer by the Reverend George Matranga of Our Savior's Lutheran Church of Springfield, Illinois. And will our guests in the galleries please rise.

REVEREND GEORGE MATRANGA:

(Prayer given by Reverend Matranga)

PRESIDING OFFICER: (SENATOR BRUCE)

Reading of the Journal. Senator Johns.

SENATOR JOHNS:

Thank you, Mr. President. I move that reading and approval of the Journals of Friday, May the 14th; Tuesday, May the 18th, and Wednesday, May the 19th, in the year of 1982 be postponed pending arrival of the printed Journals.

PRESIDING OFFICER: (SENATOR BRUCE)

You've heard the motion. Discussion? All in favor say Aye. Opposed Nay. The Ayes have it. The motion prevails. Leave to go to the Order of Resolutions? Resolutions.

ACTING SECRETARY: (MR. FERNANDES)

Senate Resolution 537 offered by Senator Newhouse, it's congratulatory.

Senate Resolution 538 offered by Senator Collins, it's congratulatory.

PRESIDING OFFICER: (SENATOR BRUCE)

Consent Calendar. Message from the House.

ACTING SECRETARY: (MR. FERNANDES)

A...a Message from the House by Mr. Leone, Clerk.

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

House Bill 2287, 2618.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there leave to go to the Order of House Bills 1st

Reading? Leave is granted. House Bills 1st reading.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1600, Senator Netsch.

(Secretary reads title of bill)

1st reading of the bill.

House Bill 2147, Senators DeAngelis and Berman.

(Secretary reads title of bill)

1st reading of the bill.

House Bill 2164, Senator Schaffer.

(Secretary reads title of bill)

1st reading of the bill.

House Bill 2250, Senator Schaffer.

(Secretary reads title of bill)

1st reading of the bill.

House Bill 2462, Senator Lenke.

(Secretary reads title of bill)

1st reading of the bill.

House Bill 2504, Senator Sommer.

(Secretary reads title of bill)

1st reading of the bill.

House Bill 2507, Senator Kent.

(Secretary reads title of bill)

1st reading of the bill.

2508, Senator Grotberg.

(Secretary reads title of bill)

1st reading of the bill.

House Bill 2566.

(Secretary reads title of bill)

1st reading of the bill.

House Bill 2612, Senator Lenke and Rhoads.

(Secretary reads title of bill)

1st reading of the bill.

House Bill 2613, the same sponsors.

(Secretary reads title of bill)

1st reading of the bill.

House Bill 2614, the same sponsors.

(Secretary reads title of bill)

1st reading of the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

For what purpose does Senator Nega arise?

SENATOR NEGA:

Members of the Senate, I wish to relinquish sponsorship of Senate Bill 1526 and assign it to Senator Sangmeister.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there leave? Leave is granted. Senator Grotberg, for what purpose do you arise?

SENATOR GROTBORG:

Thank you, Mr. President. With leave of the Body, I would like to be shown as the hyphenated co-sponsor along with Senators Philip and Etheredge on Senate Bill 1681, 1 6 8 1, the transit bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there leave? Leave is granted. If I might have the attention of the Body, several of you inquired the order of business that will...we will follow today. If I might have your attention, so that we might conduct our business in an orderly fashion, we will, with leave of the Body, now go to Secretary's Desk for the...for resolutions then to the Secretary's Desk...we will stay there for the concurrences, nonconcurrence and there's one bill on Consideration Postpone which should be moved today for...for amending, and then we will go back to Senate Bills 3rd reading. We will not have Senate's 2nd today unless we are still in good strength, and we will start where we left off yesterday and that is Senate Bill 1390, so we will start on...we will go to resolutions, Secretary's Desk concurrences, Consideration Postponed and then to 3rd reading starting with Senate Bill 1390. Is there leave for that procedure? Leave is granted. Secretary's

Desk Resolutions, Senate Resolution 97, Senator Jerome Joyce. Senate Resolution 395, Senator Gitz. Senate Resolution 420, Senator Johns. Energy...Atomic Energy Commission to act on behalf of servicemen. Senator Johns is recognized on Senate Resolution 420 which is on Page 16 of your Calendar.

SENATOR JOHNS:

Mr. President and members of the Senate, I would ask your adoption of this amendment on the basis that there are over two hundred thousand people that have been in the military service, both men and women, that suffered atomic radiation as a result of the military tests that were conducted. Their families, their lives have been subjected to all kinds of problems, the birth of their children has been with abnormalities because of the radiation effects, and all I'm asking is that Congress consider remuneration and consideration of the problems inherent with that atomic test. And I move for its adoption.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is to adopt Senate Resolution 420. On the motion, all in favor say Aye. Opposed Nay. The Ayes have it. The resolution is adopted. Senate Resolution 423, Senator Johns.

SENATOR JOHNS:

Yes.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Johns is recognized on Senate Resolution 423 on Page 16 of your Calendar. Senator Johns.

SENATOR JOHNS:

It reads simply that...strongly recommends that no action be taken towards the closure of the Bowen Center until specific action is undertaken by the Senate and the House of Representatives. The Senate will take no legislative action resulting in the closure until every possible avenue is explored for the best interests of the patients and the

people of Illinois. That is the resolution.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? Senator Grothberg.

SENATOR GROTHBERG:

...Schaffer.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator...Senator Schaffer.

SENATOR SCHAFFER:

What...what is specific action?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Johns.

SENATOR JOHNS:

Specific action is that we study the impact of the transfer of children into an adult institution, Anna Mental Health, and that we do not approve the funds for that kind of action.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Schaffer.

SENATOR SCHAFFER:

Then passage of the State budget is specific action if that budget reflects that action one way or the other?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Johns.

SENATOR JOHNS:

If you take the entire budget as something you want to hold hostage for this, no, I'm not speaking of that. I'm speaking of integral parts of the budget that would in...be involved in the transfer of those people and the pending court action against that transfer as well.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Schaffer.

SENATOR SCHAFFER:

Well, obviously, one cannot argue about the concerns in the resolution as they address the individuals in Bowen

Center or for that matter in any State facility, but equally obviously, I think to most of the members of this General Assembly is the very clear fact that we have a surplus of these facilities and that any kind of prudent management to see that the number of dollars necessary for treatment of the mentally ill and developmentally disability...disabled throughout the State calls for us to make some hard decisions to close some institutions. I, frankly, think that as long as we're talking about passage of the budget and the...the amendments that undoubtedly will be considered or at least discussed relating to these things, I don't think it means...the resolution means a whole lot, so I'm not particularly concerned about it, but clearly, as we move through the budget process these decisions have to be made this year and with that thought in mind, I really don't have any particular objection.

PRESIDING OFFICER: (SENATOR BRUCE)

Alright. Senator Schaffer, you have no objection. Is there..on the motion, further discussion? Senator Groberg.
SENATOR GROTBORG:

Thank you, Mr. President. I would like to ask a question of the Chair. This the first resolution I have seen where we...I...I understand whipping the Governor with a wet noodle, but memorializing ourselves never to do anything, I wonder how effective that is and how many votes does it take to put that in concrete? The resolution itself includes the fact that we're not going to do anything, if that's the case, let's go home, if it passes. Am I right or wrong? How strong are we talking about?

PRESIDING OFFICER: (SENATOR BRUCE)

It could be adopted by a majority of those voting on the issue, I think.

SENATOR GROTBORG:

Good, this is a tough one. Okay, thank you.

PRESIDING OFFICER: (SENATOR BRUCE)

Alright. So, keep that in mind as we extend the debate here. Senator Nimrod was next, Senator Schuneman, then I'll recognize you. Senator Nimrod.

SENATOR NIMROD:

Thank you, Mr. President. On both the committee to visit as well as the Committee on Public Health, Welfare and Corrections and the Commission on Mental Health and Developmental Disabilities have all been looking into this problem. Seems to me that after...for those of us who have made a personal visit and those of us who had a chance to talk to the parents, to see these children, and to see the physical facilities in both places, that eighty percent of the employees are in favor and support moving themselves to the new location, seventy percent of the students there are in line moving there. At this particular time, I don't know of any parents who are unhappy about the move that is being made there. The facilities are already been improved and the school has been renovated, the grounds there are ready, the cottages have been taken care of. Those cottages are probably better facilities than I have ever seen in any institution that we have anywhere in the State of Illinois. The...the director at Anna and...and the people there...and I've seen the building that's presently in Bowen which is boarded...half boarded up, rooms that contain two or three children or four children that are big enough to hold seventy-five or a hundred, just total inadequate facilities, and seems to me that the better care and...and the wiser thing to do is to go ahead with this move. Now, other than maybe for some reasons that I haven't heard, I don't know of any reason, Senator Johns, why they should remain there and for what reasons remain open. Now we were down as visitation, I did not see you there, I know you've had other hearings and meetings and I know we've talked about the issues,

I...Senator Nash and I and Senator Netsch did make the visit down there, and as a result of those...that trip, we certainly didn't come away with any decision that we would not support the move. And it seems to me that the wisest thing that we can do, the most efficient thing that we can do, the most humane thing we can do for both the interest of the taxpayers and the care of the individuals that are there, and certainly with the excellent preparation that's taking place in that particular move I see that...I would say that this would be hypocrisy if I were to support this kind of a resolution and support the position of saying that we are going to be against a move until we make some further decisions. We've had adequate time to do that, we have taken no definitive action, we all seem to be very satisfied with the results that we've seen. If we haven't, then we've been remiss because we've certainly been exposed to the problem. I would think that this resolution ought to be defeated so...because we really have nothing to add that can make the change.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President and members of the Senate. I think one of the things we should look at in considering this resolution and perhaps some of the others that are coming along, is the wrong signal that we may be sending to people back home in these communities. They, perhaps, may have the impression that by virtue of the fact that the Senate passes a resolution that...that has some import, some effect on the closing of these institutions, whereas, I think all of us here know that that is, in fact, not true, that the appropriations process is the one by which these decisions will be made, and I think that there is some danger in passing resolutions of this kind when it may be sending the wrong message

back to those people that are losing jobs, that are interested in this move, and for that reason, I intend to oppose this resolution.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Further discussion? Senator Johns may close.

SENATOR JOHNS:

May I have your attention, please. I know that Senator Nimrod is not a Protestant but he kind of reminds me of Billy Graham going to Russia, came back saying that all was well there. You probably spent about an hour on the campus at Bowen and you might have spent an hour, and I doubt it, at Anna. But I've spent a lifetime looking at both of those, and I can tell you that all that you said, I could just punch holes in and it'd look like a sieve. We held no hearings on the closure of this center. We will lose forty-eight jobs in the transfer of the people if they're all transferred from Bowen to Anna Mental Health Center. It also means you're going to have car pools, you're going to have women loading up at ages fifty to fifty-five that are now employed, and you're going to move them and you're going to have them driving three hours a day, spending eight dollars for gasoline per day on a six cylinder vehicle, and you're going to have people all over old two lane highways heading back and forth to hold their jobs. You're talking about opening up a building that's been vacant twenty years and putting our children in there to educate them and they are not completed, Senator Nimrod, I beg to differ with you, I was there last Saturday, there is all kinds of funds in the budget for heating and air conditioning and you're going to see all kinds of millions of dollars going to rebuild Anna Mental Health Center for that purpose. Eighty percent of the employees aren't for it. I was at a meeting two nights ago and the jam in the arena was full of people protesting this move. The parents, you should

here the letters and hear the speeches against this transfer, the trauma that will happen to these kids. I had the Department of Mental Health man by the name of Doctor Ron Biddle and I talked to a mental health expert last night, and Doctor Ron Biddle said there's no trauma in transfer, no trauma in transfer. That's completely erroneous. These kids have been moved ten and twelve times and now you're going to move them again. Some of them are committing suicide or attempting to and there is trauma in transfer. The cottages you speak of, we're working with a man that's putting on a pony and dog show and he's dressed up one cottage that used to be owned by the doctors, there's no fire systems in there yet, there's wooden stairways, wooden places where there's traps for kids and you're going to put ten to twelve kids in there with supervision around the clock, and you're going to have fireplaces and listen to this, the Doctor Biddle said, "Well, they can have weiner roasts in the fireplace," and he applauded that. My goodness, what's happening to our people. You talk about de-institutionalization, we got the walking wounded by the thousands on the streets of this nation that have been thrown out of institutions and are out there on their own now, and we're taking care of the private enterprise at the expense of the mentally ill. Well, I could go on and on, but I'm telling you this is a serious matter and all I'm doing is trying to send the intent of this General Assembly to the people down south. Thank you.

PRESIDING OFFICER: (SENATOR BRUCE)

The question is on the adoption. The motion is to adopt Senate Resolution 423. On the motion, all in favor say Aye. Opposed Nay. There's been a request for a roll call. Thank you, Senator Nimrod. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Takes a simple...majority of those

voting on the issue on those...on...have all voted who wish? Take the record. On that question, the Ayes are 27, the Nays are 27. The motion to adopt is lost. Senate Resolution 444, Senator Grotberg. Senator Grotberg is recognized on Senate Resolution 444, on Page 16 of your Calendar. Senator Grotberg.

SENATOR GROTBORG:

Thank you, Mr. President and fellow members. Senate Resolution 444 memorializes the congressional delegation of Illinois in Washington to be supportive of working with the hospice legislation presently before Congress and making sure that the third party payment program that they write from a Federal standpoint incorporates the full care of the hospice movement. And I would move for its adoption.

PRESIDING OFFICER: (SENATOR BRUCE)

Motion is to adopt Senate Resolution 444. On the motion, is there discussion? All in favor say Aye. Opposed Nay. The Ayes have it. The motion is...resolution is adopted. Senate Resolution 445, Senator Gitz. Senate...House Joint Resolution 42, Senator Bloom. Senate Joint Resolution 67, Senator Buzbee. Senate Joint Resolution 70, Senator Demuzio. Read the resolution, Mr. Secretary, please. Senator Demuzio is recognized on Senate Joint Resolution 70.

SENATOR DEMUZIO:

Yes, thank you, Mr. President. I think this is a non-controversial resolution. The Calendar is basically correct that it does support and encourage the continuation of the valuable programs that are being utilized by community action agencies throughout Illinois and asks that they be given consideration for...to be involved in the Block Grant process that we'll be starting here very soon in this State and it resolves that the General Assembly would encourage the utilization of block grant programs as a means to continue the work at the local level. They run various programs such

as headstart, job training programs and et cetera, and I think that at this time I would move for the adoption of Senate Joint Resolution No. 70.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is to adopt Senate Joint Resolution 70. Discussion on the motion? All in favor say Aye. Opposed Nay. The Ayes have it. The resolution is adopted. Senate Joint Resolution 72, Senator Rock. Senator Rock is recognized on Senate Joint Resolution 72, on Page 16 of your Calendar. Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. We have heard a great deal of talk concerning the essential interest structure of the various units of government since the...some of the Federal budget proposals call for cutting back monies that were heretofore available for, for instance, sewer and water grants, capital expenditure with respect to mass transportation with respect to bridges and other public facilities. What we are asking here is that we are directing our own Illinois Commission on Intergovernmental Cooperation and the Illinois Economic and Fiscal Commission to consider the consequences of the deteriorating public facilities on the economic vitality of our State and to study what the effect, if any, of the declining Federal revenue in this area will mean to our State and to report back to the Assembly prior to March of next year. I think it's a study that is well worthwhile. I have spoken with the members of both of those commissions, we are willing to undertake this what we consider to be a rather massive study. I know of no objection and I would solicit a favorable vote.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Keats.

SENATOR KEATS:

I would only mention on the resolution, I appreciate the

concern we have in this area and it's a legitimate concern all of us have on both sides of the aisle, just that I'm not totally convinced the best way to study this is to have governmental agencies study it. They do have a slight inbred bias in favor of the government continuing existing programs. I wonder if we are not better off allowing these studies to be done by private institutions, and there are numerous high quality private institutions both in the City of Chicago and in various other parts of the State who would probably be more than happy to do this study. In fact, I can think of several who have started to do these studies now. My only fear with this type of resolution, and if the President really wants it, I'm willing to vote for it, but I'm just saying, somehow having the...having State agencies do a study on what it...what will happen if we get less Federal dollars, I think I can tell you right now what those studies will say before they're started or completed, and I don't know that this would necessarily do us much good.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Rock, do you wish to close?
Senator Rock.

SENATOR ROCK:

Yes, thank you, Mr. President and Ladies and Gentlemen of the Senate. We have already held, I might say, Senator, preliminary discussions with some of the academic community, particularly at the University of Illinois. I don't think that the Illinois Economic and Fiscal and the Commission on Intergovernmental Cooperation ought to be characterized as having any pre-bias. I think what we are attempting to do is, not only to...to underscore the impact of the Federal budget cuts but more than that, point out what, in fact, is necessary, particularly from the State and local governments in the coming years. I mean, we simply are in a situation where the Environmental Protection Agency, the University of

Illinois, there are a number of studies going on and what...what we're directing here is that someone pull all this together and make a report to the General Assembly. I think it's a worthwhile project and I again urge an Aye vote.

PRESIDING OFFICER: (SENATOR BRUCE)

Motion is to adopt Senate Joint Resolution 72, and since it directs the expenditure of funds, it will require a roll call. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. It requires a majority of those voting on the issue for passage. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 40, the Nays are 10, none Voting Present. The motion to adopt...and the resolution is adopted. Senator Demuzio on Senate Joint Resolution 81. Senator Demuzio is recognized on Senate Joint Resolution 81, Page 17 of your Calendar.

SENATOR DEMUZIO:

Yes, thank you, Mr. President and Ladies and Gentlemen of the Senate. In the 82nd General Assembly we passed the Illinois Farm Development Authority Act, and at this particular time the Internal Revenue Service has made a ruling that 82216, I am told, that arbitrarily disallows the tax exempt status of these bonds. And what we would be doing in this resolution is appealing to both the President and the Congress and the committees that...appropriate committees in the...in the Congress to attempt to have them consider...reconsider these proposed rulings that have been...have been made and to allow these provisions to become effective so that these bonds can be issued. I'd be glad to answer any questions on the resolution.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is to adopt. Discussion? Senator Rhoads.

SENATOR RHOADS:

Just one question of the sponsor. Senator Demuzio, did

they give a reason for disallowing the tax exempt status of the bonds? Or what was their reason?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Demuzio.

SENATOR DEMUZIO:

I...I think basically the IRS has taken the position on these bonds over the years even when we had the home rule units of government that were using revenue bonds for low income housing or even...even for housing at the...at the municipal level and they've taken a position that they've lost too much income off of those bonds, and as a result, the ruling that...that has been made would prohibit the tax exempt status.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is to adopt. Further discussion? All in favor say Aye. Opposed Nay. The Ayes have it. The resolution is adopted. Secretary's Desk concurrence. Senate Bill 512, Senator Philip. We have House Amendments 1, 2 and 3. Senator Philip. Senate bill 777, Senator Vadalabene with House Amendment No. 1. We're on Page 17 of the Calendar. Senator Berning, Berman, Berman and Thomas have bills that have come back with House amendments. Sounds like a law firm, Senator Berman. Senator Berman on 1180. Senator Berning on 1044. Senator Berman on 1186. And Senator Thomas on 1394. Senator Thomas, are you prepared...if you will make the motion, we will...Senator Thomas is recognized for a motion on Senate Bill 1394 which has been returned to the Senate with House Amendment No. 1.

SENATOR THOMAS:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I move that we concur with House Amendment No. 1 to Senate Bill 1394. The House amendment...the original bill 1394 which is still in tact was the appropriation...or the...the supplemental to the local government law enforce-

ment training board. This House Amendment No. 1 transfers within the Department of Insurance their FY '82 appropriation, Public Act 8293, thirty-five thousand dollars from the mines substance insurance where early claims exceed available premium payments to testing fees of agents and brokers. The reason for this transfer is due to the increase of tests being handled by the department.

PRESIDING OFFICER: (SENATOR BRUCE)

Discussion of the motion? The motion is that the Senate concur with House Amendment No. 1 to Senate Bill 1394. Discussion? Discussion? The question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 1394. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, please. On that question, the Ayes are 55, the Nays are none, none Voting Present. The Senate does concur with House Amendment No. 1 to Senate Bill 1394, and the bill having received the required constitutional majority is declared passed. On Secretary's Desk nonconcur Senator Berman is recognized with the motion relative to Senate Amendment No. 1 added by the House and their nonconcurrence to Senate amendments.

SENATOR BERMAN:

Yes, Mr. President, I move that we refuse to recede and that a Conference Committee be appointed. There's a...there was confusion as to the procedure involving withdrawal from Torrens and I think it, hopefully, can be worked out in the Conference Committee.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is that the Senate refuse to recede from Senate Amendment No. 1 to House Bill 252 and that a Committee of Conference be appointed. On the motion, all in favor say Aye. Opposed Nay. The Ayes have it. The Senate refuses to recede and asks for a Committee of Conference. The Secre-

tary shall so inform the House. Senator Belman. Senator Maitland, I'm sorry. The next order of business is Consideration Postponed. House Bill 497, Senator Maitland is recognized.

SENATOR MAITLAND:

Thank you, Mr. President. I would ask leave that House Bill 497 be brought back to 2nd reading for the purpose of Tabling an amendment and the addition of two amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Maitland say...seeks leave to return the bill to the Order of 2nd Reading for the purpose of an amendment. Is there leave? Leave is granted.

PRESIDENT:

Alright, on the Order of House Bills 2nd Reading, House Bill 497, Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President. Having voted on the prevailing side, I move to reconsider the vote by which Senate Amendment No. 1 passed the Senate.

PRESIDENT:

Alright, Senator Maitland moves to reconsider the vote by which Senate Amendment No. 1 to House Bill 497 was adopted. Any discussion? Any discussion? If not, all in favor signify by saying Aye. All those opposed. The Ayes have it. The vote is reconsidered. Senator Maitland now moves to Table Committee Amendment No. 1 to House Bill 497. All in favor signify by saying Aye. All opposed. The Ayes have it. The amendment is Tabled. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 3 offered by Senator Bruce.

PRESIDENT:

Two is a committee amendment. We have to adopt, that I believe. Alright, the Secretary informs me that Committee Amendment No. 2 has already been adopted. Well, we...let's

go through the procedure. Amendment No. 2, Senator Maitland, if you can explain the amendment to the membership.

SENATOR MAITLAND:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Committee Amendment No. 2 delays by one month half of a double payment that normally is paid in the month of June from the Resource Equalizer Funds. For your information, there are payments made every month from August through May and then in the month of June a double payment is made. Senate Amendment 2 would simply delay half of the payment made on June 2nd and half of the payment made on June...I'm sorry, June 10th and half of the payment made on June 20th to the following month. It also provides that interest be paid on...on the delay in the payment for both of those payments.

PRESIDENT:

Alright, Senator Maitland has moved the adoption again of Amendment No. 2 to House Bill 497. Is there any discussion? Senator Demuzio.

SENATOR DEMUZIO:

Yes. Now, this amendment, Amendment No. 2, was adopted in committee, is that correct, Senator Maitland?

PRESIDENT:

Senator Maitland.

SENATOR MAITLAND:

Yes, Sir.

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

And this amendment would delay the school aid payment for thirty days, and the amendment, as I recall correctly in committee also had the interest in there at seventy percent of prime as I...as I recall correctly as of 19 what 82...83.

PRESIDENT:

Senator Maitland.

SENATOR MAITLAND:

In committee...Committee Amendment No. 2 the...the interest rate is prime. There will be a subsequent amendment that will address this a bit more in detail but the amendment as it now stands is at prime rate.

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

So...so, basically, the adoption of this amendment, in fact, becomes the bill that would, in fact, delay the school aid payment by at least thirty days, is that correct?

PRESIDENT:

Senator Maitland.

SENATOR MAITLAND:

That is correct.

PRESIDENT:

Further discussion? If not, Senator Maitland moves the adoption of Committee Amendment No. 2 to House Bill 497. All in favor signify by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 3...

PRESIDENT:

Well, hold it, hold it, hold it. A roll call has been requested on the adoption of Amendment No. 2 to House Bill 497. Alright, a roll call has been requested. Those in favor of Amendment No. 2 will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 39, the Nays are 5, 2 Voting Present. Amendment No. 2 is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 3 offered by Senator Bruce.

PRESIDENT:

Senator Bruce.

SENATOR BRUCE:

Thank you, Mr. Chairman and members of the Senate. This is a Floor amendment which has been worked out and mentioned in committee. Doctor Bob Mandeville came to the committee and testified that when they split the payments for school districts that the administration to insure that no school district was harmed, in fact, they would benefit from the measure under consideration and although the merits of the bill are still to be debated, Doctor Mandeville testified in committee that the administration was willing to guarantee to every school district that they would, in fact, pay thirty days of interest whether or not the money was...was delayed thirty days. In other words, in the payment made due on the 16th of June that they would, in fact, pay interest 'til the 16th of July even if they made the payment as early as early July. It seemed to me and others on the committee that that commitment of paying thirty days interest ought to be put into the Statute, so that is the first portion of this amendment and it is agreed to by the administration and the Bureau of the Budget. The second portion of the amendment deals with the interest rate to be paid on the payments split in June and July of next year. There was a compromise that we would go to fifteen percent. In committee I asked Doctor Mandeville if he would be willing to consider an amendment which would say fifteen percent or prime, whichever is higher, and no one knows what the prime interest rate is going to be next June. The idea was that the school districts would receive the higher of the two, and so this amendment in its second portion says that they will pay as an interest rate fee to money delayed, not only for thirty days, but they will pay at the higher of either fifteen percent or the prime rate. It seems reasonable even if you oppose this

legislation that this is...this is an improvement and actually confirms what was stated by the administration they would do in this matter and I would move the adoption of Amendment No. 3.

PRESIDENT:

Senator Bruce has moved the adoption of Amendment No. 3 to House Bill 497. Any discussion? Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. I rise in support of the amendment. I just wanted to add one other item that was testified to by Doctor Mandeville in committee, that the appropriation which will be coming later for both '82 and '83 are not to be included in the so-called bottom line of education appropriations. This is additional money that will be going to the school districts. That was confirmed by Doctor Mandeville in his testimony.

PRESIDENT:

Further discussion? Senator Berning.

SENATOR BERNING:

Thank you, Mr. President. Members of the Senate, I just feel impelled to comment that setting a mandatory interest rate of fifteen percent is somewhat unrealistic. Let me call...recall for you the study done by the Governor's Commission on Investment of Pension Funds and its criticism of the return now being earned by the various pension systems, and I call to your attention in that context that we have a State Board of Investments. We are criticized for interest income to these funds of somewhere in the neighborhood of six to six and eight percent. My point is simply this, to mandate fifteen percent is in my opinion an unwarranted penalty on the State of Illinois when the interest rate that any one of the investment activities engaged in by the State is now nowhere near that and I doubt seriously that any of the school districts is approaching that figure.

Seems to me we are unduly rewarding the school districts for a temporary shortfall in their allotment of school aid dollars. No...none of the districts, in my opinion, has the investment expertise of, for instance, the State Board of Investments or any one of a number of other investment authorities. If they have their short-term dollars in CD's, they are probably earning between ten and twelve percent which is a good rate of return. But that, in my opinion, is all that ought to be provided and not fifteen percent. We are obligating the State of Illinois to a larger payment than what can reasonably be expected from the normal investment of surplus funds.

PRESIDENT:

Further discussion? Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President. Very briefly, I rise in support of Senate Amendment No. 3. I think it makes the...the previous amendment a better amendment. I think we have detracted a bit from the norm of this legislation. I think it's absolutely imperative that we guarantee the school districts that there will be no loss in revenue. This assures them of an adequate interest rate and I urge its adoption.

PRESIDENT:

Alright. Senator Bruce has moved the adoption of Amendment No. 3 to House Bill 497. Any...further discussion? Senator Demuzio.

SENATOR DEMUZIO:

Yes, thank you, Mr. President. Senator Maitland has reassured this side over here this is a good amendment. We intend to support Senator Bruce's amendment. Thank you.

PRESIDENT:

Alright. Senator Bruce has moved the adoption of Amendment No. 3 to House Bill 497. Further discussion? If not, all in favor signify by saying Aye. All opposed. The Ayes

have it. The amendment is adopted. Are there further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendment.

PRESIDENT:

Alright. The bill will be returned to the Order of Consideration Postponed. It is, I am told, the Senator's desire to get back to that bill later...turn to Page 9 on the Calendar, we'll move with leave of the Body to the Order of Senate Bills 3rd Reading. Bottom of Page 9 is where we left off yesterday. Senator Sommer. On the Order of Senate Bills 3rd Reading. On the Order of Senate Bills 3rd Reading is Senate Bill 1390. Read the bill, Mr. Secretary, please.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1390.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Sommer.

SENATOR SOMMER:

Thank you, Mr. President and members. This bill makes a transfer of approximately thirty-six thousand dollars in various lines of the Department of Administrative Services.

PRESIDENT:

Is there any discussion? Any discussion? If not, the question is, shall Senate Bill 1390 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are none, none Voting Present. Senate Bill 1390 having received the required constitutional majority is declared passed. 1430, Senator Gitz. 1436. 1438, Senator Berman. 1479, Senator Carroll. 1487, Senator Maitland. 1500, Senator DeAngelis. On the Order of Senate

SB 1500
3rd Reading

Bills 3rd Reading, the middle of Page 10 is Senate Bill 1500.

Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1500.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President and members of the General Assembly. Last year when Executive Order went down, a group of people embarked on a program to try to reassemble the good parts of the Executive Order. Essentially what the Executive Order was trying to do when it got caught in the political buzzsaw was to deal with the problem with the...fragmentation and lack of synergism in dealing with youth problems and problems with delinquent kids. Senate Bill 1500 is the product of that work. And very quickly...the bill is rather extensive, but very quickly this is what it does, first of all it establishes with...within DCFS a division of youth and community services which will develop a Statewide program of community based, and I want to stress this, community based youth services systems. Secondly, the role of the State will be to provide direction and technical assistance to the local decision making. Third, the juvenile justice function grants of Federal funds to local governments and private agencies is transferred from the soon to be defunct Illinois Law Enforcement Commission to...DCFS. Now, a lot of people have worked on this and the bill does, in fact, take the monies that are involved in these programs, have DCFS guide them through local community agencies. I know of no opposition to the bill, but I will, in fact, be happy to answer any questions.

PRESIDENT:

Any discussion? Senator Berning.

SENATOR BERNING:

Just one question of the sponsor.

PRESIDENT:

Indicates he'll yield, Senator Berning.

SENATOR BERNING:

What age limit applies here when you refer to youth? Is that eighteen and under, seventeen and under, thirteen and under or what is the break point?

PRESIDENT:

Senator DeAngelis.

SENATOR DeANGELIS:

Seventeen and under.

PRESIDENT:

Senator Berning.

SENATOR BERNING:

Seventeen and under. Having to do with juvenile justice, it appears to me as a rather unrealistic age rate since increasingly juvenile offenders are being tried in adult court, isn't that true?

PRESIDENT:

Senator DeAngelis.

SENATOR DeANGELIS:

That's correct, Senator Berning.

PRESIDENT:

Senator Berning.

SENATOR BERNING:

Would it not then be more appropriate to establish an age limit commensurate with the present practice in prosecution of so-called juvenile offenders? Maybe fourteen or thirteen I think is the age that is now where juvenile offenders under certain circumstances are tried in adult court.

PRESIDENT:

Senator DeAngelis.

SENATOR DeANGELIS:

Senator Berning, the...these are pre-delinquent services. We're not dealing with the court. This is a system of community agencies dealing with troubled youth. Are...are...are you thinking about 1231?

PRESIDENT:

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, I speak in favor of the bill. The condition that the prior Senator spoke about precludes...mentions...is to take into consideration the fact that judges today have the discretion to have a juvenile tried in the adult courts. It's a good bill and I think it'll do a lot of good to cut out some of the overlapping services.

PRESIDENT:

Further discussion? Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. Senator DeAngelis deserves a lot of credit for putting this bill together, but we really do have to give credit to the Director of DCFS, Greg Coler. I met Greg a couple years ago when Senator Rock introduced me to him, and at that time he said he thought he was going to be a good director. Well, our expectations I think have come true. He has turned out to be a very good director. He has worked with us for a long time putting this bill together and hopefully it will help juveniles not go to correctional facilities in the State of Illinois and that's what this bill is all about, and Aldo and myself would solicit your Aye vote. Thank you very much.

PRESIDENT:

Further discussion? Senator DeAngelis may close.

SENATOR DeANGELIS:

Just roll it.

PRESIDENT:

The question is, shall Senate Bill 1500 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, none Voting Present. Senate Bill...1500 having received the required constitutional majority is declared passed. 1436, Senator Gitz. On the Order of Senate Bills 3rd Reading, I went by a little quickly...yes, Senator Sommer, for what purpose do you arise?

SENATOR SOMMER:

Thank you, Mr. President. On a point of personal privilege.

PRESIDENT:

Yes, Sir, state your point.

SENATOR SOMMER:

I would like to introduce in the rear gallery the students from the Tri-City High School Band who are going to be playing this afternoon down in the...the gallery. They're currently Senator Davidson's constituents but my new constituents from Buffalo, Illinois.

PRESIDENT:

Would our guests please stand and be recognized. Welcome to Springfield. Alright, the Chair went rather rapidly by 1436. On the Order of Senate Bills 3rd Reading, top of Page 10 is Senate Bill 1436. Read the bill, Mr. Secretary, please.

END OF REEL

SB 1436
3rd Reading

REEL #2

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1436.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Gitz.

SENATOR GITZ:

Thank you, Mr. President and members of the Senate. Presently as a part of the Municipal Code and the County Code there is a population limitation for those municipalities and counties that would like to levy a hotel tax, which in the case of our communities in Northwestern Illinois and in certain communities in Southern Illinois are primarily levied on visiting tourists. And it is the desire of these counties and the chamber of commerce, and in the case of JoDaviess County for the hotels and motels themselves to be able to levy this hotel tax which can only be used through the promotion of tourism. It seems to me since they have been very successful in doing this in the larger counties, it is only reasonable that we should remove the population limitation and let everyone play by the same rules. And I would like to indicate to you that this bill passed out of committee unanimously. It is supported by the chamber of commerce. It is supported by those business enterprises that will be levying it. They are all in agreement that this would be highly desirable in promoting tourism and in promoting employment opportunities in Illinois.

PRESIDENT:

Any discussion? Senator Grotberg.

SENATOR GROTBORG:

Thank you, Mr. President, fellow members. Will the

sponsor yield?

PRESIDENT:

Sponsor indicates he will yield, Senator Grotberg.

SENATOR GROTBORG:

Senator Gitz, what is the population of Galena, for instance? And I understand this is very much a Galena origin and that's not a shot, but for instance what is the population?

PRESIDENT:

Senator Gitz.

SENATOR GITZ:

Well, the entire population of JoDaviess County is about eighteen thousand.

PRESIDENT:

Senator Grotberg.

SENATOR GROTBORG:

On the bill, Mr. President, it has been alleged that the people who are going to levy this tax are for it. We're talking about the hotel industry in the State of Illinois. For those of you who don't know, the hotel industry in the State of Illinois is generally off about twenty-seven percent as of last month. And along with helping to continue their decline we're here suggesting that every town and hamlet, my own included, I'm in a non-home rule community, would be able to stick a little tax on for a high purpose. And I agree with the high purpose, Senator Gitz, of encouraging tourism, but there's something wrong here at this time when things are so bad to go ahead, and by mandate of this Body, allowing every...every community, and I believe that's county or municipality. Is that correct, Senator Gitz?

PRESIDENT:

Senator Gitz.

SENATOR GROTBORG:

It removes the...yes, it removes the cap from both. And

I just have to stand in objection to it because it's...it...we could of lowered the cap to something, but to remove it entirely is something that I would personally be opposed to. I hope anybody who cares about the hotel industry could be opposed to it with me, but by and large the hotel industry is not for this bill, and I would object to it and ask for a No vote.

PRESIDENT:

Further discussion? Senator Lemke.

SENATOR LEMKE:

Senator Gitz, does the State of Iowa have this type of tax?

PRESIDENT:

Senator Gitz.

SENATOR GITZ:

I do not know for sure, Senator Lemke.

PRESIDENT:

Senator Lemke.

SENATOR LEMKE:

How about Wisconsin, or Missouri, or that?

PRESIDENT:

Senator Gitz.

SENATOR GITZ:

I do not know for sure. I am told, second hand, that they do.

PRESIDENT:

Senator Lemke.

SENATOR LEMKE:

The only question if we're trying to help Galena or are we trying to help some other areas that are on the border. It doesn't take but an hour to ride over to the other border and get a cheaper room. That's the real problem with the tax. I'm for the idea of the tax, because it's a tax that will be used to promote tourism and increase that business

in that particular locality. I think it works well in some communities and other communities the funds are misspent, like in my own community funds are misspent. I mean we pay three hundred and seventy-five thousand dollars for Venetianite floats and other things, but I mean if...there should be some controls on it. I'm going to vote for the bill, but I think there's a real concern about how the money is spent to promote tourism and in Chicago it's...not spent too well for tourism.

PRESIDENT:

Further discussion? Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. I would speak in support of the bill, and I guess I'm a little surprised that the...a voice or two have been raised in opposition to it. It did, as Senator Gitz indicated, pass the Revenue Committee which, believe me, includes a broad spectrum of the...of the political gamete unanimously. And I think the...the reason why was twofold, one, it is simply an authorization, it does not mandate any county or any city to impose the tax, it simply authorizes it. And I think a second reason why was that the population limitations that had been in the bill prior to Senator Gitz's proposed amendment were really a little bit irrational to begin with, they obviously had a purpose when first proposed, but it went from twenty-five thousand...up to five hundred thousand with respect to municipalities, and from a hundred thousand up to a million with respect to counties. Now that had been done for some obscure purpose which now eludes everyone, I believe. But the point is that this simply puts everyone, every county and every city in exactly the same position. If it is important to them, if...if locally they have weighed all of the consequences and decided it's a good idea, they may impose it. If they have decided to the contrary, they simply do not have to. And that seems

to me that is perfectly defensible.

PRESIDENT:

Any further discussion? Senator Gitz may close.

SENATOR GITZ:

Well, Mr. President and members of the Senate, I'm truly caught off guard by Senator Groberg's comments. I think that we all would find it rather amazing to try to find a horse and carriage going down the road with the carriage in front of the horse, and that's exactly what the good Senator, perhaps with the best of intentions, has represented this to be. If you look at any skiing publication you will see Chestnut Mountain is one of the few institutions that is really available that can offer skiing opportunities, and they're seeking, frankly, year-round business opportunities. I'm sure that if there was any significant difference that would impact their business with surrounding areas, or other areas of the State of Illinois, they would be the first people to stand in opposition, and that is not the case. They are the institutions, Galena territory are the ones who went to the chamber of commerce, they would like to see a better promotional opportunity schedule available to promote what they have as opportunities. And there are small communities and counties in Southern Illinois that would like to expand their base beyond what they presently have available so that they can have additional jobs and employment opportunities. All of you are familiar with the Department of Commerce and Community Affairs supposed active efforts to promote tourism in the State of Illinois. What then can be so objectionable about an optional tax which is asked for by the chamber of commerce which, as we all know, is pro-business in this State. To object to this is to take away the complete flexibility of local governments to go their way, to build the State, to be an active partner with our State departments that are seeking to accomplish the same

purpose. On the basis of fairness and equity, I would ask for you most favorable roll call.

PRESIDENT:

The question is, shall Senate Bill 1436 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 47, the Nays are 5, 1 Voting Present. Senate Bill 1436 having received the required constitutional majority is declared passed. 1501, Senator Nedza. 1502. 1503, Senator Bruce. We can get back to that, with leave of the Body. 1520, Senator Degnan. On the Order of Senate Bills 3rd Reading, the middle of page 10 is Senate Bill 1520. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1520.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Degnan.

SENATOR DEGNAN:

Thank you, Mr. President. Senate Bill 1520 does exactly as indicated in the Calendar. It seeks to amend the School Code to remove existing double standards between public and non-public school teachers in the area of certification. Today, under existing Statutes, individuals with public school experience may by transcript evaluation apply for additional teaching certificates. Those employed or who have experience in non-public schools however are not afforded the same opportunity with respect to transcript evaluations. Answer any questions, otherwise move for a roll call.

PRESIDENT:

Is there any discussion? Any discussion? If not, the question is, shall Senate Bill 1520 pass. Those in favor

will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are 3, none Voting Present. Senate Bill 1520 having received the required constitutional majority is declared passed. 1521, Senator Nimrod. 1526, Senator Sangmeister, pinch-hitting for Senator Nega, or a designated hitter instead of Senator Nega. On the Order of Senate Bills 3rd Reading, Senate Bill 1526. Read the bill, Mr. Secretary.
ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1526.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Sangmeister.

SENATOR SANGMEISTER:

Mr. President and members of the Senate, Senate Bill 1526 corrects a problem in a bill that we passed last year which was Senate Bill 137. To put this in it's simplest form, if you make a deposit in a bank and you drop it into the night depository, the law is that the bank is...is liable at the time that that money is deposited in there. Last year we passed a bill and did not use the correct terminology and...and the bill became effective before everyone thought it was going to because of an amendment. Therefore, the banks did not have the time to notify their depositors that...if they want to adopt a policy that they're not going to be liable for that deposit for fourteen days, they've got to notify each of their depositors. Under the way Senate Bill 137 was structured, they couldn't do that. All Senate Bill 1526 does, is says the bank will still be liable for a deposit made into a night depository unless, under the terms of 1526, they are given the fourteen day notice beforehand that they do not wish to be liable for that deposit. That's

all the bill does. I'll be happy to answer any questions, if not I'd like a favorable roll.

PRESIDENT:

Any discussion? Senator Hall.

SENATOR HALL:

Will the sponsor yield.

PRESIDENT:

Indicates he will yield.

SENATOR HALL:

Senator, I want to be sure I follow you correctly. Now if I go up and drop some...a deposit in a night depository you mean to tell me that if a bank notifies me that they do not wish to be liable for that, that if...within fourteen days, or prior to that thing, that they can go scot-free even though I deposited in it?

PRESIDENT:

Senator Sangmeister.

SENATOR SANGMEISTER:

When you...under the law as structured, when you deposit they're going to be responsible at the time you deposit. If the bank does not want to, until they record that, you know,...once they record it in their books they are then responsible for it. The problem is, what happens between the time you put it in the slot and the time they record it? Now...if the bank wants to accept that responsibility, fine. If they don't want to, all they want is the right to notify their customers that they're not going to, it's their prerogative. If that means they lose business because they say to their customers they're not going to be liable until it's recorded in their books, then of course they would be. Otherwise, they won't.

PRESIDENT:

Senator Hall.

SENATOR HALL:

Well, I have a problem with that in this respect, if a bank has a night depository, I don't think they should be allowed to...regardless, they got it there for the service of people. And if that's the case, I don't understand why a bank...they should have to close the depository, that's what I would think, because it's there for a service, and I think they shouldn't have the right to be able to decide whether they want to be responsible or not. Either they got a night depository or they don't have one.

PRESIDENT:

Senator Sangmeister.

SENATOR SANGMEISTER:

In response to that, Senator Hall, the problem arises that, supposing you put twenty thousand dollars into the night depository and then go to the bank the next day and say, did you record my twenty thousand dollars? And they say, what twenty thousand dollars, you didn't put any twenty thousand dollars in there. They want that prerogative of being able to defend themselves if, in fact, that money was not deposited there. As the law is written now, it looks like if you come in the next day and say, hey, I put twenty thousand in there, they're going to be liable whether you did or not. They want the right to defend that.

PRESIDENT:

Further discussion? Senator Bruce.

SENATOR BRUCE:

I don't know exactly how this will fly in downstate. Your idea about competing banks losing deposits, in a...in a community in which you have only one bank, a merchant who closes a shop and goes down and drops the money in the outside depository has now given the bank fourteen days to find out whether or not he put the money in, and...it does not say recording the next business day, I would point that out. It just says recording, there's no time limit on when the bank

has to record it, I guess the fourteen days relates to the policy. I would point out that once that policy is posted, the way I read the legislation, three years from now...you're not going to be protected. I mean, once the policy is in effect, it's in effect forever, and you may forget about the whole idea of depository. Two banks, three banks in a community, maybe you've got the competition, my...my impression is that in a community...most of the communities in my areas where I have one, two or three banks, all three banks are going to do the same thing, and once you've all done it, there is no competition. I don't have any strong feeling for this bill. I...I didn't hear it in committee, but it...it doesn't impress me as a...as a very good idea. I'm still waiting to be persuaded to vote for it, but I haven't been persuaded yet. I just...it seems to me that the banks ought to be liable, if they're...if they're going to have outside depositories, and you put it in there, and some guy comes...I guess the question is, Senator, what happens in case of a theft or entrance into an outside depository, who's liable at that point?

PRESIDENT:

Senator...Senator Sangmeister.

SENATOR SANGMEISTER:

If, in fact, the bank has notified you that your night depository is not going to be...they're not going to be responsible for that depository until they've recorded it on their books, then, of course, it's going to be your loss. Okay, it's up to the bank to adapt their own policy. Now, the problem is as I tried to indicate to Senator Hall, if somebody...the way the bill is structured now, if somebody comes in and says, I put a twenty thousand dollar deposit in there last night, why isn't it in my books? The legislation appears to say that they're going to be responsible for that and they shouldn't. They should be able to defend whether or

not you put that money in there or not, that's a matter of proof. It shouldn't be a matter of law that they're going to be responsible for that. And plus, if you're given a fourteen day notice before you put that deposit in there that the policy of the bank is that their not going to be responsible for that, I see nothing bad about that at all.

PRESIDENT:

Senator Bruce.

SENATOR BRUCE:

My question really doesn't deal with the fraudulent depositor. My question is on the businessman who makes his deposit, five-thirty in the evening and then goes home, and there is an entry into the bank in which a theft occurs, it's obvious damage done to the bank, there's no question. Are...are you telling me at that point the bank is not at all liable for the theft of those funds?

PRESIDENT:

Senator Sangmeister.

SENATOR SANGMEISTER:

No. We're...we're not, this...this bill is not designed and I'll make it legislative record right here that where a forceable entry has been made in a bank and there has been a theft out of the depository, certainly the bank is going to stand behind that. That's not the intent of this at all.

PRESIDENT:

Senator Bruce.

SENATOR BRUCE:

But, as you know, under the Uniform Commercial Code and all the other code requirements, the assessment of when liability occurs is statutory. And I think what you're saying is that they're not liable until they've recorded it. It's not a question of free on board, or...or a time of shipment, or receipt. Under the code you,...you've determined that the time liability occurs for the bank in theft or

otherwise, is only when they've recorded it. And I...I...I think you ought to take a look and very closely read what you are doing, because I think even in a theft situation, the merchant is going to be out his money.

PRESIDENT:

Further discussion? Senator Schuneman. Senator Netsch. He will have the opportunity to close, most certainly, yes.
SENATOR NETSCH:

All right, thank you, Mr. President. I don't have to add a great deal now, I think Senator Bruce has brought the point out. I would read it exactly that way. It seems to me that if there is a theft from the outside depository that unless it has been recorded, and...and assuming the bank has adopted the policy, that the bank is scot-free. And I don't think that is what anyone who deposits in such a place expects. The notice provision is here, that is correct, Senator Sangmeister, but it seems to me that that notice is going to be about as effective as some of the other notices that we are aware of. No one...it's going to be in small print fourteen days ahead of time, and people simply are not going to be aware of the fact that they are being told that if they use this receptacle that they are at their own risk. It seems to me it is not an effective thing, that there is a real reliance and...that this destroys that reliance.

PRESIDENT:

Further discussion? Senator Wash.

SENATOR NASH:

Mr. President and Ladies and Gentlemen of the Senate, maybe I can clarify a couple of points in this bill. Most of the night deposits are made by check. If a businessman or institution is going to make a cash deposit, they make provisions with the bank and they use a key and a special bag that is sealed to make their deposit. With the check deposits made presently in the night depositories when they return

your receipt they enclose a notice, and most banks up in the Chicago area, I know, are doing it. So, it's for the protection both of the...the customer and the bank. The customer knows not to deposit cash...in the night depository.

PRESIDENT:

Further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Well, thank you, Mr. President. A question to the sponsor. Senator Sangmeister, I'm very much concerned about the point that's just been raised because in rural communities merchants do deposit large sums...

PRESIDENT:

All right, Senator...Senator, pardon me, I'm getting in a wave-off here. Senator Sangmeister, for what purpose do you arise?

SENATOR SANGMEISTER:

Well, I think I'm making the legislative intent very clear here, but it's not that difficult to put a little amendment on here to state that where there's been an actual theft or a break-in of the bank. If that's going to make this thing palatable to Senator Netsch and Senator Bruce, and now Senator Schuneman's raising it, let's pull it out of the record and we'll put the amendment on it.

PRESIDENT:

Take it out of the record, Mr. Secretary. 1534, Senator Netsch. 1537, Senator Joyce. 1558, Senator Chew. On the Order of Senate Bills 3rd Reading, the middle of page 11 is Senate Bill 1558. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1558.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Chew.

SENATOR CHEW:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is a bill that was designed by the Motor Vehicle Laws, and it deals with auto theft and chopshops plus parts. And it merely allows the Secretary of State or his nominee to make unannounced inspections to ascertain whether any parts on the premises were stolen or do not have...the proper vent number on them and that's all it does. And I would ask for a favorable report.

PRESIDENT:

Any discussion? Senator Mahar.

SENATOR MAHAR:

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

PRESIDENT:

Indicates he will yield, Senator.

SENATOR MAHAR:

Senator Chew, as I understand the law now, any police officer can make an inspection of not only their records but the premises of...of these agencies, is that correct?

PRESIDENT:

Senator Chew.

SENATOR CHEW:

Senator Mahar, this is designed specifically for the Secretary of State's Office who, as you probably know, we have done about a four year study on how to reduce auto theft and chopshops. But no, the answer is that any police officer cannot just go in and inspect at random where it has any favorable report on it.

PRESIDENT:

Senator Mahar.

SENATOR MAHAR:

Well, as I recall, the police officer can inspect at reasonable hours, I think the Statutes say, and this applies

not only to the Secretary of State, but to local and State agencies. And that...that was amended a couple of years ago to allow the police officer to inspect the premises. And I just wondered what...if you're changing this. I have no objections, I think it's obviously a good bill. I just want to be sure that the...that the language remains to allow the local police to inspect records and premises.

PRESIDENT:

Senator Chew.

SENATOR CHEW:

That has not changed, Senator, so the wording is the same in that.

PRESIDENT:

Further discussion? Senator Coffey. Senator D'Arco.

SENATOR D'ARCO:

Will the sponsor yield for a question?

PRESIDENT:

Indicates he will yield, Senator D'Arco.

SENATOR D'ARCO:

Can they...can they just come in any time of the day, or night, or are there come restrictions about when, in fact, they can make the searches without warrants?

PRESIDENT:

Senator Chew.

SENATOR CHEW:

Senator D'Arco, first of all it is not a search, it's just an inspection to ascertain the kind of parts that are on the premises. No, they cannot come in at night when the business is closed, they don't have that authority, it's just regular working hours of any shop that is licensed to do business.

PRESIDENT:

Senator D'Arco.

SENATOR D'ARCO:

No, but in the course of their inspection if they find a part of a stolen vehicle, then I assume that they can arrest the proprietor and charge him with possession of stolen merchandise, is that correct?

PRESIDENT:

Senator Chew.

SENATOR CHEW:

Senator, I think that would follow the usual procedure, if stolen merchandise is located that it would be to the decision of the inspectors as to what the arrest would be, whether it was then, at the present time, or later. But the point is, this bill is designed to have a record of, say, a stolen part or parts.

PRESIDENT:

Senator D'Arco.

SENATOR D'ARCO:

Well, I mean that's...that's nice. But the fact of the matter is you are making a search without a warrant, and we don't permit it...permit that in any other circumstances and we would be permitting in this circumstance. The other problem I see with the bill is that the searches can be made at random. There's no definition or criteria to stop an harassment proceeding by any of these inspectors. So, they can come in on a Monday, on a Tuesday, on a Wednesday, and even if they didn't find anything, they can come in on a Thursday and a Friday, and simply harass the proprietor, maybe even shake them down. Who knows, Charile, you never know what's in this bill.

PRESIDENT:

Senator Chew.

SENATOR CHEW:

Senator D'Arco, the bill clearly states that the owner or his designee would have to be on the premises before any search could be made. And I don't want the word search to

overcast the inspection. It isn't necessary to have a search warrant to inspect. If you were there to search the place, in the sense of searching, it's necessary to have a warrant, so any time a search is to be had, the judge would have to issue a...a search warrant. But this is primarily for the Secretary of State's Office and it is not designed to harass anybody. It's just that...as you know, auto theft is at a maximum now and what we're trying to do is to give the Secretary of State's Office the authority to go in and inspect, not search but inspect, their records to ascertain whether there are stolen auto parts on the premises. Now the legal proceedings subsequently to the fine or not to fine would be followed according to law. So, it is not designed to harass anybody and certainly just to have an employee there, the law clearly prohibits an inspection. The owner or his designee must be present when the inspection is made, and it is an inspection and not a search. And I would ask for favorable report.

PRESIDENT:

Further discussion? Senator Coffey.

SENATOR COFFEY:

Question of the sponsor.

PRESIDENT:

Indicates he will yield, Senator Coffey.

SENATOR COFFEY:

Yes, Senator Chew, I'd ask a day or two ago, I had called your office and asked this bill to be held until a couple of problems was worked out on this...thank you, Senator.

PRESIDENT:

Take it out of the record, Mr. Secretary. 1559, Senator Chew. On the Order of Senate Bills 3rd Reading, Senate Bill 1559. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1559.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Chew.

SENATOR CHEW:

This bill merely permits the circuit court clerks to submit records and reports of convictions to the Secretary of State's Office on the new computer set-up. I don't know of any objections to that.

PRESIDENT:

Any discussion? Is there any discussion? Senator Hall.

SENATOR HALL:

Will the sponsor yield?

PRESIDENT:

Indicates he will yield, Senator Hall.

SENATOR HALL:

Senator Chew, I see that there...presently there are ten counties with the technical capability to make these things now. Would you know what counties those are...any downstate counties?

PRESIDENT:

Senator Chew.

SENATOR CHEW:

I'm not sure what counties those are, Senator Hall,...the ten that you spoke of. I'm not sure of that, No.

PRESIDENT:

Further discussion? If not, the question is, shall Senate Bill 1559 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, none Voting Present. Senate Bill 1559 having received the required constitutional majority is declared passed. 1564, Senator Simms. On the Order of Senate Bills

SB 1564
Recalled

3rd Reading, the middle of page 11, Senate Bill 1564. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1564.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Simms.

SENATOR SIMMS:

Mr. President, may I have leave to bring 1560...back to the Order of 2nd Reading for the purposes of an amendment?

PRESIDENT:

You've heard the request, is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading, Senate Bill 1564. Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 2, offered by Senator Simms.

PRESIDENT:

Senator Simms.

SENATOR SIMMS:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Amendment No. 2 limits the availability of the Act to criminal prosecutions involving sexual abuse, sexual assaults, sexual exploitation of a child...of a child abuse where the child victim is under the age of fifteen. In addition, it makes the use of videotape testimony that a child...a child's testimony discretionary with the court as opposed to mandatory in the bill as it is presently drafted. Three, it provides that in determining whether or not to allow the child's testimony to be videotaped, the court is to consider the elements of the offense...charged and the emotional and psychological trauma, the child will experience if required to testify in open court or to be brought into the personal presences of the defendant or other person. And

four, it provides that where the defendant has elected to represent himself the provisions of this Act shall be available only under such restrictions as the court may impose. I would move for the adoption of Amendment No. 2.

PRESIDENT:

Senator Simms has moved the adoption of Amendment No. 2 to Senate Bill 1564. Any discussion? Senator Joyce.

SENATOR JEREMIAH JOYCE:

Question.

PRESIDENT:

Indicates he will yield, Senator Joyce.

SENATOR JEREMIAH JOYCE:

Senator Simms, did Senator Nash help you draft this amendment?

PRESIDENT:

Senator Simms.

SENATOR SIMMS:

No.

PRESIDENT:

Further discussion? If not, Senator Simms has moved the adopt...Senator Berman.

SENATOR BERMAN:

Just one...one question that...maybe Senator Bowers who talked with me about this. I thought that at one point we were going to not make this applicable where the defendant was appearing pro se, where he did not have a lawyer, but I look at the paragraph that deals with the...pro se proceedings, and I...as I read it, there's really not any difference between that section and the rest of the bill. Senator Simms, Senator Bower's...

PRESIDENT:

Senator Simms.

SENATOR BERMAN:

...could you...

PRESIDENT:

Senator Simms. Senator Bowers.

SENATOR BOWERS:

I had some discussions, Mr. President, with Senator Berman about this. Senator, this provision was in the...the document that we examined before and...and that we discussed. It was...I realize that in on...we had three separate amendments and on the second one we were concentrating on the first portion. Frankly, I was not too concerned about this...about Section 8, but in discussing it with Senator Sangmeister, he wanted it in there, so we left in. I think it does add something to the bill in terms of...of giving additional protection to the defendant where...where he decides he wants to...to be a pro se counsel.

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

Well, all it...all I would like is a chance to...to think about this and perhaps look at it with Senator Sangmeister. Why don't we move it...move it to 3rd...if we have any problems, would you bring it back later? Okay, fine. No problem.

PRESIDENT:

Further discussion? All right, Senator Simms, has moved the adoption of Amendment No. 2 to Senate Bill 1564. If there's no further discussion, all in favor of the amendment indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDENT:

3rd reading. Channel 20 has requested permission to shoot some film. Is leave granted? Leave is granted. Senator Gitz on 1571. Senator Gitz seeks leave of the Body to

return 1571 to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading, Senate Bill 1571. Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 2, offered by Senator Gitz.

PRESIDENT:

Senator Gitz.

SENATOR GITZ:

Thank you, Mr. President and members of the Senate. The other day Senator Schuneman raised some major questions about Section 9. This is the hold harmless agreement which was a part of this bill. Specifically, Section 9 stated, "Has provided to the agency," meaning EPA, "a hold harmless and indemnification agreement which acknowledges there exists a risk to the consumer from drinking unchlorinated water and agrees to indemnify and hold the State harmless for any liability, et cetera". We sent that language to as many different attorneys, municipalities, to the municipal league, and there were varying opinions on whether the indemnification clause really had a significant impact or not. I think the balance of evidence is in favor of the position of the municipal league, which I would like to quote very briefly from that letter which I think is rather convincing which stated that, "This language introduces for the first time, to the best of their knowledge, a statutory requirement to hold harmless and indemnify the State for a law of the State. And while parties, both private and public, may enter into contracts and agree to such clauses, this language proposes for the first time the State may pass laws and impose liabilities on those who meet the requirements of the law". It is their feeling that this sets forth a bad precedent and unusual precedent, and in addition, proposes major problems in terms of the insurance agreements of local municipalities.

For that reason, we feel that the best procedure is to remove the indemnification agreement, because I think the continuance of it in the bill will actually have the wrong effect, which would be to actually require municipalities that are currently exempt under the law not to be able to proceed forthwith because of the insurance requirements. I have discussed this amendment with Senator Schuneman, to my knowledge it meets with agreement. This will not be actively supported by the Environmental Protection Agency. They would like to see the indemnification clause contained therein.

PRESIDENT:

Senator Schuneman. Discussion on Amendment No. 2 to Senate Bill 1571? Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. Senator Gitz has addressed the problems that I raised with this bill a few days ago, and I think that he has responded in every way as far as clearing up my objections to it, and I stand in support of the amendment.

PRESIDENT:

All right, Senator Gitz has moved the adoption of Amendment No. 2 to Senate Bill 1571. Any discussion? If not, all in favor signify by saying Aye. All opposed the Ayes have it. The amendment is adopted. Are there further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDENT:

3rd reading... 1577, Senator Collins. On the Order of Senate Bills 3rd Reading is Senate Bill 1577. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1577.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Collins.

SENATOR COLLINS:

Thank you, Mr. President and members of the Senate. Senate Bill 1577 does exactly what it says in the Digest and nothing more. It simply expands the textbook fund utilization to include necessary maintenance of audio-visual material. I know of no objections to the bill. The bill passed committee unanimously. I will be happy to answer any question. I will solicit your favorable support.

PRESIDENT:

Any discussion? Is there any discussion? If not, the question is, shall Senate Bill 1577 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 50, the Nays are none, 2 Voting Present. Senate Bill 1577 having received the required constitutional majority is declared passed. 1593, Senator DeAngelis. On the Order of House...Senate Bills 3rd Reading is Senate Bill 1593. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1593.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President and members of the...of the Senate. Senate Bill 1593 as entered simply amended the Secretary of State's Personnel Code to put it in compliance with the Joint Committee on Administrative Rules. An amendment was offered by Senator Rock, which did the same thing with the State Department of Personnel. It's merely a

SB 1609
3rd reading

clean-up bill. I would urge it's favorable passage.

PRESIDENT:

Any discussion? If not, the question is, shall Senate Bill 1593 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, none Voting Present. Senate Bill 1593 having received the required constitutional majority is declared passed. 1601. 1609, Senator Egan. On the Order of Senate Bills 3rd Reading, the bottom of page 11 is Senate Bill 1609. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1609.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Egan.

SENATOR EGAN:

Thank you, Mr. President and members of the Senate. Senate Bill 1609 is an attempt to initiate in the State of Illinois what has been done in several other states and that is in intrastate olympic games. The Governor's Council on Health and Physical Fitness is empowered by this bill to seek out private funding for the intrastate Prairie State Games. I think that all of the objectionable initial parts of the bill were removed by amendment, and I commend it to your favorable consideration.

PRESIDENT:

Any discussion? Senator Davidson.

SENATOR DAVIDSON:

Mr. President and members of the Senate, I rise in support of this bill. It does what we think will start Illinois back on the road to athletic leadership as it's done in the

three or four other states where this has been going on. Just to give you an example, Florida who in the '70...in 1980 Olympics had only four people have already qualified twenty-four people for the '84 Olympics through this procedure. Six out of six of the handball olympic team is from New York due to their games based on this. I recommend it to you highly. Let's get Illinois back up on the front leadership.

PRESIDENT:

Further discussion? If not, the question is, shall Senate Bill 1609 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 51, the Nays are 2, none Voting Present. Senate Bill 1609 having received the required constitutional majority is declared passed. Top of page 12, 1613, Senator Newhouse. 1614, Senator Bloom. 1627, Senator Nimrod. On the Order of Senate Bills 3rd Reading, top of page 12 is Senate Bill 1627. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1627.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Nimrod.

SENATOR NIMROD:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. We discussed this bill the other day and there were some questions that Senator Deauzio, as well as Senator Hall and Senator Johns, had about the bill and I have responded to those questions in writing to them. And briefly, for them...for the fellow Senators, I will tell you that the...Coal Research Board does not use any outside consultants in making their determinations, the administrative and

technical staff of the Department of Energy is what is used for that grouping. And also, the list of the names of the present members of the Coal Research Board were presented, and I will read those names for the matter of the record, there's John Banovich who's President of the United Mine Workers District 12, Bill Dodge of the Caterpillar Tractor Company, and Porter Womell is the Vice President of Illinois Power Company, Ted Beam who is the Director of Marketing for Freeman United Coal Company, and Linda Dutcher who is a geologist at Carbondale. In addition, there are, of course, three other members who are department heads, and that is the chairman, who is the director of the Department of Energy and Resources, and the director of the Commerce and Industry, and the director of Mines and Minerals, and the chairman of the Energy Resources Commission, these are the permanent members of that committee. I'd be happy to answer any further questions. If not, I would ask for a favorable roll call for the Illinois...for the five hundred thousand dollars for the Coal Research Board for next year.

PRESIDENT:

Any discussion? Senator Demuzio.

SENATOR DEMUZIO:

Yes, thank you, Mr. President and Ladies and Gentlemen of the Senate. Thanks to Senator Nimrod he did, in fact, clear up some of the questions that I raised over here the other day on...on this legislation. I do have the answers in writing. It was not...the questions that I were...were relating to were not related to the coal development bond program that...that the Coal Research...Board was not the...the one I had...I was confused with the other board that was with the INR, and as a result, why, I support the legislation.

PRESIDENT:

Further discussion? Senator Johns.

SENATOR JOHNS:

Yes, it's not always that I join Senator Nimrod in his endeavors, but this is good. The only problem that I see is that we're talking about research and we've had a lot of research. I'd like to see some action sometime soon. So, we'll go with this five hundred thousand dollars for research, but I hope you'll all join me sometime in putting forth some real words and action to get coal off dead center.

PRESIDENT:

Any further discussion? Senator Nimrod may close.

SENATOR NIMROD:

Ask for a favorable roll call...

PRESIDENT:

Question is, shall Senate Bill 1627 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 46, the Nays are 1, none Voting Present. Senate Bill 1627 having received the required constitutional majority is declared passed. 1643, Senator Davidson. 1656, Senator Maitland. Middle of page 12, on the Order of Senate Bills 3rd Reading is Senate Bill 1656. Read the bill, Mr. Secretary, please.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1656.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Existing law now requires local police departments to fingerprint and make mug...mug shots of virtually all Class A and Class B misdemeanors, and DLE really believes this to be somewhat duplicative. The Secretary of State's

SB 1657
3rd reading

Office has this information so, this bill simply deletes the requirement that...that these defenses be forwarded on a daily basis to the Department of Law Enforcement.

PRESIDENT:

Any discussion? If not, the question is, shall Senate Bill 1656 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 50, the Nays are none, none Voting Present. Senate Bill 1656 having received the required constitutional majority is declared passed. 1657, the middle of page 12, on the Order of Senate Bills 3rd Reading is Senate Bill 1657. Read the bill, Mr. Secretary, please.

ACTING SECRETARY:

Senate Bill 1657.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Bloom.

SENATOR BLOOM:

Thank you, Mr. President, fellow Senators. This amends the Nursing, Pharmacy and Detective Acts to change the fee structures to pass through some of the costs of services and exams. It's a Department of Registration and Education bill. I'll answer any questions, otherwise, seek a favorable roll call.

PRESIDENT:

Is there any discussion? If not, the question is, shall Senate Bill 1657 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are none, 1 Voting Present. Senate Bill 1657 having received

the required constitutional majority is declared passed.
1658. On the Order of Senate Bills 3rd Reading is Senate
Bill 1658. Read the bill, Mr. Secretary, please.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1658.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Coffey.

SENATOR COFFEY:

Thank you, Mr. President and members of the Senate.
Senate Bill 1658 is the easement bill which creates each
Session a purpose of releasing land easements no longer
needed by the Department of Transportation in this State.
This bill today...1658, has twenty-six parcels in different
counties throughout the State which amounts to about thirty-
six acres of land in total. It will bring in fifty thousand
eight hundred and eighty-one dollars into the road fund. I
would be glad to answer any questions on those parcels, and
I would just ask for a favorable roll call.

PRESIDENT:

Is there any discussion? Senator Nedza.

SENATOR NEDZA:

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

PRESIDENT:

Indicates he will yield, Senator Nedza.

SENATOR NEDZA:

Senator Coffey, in the Digest it is...specifically
states, "specified sums." Are these already predetermined
sums as to...you know, the purchase price, is it...has it
been an open bid price, or is it just sort of a negotiated
price?

PRESIDENT:

Senator Coffey.

SENATOR COFFEY:

I have here the appraisals by the Department of Transportation, this thick, on each one of those, and they appraised those lands, come up with a fair market value based upon the type of that land, what it can be used for, or what it takes to put it back into production. Of course, those easements goes back to those original landowners because they are only easements. And so, it is...it is set...the department under Statute has certain procedures they have to follow.

PRESIDENT:

Further discussion? Senator Hall.

SENATOR HALL:

Will the sponsor yield for a question?

PRESIDENT:

Indicates he will yield, Senator Hall.

SENATOR HALL:

Senator,...have you got any of that easement in St. Clair County?

PRESIDENT:

Senator Coffey.

SENATOR COFFEY:

Senator,...that I see...the two lists that I have here, there's none of that land that is in St. Clair County. There's several parcels, I'm looking rather quickly, but I don't think there is a parcel in St. Clair County.

PRESIDENT:

Any further discussion? If not, the question is, shall Senate Bill 1658 pass. Those in favor will vote Aye. Those opposed will voted Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 52, the Nays are none, 2 Voting Present. Senate Bill 1658 having received the required constitutional majority is declared passed.

1681. Senator Philip seeks leave of the Body to return 1681 to the Order of 2nd Reading for purposes of an amendment.

1681. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading is Senate Bill 1681, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 6, offered by Senator Rupp.

PRESIDENT:

Senator Rupp. Amendment No. 6.

SENATOR RUPP:

Thank you, Mr. President. The only thing that Amendment No. 6 does is it makes an adjustment from an annual basis or once a year rather than four times a year. The House bill, also, which duplicates this has been changed to make it the same way. All it is is changing from an annual...from a quarterly to an annual basis.

PRESIDENT:

Any discussion? If not, Senator Rupp moves the adoption of Amendment No. 6 to Senate Bill 1681. Senator Netsch.

SENATOR NETSCH:

Just a question, Senator Rupp. Changes what from a quarterly to an annual?

PRESIDENT:

Senator Rupp.

SENATOR RUPP:

Thank you, Mr. President. It changes the review of the amounts in the adjustments that will be paid under the whole program. There are payments that are made and instead of making those adjustments on a quarterly basis, they're just going to do it once a year.

PRESIDENT:

Senator Netsch.

SENATOR NETSCH:

Could I just ask, why? Quarterly seemed like kind of a good idea.

PRESIDENT:

Senator Rupp.

SENATOR RUPP:

Thank you. No, it's the idea of, actually of saving...you do it once instead of four times. That sounds like a good idea. I think we ought to do it. It all depends what you're talking about, I guess, but...

PRESIDENT:

Senator Rupp has moved the adoption of Amendment No. 6 to Senate Bill 1681. If there's no further discussion, all in favor signify by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendment.

PRESIDENT:

3rd reading. The Secretary informs the Chair that there are three other bills on 3rd reading where the sponsors have requested recalls, and so we might as well do those, and we can get them in the process and they will be ready to go next week. Senator Lemke, for what purpose do you arise?

SENATOR LEMKE:

Just an announcement...the...the change the sponsorship on...House Bills 2612, 13 and 14 to Walsh, Lemke, Chew and Newhouse.

PRESIDENT:

All right, you've heard the request. Senator Walsh will be shown on the front end. Leave is granted. Senator Egan, for what purpose do you arise?

SENATOR EGAN:

Thank you, Mr. President, just to ask leave of the Body to hyphenate as co-sponsors of House Bill 2246, Egan-Keats.

PRESIDENT:

2246, Egan-Keats. Is leave granted? Leave is granted. It's so ordered. I have so far on the recall list 1329,

1377, 1503 and 1534. We can do those now, we can get them in the process. All right, if you'll turn to the middle of page 9, on the Order of Senate Bills 3rd Reading is Senate Bill 1329. Senator Johns seeks leave of the Body to return that bill to the Order of 2nd Reading for the purposes of an amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading, Senate Bill 1329. Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 3 offered by Senator Johns.

PRESIDENT:

Senator. Senator Johns.

SENATOR JOHNS:

Well, it's very comforting to know that what I was trying to do yesterday was absolutely correct, and all the terminology that I used and the specific words and language was correct, and the challenge put forth was in error. This particular amendment...this particular amendment puts one-third of the severance tax money on coal toward the development of coal. It gives it to the Energy Resource Commission. Now to those people who are afraid that the Energy Resource Commission would blatantly disregard anyone else and make the appropriation, that's in error. It has to go to the Governor's Department of Energy and Natural Resources first, as an application. They, in turn, select those applications and give consideration after serious review towards the energy resource considering it for funding. So you've got two or three safeguards there that will protect the monies that would be coming forth from the severance tax. And so I move for the adoption of this particular amendment which is exactly what I wanted, it's what Sangmeister wanted...Senator Sangmeister, the United Mine Workers are behind this bill and have never left me on it, and I move for its adoption.

PRESIDENT:

All right, Senator Johns has moved the adoption of Amendment No. 3 to Senate Bill 1329. Any discussion? Senator McMillan.

SENATOR McMILLAN:

Mr. President and members of the Senate, there certainly has been some clarification of some of the controversy we had yesterday about whether or, not in fact, such fund does exist. I still personally have some...some reservations, because I think we have a...a commission that does have really a much heavier role in...in administrative process than I personally find is...is desirable, but I...this is not vote on final passage of the bill, and we really have to deal with the overall question later of whether or not at this time we ought to be getting into a severance tax. I would rather see something administered much more clearly by something where the responsibility is clearly placed. But the objections we had yesterday about whether or not this was a real fund, I think, have been eliminated. There is such a fund and it is there and we do have the structure for it.

PRESIDENT:

Further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

A question of the sponsor. Indicates he will yield, Senator.

END OF REEL

Reel No. 3

PRESIDENT:

Sponsor indicates he'll yield. Senator DeAngelis.

SENATOR DeANGELIS:

Senator Johns, your bill...or your amendment is taking away this money from the General Revenue fund. Now there's two-thirds of the money remaining elsewhere. Why not, if you feel this is that important, take the money that you're suggesting we take from General Revenue fund, at least a portion from the other two-thirds rather than taking it totally from the General Revenue fund.

PRESIDENT:

Senator Johns.

SENATOR JOHNS:

For the past ten years I've studied the severance tax for the State of Illinois and I've put forth many, many bills trying to adopt it. I found that Illinois is lagging far behind in coal development, and we have a hundred and sixty-two billion tons of bituminous coal reserves in this State. We're running fifth in production, fifth. And a lot of you say, well, you know, why...why the lagging in production? Environmental regulations and production at the mines due to manpower problems is part of the problem. So, I'm saying this, let's put this money with the coal companies, for example, let's put it with the utility companies, for example, to help them burn Illinois coal. And that's where it can go. If they've got a problem with a scrubber, let's give them some help, financially, what better place could I put it.

PRESIDENT:

Senator DeAngelis.

SENATOR DeANGELIS:

Well, Senator John, I am not arguing the merits of what you're using the money for. But the question that I did ask is that if you feel that strongly about it, why are you not taking at least a part of the money that you're taking away from General Revenue from the other two-thirds that's not going into the General Revenue fund? If this program is that good, then why not take it fairly across the board rather than take totally the money that's going to the General Revenue fund, the one-third, the other two-thirds is going to other taxing bodies, why not take some away from them? In fact, they aren't going to be the better beneficiaries of that as well.

PRESIDENT:

Any further discussion? All right, Senator Johns may close.

SENATOR JOHNS:

The real problem has been for centuries with who suffers the most. We've had this boom and bust cycle in the coal fields throughout all of the coal producing states. For example, Montana, who taxes coal at about six dollars a ton, says that had the Supreme Court ruled their test invalid, they would have lost their solvency in a few years. They are solvent today because of the severance tax. Oddly enough, Texas and a lot of the oil and gas states are fighting any kind of tax like this in Illinois, and I'll tell you why, they...they're going to have to pay for the coal...sixty-two percent of all of our coal is exported, but we pay a hundred and eighty million dollars a year to Texas for oil and gas leases and oil and gas produced and sent up here. They're rich on severance taxes of a different nature. So, Ladies and Gentlemen, we're way behind, Pennsylvania and Illinois are the only two major producing states that do not have a severance tax. This will be the lowest severance tax in the nation and I urge adoption of this amendment.

PRESIDENT:

All right. Senator Johns has moved the adoption of Amendment No. 3 to Senate Bill 1329. Any discussion? If not, all in favor signify by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDENT:

3rd reading. Next on the list is right down to page 1377. On the Order of Senate Bills 3rd Reading, Senate Bill 1377. Senator Savickas seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of Senate Bills, 2nd Reading, Senate Bill 1377, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator Savickas.

PRESIDENT:

Senator Savickas.

SENATOR SAVICKAS:

Yes, Mr. President and members of the Senate, Senate Bill 1377 would provide a transfer of the Chicago Fire Department paramedics from the Chicago Municipal Employee's Pension Fund to the Chicago Fireman's Pension Fund. This amendment was drafted pursuant to the original agreement between the Chicago Firefighter's Union and the City of Chicago and it provides the following: one, it would extend the Chicago Fireman's exemption from worker's compensation coverage to the Chicago paramedics; two, it would clarify the timing of the transfer from the Municipal Pension Fund to the fireman's fund. The paramedic service within the fund will commence January, 1981 pursuant to a contribution for service through January, 1983, and the third item, it eliminates contribu-

tions for salary amounts in excess of...permanent rank rates. And this will preserve the integrity of the fund by limiting windfall pensions for higher salaried administrative personnel. And I would move its adoption at this time.

PRESIDENT:

All right. Senator Savickas has moved the adoption of Amendment No. 1 to Senate Bill 1377. Any discussion? If not, all in favor signify by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDENT:

3rd reading. Senator Bruce, okay. The middle of page 10, on the Order of Senate Bills 3rd Reading is Senate Bill 1503. Senator Bruce seeks leave of the Body to return 1503 to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading, Senate Bill 1503, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator Buzbee.

PRESIDENT:

Senator Bruce.

SENATOR BRUCE:

Yes, I would...I would like to have leave of the Senate to handle this amendment in Senator Buzbee's absence.

PRESIDENT:

Is leave granted? Leave is granted. Senator Bruce.

SENATOR BRUCE:

The bill...the amendment that is being considered is to reimplement the Veteran's Scholarship Program which was in effect from 1975, I understand, until last year, and then through action it was deleted. And what this will do, by amendment, is to reimplement in its entirety the veteran's program which allows them a scholarship to any State college

or university or community college if they have served in the Armed Forces and were an Illinois resident when they did so or they returned to Illinois within six months after their discharge. The requirement, I think Senator Nimrod and others required in...in 1975 and forward, about that the fact that their discharge had to be honorable and all the requirements had to be met of service time, are reimplemented in this legislation.

PRESIDENT:

All right. Senator Bruce has moved the adoption of Amendment No. 1 to Senate Bill 1503. Any discussion? If not, all in favor...Senator Mahar.

SENATOR MAHAR:

Yes, thank you, Mr. President. I rise in support of this. I think this was a bill passed last year that had several amendments on the thing and somewhere along the line this got messed up. And I would certainly urge everyone to support the amendment.

PRESIDENT:

All right. Senator Bruce moves the adoption of Amendment No. 1 to Senate Bill 1503. If there's no further discussion, all in favor signify by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDENT:

3rd reading. 1534, Senator Netsch seeks leave of the Body...on the Order of Senate Bills 3rd is 1534. Senator Netsch seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading, Senate Bill 1534. Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 4 offered by Senators Netsch and Etheredge.

PRESIDENT:

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. This is essentially a technical amendment we found, rather the Republican staff found, in looking through the major amendment that was put on yesterday that in one rather critical point we did not include a reference to the very subject matter of this bill, which is the look alike drug legislation. This would add that reference at the appropriate point. I would move the adoption of Amendment No. 4 to Senate Bill 1534.

PRESIDENT:

All right. Senator Netsch has moved the adoption of Amendment No. 4 to Senate Bill 1534. Any discussion? If not, all in favor signify by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDENT:

3rd reading. Before we start again on Senate Bills 2nd, and there won't be too many of those, let's clear up some of this paper. Messages from the House.

ACTING SECRETARY: (MR. FERNANDES)

A Message from the House by Mr. Leone, Clerk.

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

House Bill 668, 960, 1733, 1913 and 2577.
Passed the House May 19, 1982. Anthony J. Leone, Clerk of the House.

Mr. President - I am directed to inform the Senate the House of Representatives has adopted the following joint

resolution, in the adoption of which I am instructed to ask concurrence of the Senate, to-wit:

House Joint Resolution 86. It's congratulatory and Senator Bowers is the Senate sponsor.

PRESIDENT:

Consent Calendar. Resolutions.

ACTING SECRETARY: (MR. FERNANDES)

Senate Resolution...539 offered by Senator Vadalabene and it's congratulatory.

PRESIDENT:

Consent Calendar. Introduction of bills.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1687 introduced by Senator Vadalabene.

(Secretary reads title of bill)

1st reading of the bill.

PRESIDENT:

Rules Committee.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there leave to go to the Order of Senate Bills 2nd Reading? Leave is granted. Senate Bill 1202, Senator Chew. 12...1231, Senator Sangmeister. 1243, Senator Philip. 1266, Senator Egan. Read the bill, Mr. Secretary, please.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1266.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Egan to explain Amendment No. 1.

SENATOR EGAN:

Yes, thank you, Mr. President and members of the Senate. The Committee Amendment No. 1 reduced the amount of exemption from fifteen hundred to five hundred. Simply that and I ask for its adoption.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is to adopt Amendment No. 1. Discussion on the motion? All in favor say Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further committee amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

Are there amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No amendments from the Floor.

PRESIDING OFFICER: (SENATOR BRUCE)

3rd reading. 1285, Senator Schaffer. 1292, Senator Simms. Read the bill, Mr. Secretary, please. For what purpose does Senator Rock arise?

SENATOR ROCK:

I wonder if the Senator would be kind enough to hold this. I understand there is at least one amendment and perhaps one or more. And...

PRESIDING OFFICER: (SENATOR BRUCE)

All right. Take it out of the record. Thank you, Senator Simms. 1296, Senator Marovitz. 1299, Senator Totten. 1321, Senator Netsch. 1324, Senator Grothberg. 13...we will be skipping the appropriation bills. Page 3 of your Calendar is Senate Bill 1368, Senator Friedland. 1383, Senator Collins. Employee-owned enterprises. All right. On page 6 of your Calendar, 1449, Senator Bloom. Senator Bloom. 1449, EPA rulings. We're on 2nd reading. Read the bill, Mr. Secretary, please, 1449.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1449.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

Are there amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

3rd reading. 1490, Senator Davidson. 1492, Senator Marovitz. Radiologists. 1496, Senator DeAngelis. Read the bill...the bill has been read a second time. May we have some order, please. This bill was read a second time and held on the Order of 2nd Reading. Are there further amendments, Mr. Secretary?

ACTING SECRETARY: (MR. FERNANDES)

The bill was read a second time and Amendments 1 and 2 adopted on May 19th. Amendment No. 3, Senator DeAngelis.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator DeAngelis is recognized.

SENATOR DeANGELIS:

Thank you, Mr. President and members of the Senate. When this bill was drawn up there was an honest concern by the insurance industry that if we're to have a truly competitive market, then it cannot be at the expense of subsidizing the residual market. And what Amendment No. 3 says, and it's a one line amendment, "Such rates shall reflect residual market experience to the extent it is actuarially appropriate." And what it essentially does is that it says, the residual market will have to stand on its own.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is...to...to adopt Amendment No. 3. Is there discussion of the motion? Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. I just want to call to the attention of the members that this is the amendment, Senator DeAngelis, as I recall, that gives the Director of Insurance to...the right to reimpose prior rate approval on worker's compensation. Is that not true? This is not the amendment?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator DeAngelis.

SENATOR DeANGELIS:

No, Senator Schuneman, I withdrew that other amendment. There was a new amendment passed out today. It's a one line amendment, Amendment No. 3.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Schuneman.

SENATOR SCHUNEMAN:

Then, do I understand that there will not be in the bill then, the...or the permission for the director to reimpose prior approval?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator DeAngelis.

SENATOR DeANGELIS:

No, that was Amendment No. 2 that we approved yesterday.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Schuneman.

SENATOR SCHUNEMAN:

So...so that amendment has been adopted then. I'm sorry, I had the...the amendments mixed up. Thank you.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is to adopt Amendment No. 3. Discussion of the motion? All in favor say Aye. Opposed Nay. The Ayes have it. Amendment No. 3 is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

3rd reading. For what purpose does Senator Maitland arise?

SENATOR MAITLAND:

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

PRESIDING OFFICER: (SENATOR BRUCE)

State your point.

SENATOR MAITLAND:

Mr. President, in the gallery on...on the left side of...on the left side, is the Broadwell, Illinois seventh and eighth grade class and with them is their principal, Mr. Omer and their teacher Mrs. Frech. I'd like them to stand and be recognized, please.

PRESIDING OFFICER: (SENATOR BRUCE)

Would our guests please stand and be recognized by the Senate. 1522, Senator Carroll. 1523, Senator Carroll. 1560, Senator Berman. 1566, Senator Etheredge. Read the bill, Mr. Secretary, please.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1566.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Etheredge on Amendment No. 1.

SENATOR ETHEREDGE:

Yes, Mr. President, Ladies and Gentlemen of the Senate, I would first request that Senator Sangmeister be shown as hyphenated co-sponsor with me on this bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there leave? Leave is granted.

SENATOR ETHEREDGE:

The first amendment...or first of all, I should say that the Calendar, I think...accurately describes the intent of the legislation. The...committee amendment, which was put on, adds the Joliet Civic Center Authority to this piece of legislation. And the second amendment...which...okay.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is to adopt Amendment No. 1. Discussion on that motion? All in favor say Aye. Opposed Nay. The Ayes

*SB 1566
2nd Reading*

have it. Amendment No. 1 is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 2 offered by Senator Etheredge.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Etheredge.

SENATOR ETHEREDGE:

The second amendment is an outgrowth of discussion in committee, and the essence of the amendment is to restrict the applicability of the change in law to facilities which are owned or controlled by the Aurora and Joliet Civic Center Authorities on the effective date of this legislation.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? The question is on the adoption of Amendment No. 2. On the motion, all in favor say Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

3rd reading. 1588, Senator Schaffer. Read the bill, Mr. Secretary, please.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1588.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Judiciary I offers one amendment.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Schaffer.

SENATOR SCHAFFER:

Mr. President, the committee amendment is a technical amendment and puts a couple of sections that were deleted in the drafting of the bill back into the Act.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is to adopt Amendment No. 1. Discussion on

that motion? All in favor say Aye. Opposed Nay.° The Ayes have it. Amendment No. 1 is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

Are there amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 2 offered by Senator Schaffer.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Schaffer.

SENATOR SCHAFFER:

Mr. President, Amendment No. 2 is the amendment that I agreed to put on with the committee that clarifies that the owner of the premise is also included under the provisions of the Act. That we...we thought it was clear, but this makes it crystal clear, and I think puts the bill in pretty good shape, subject to one possible addenda from my colleague on the other side, Senator Berman. We'll see on that.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is to adopt Amendment No. 2. Discussion? All in favor say Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

3rd reading. 1597, Senator Berman. 1624, Senator D'Arco. Annuities. 1632, Senator Taylor. 1645, Senator Gitz. 1651, Senator Bloom. 1654, Senator Schaffer. 1670, Senator Schaffer. There's one bill on the Order of Consideration Postponed that was amended today but would like to be considered today. Is there leave to go to the Order of Consideration Postponed? Senator Maitland, are you prepared to go to that order?

PRESIDENT:

All right. With leave of the Body, at the request of the sponsor, we'll move to page 18 on the Calendar, on the Order of Consideration Postponed, House Bill 497. Read the bill, Mr. Secretary, please.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 497.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Bill 497 as amended would delay the double State aid payment that is now made in the month of June each year, split that payment and allow the other half to be paid to the school districts in July, on or before those same dates. Those same dates would be July 10th and July 20th. The legislation would allow this to take place for two years, that's July of '82 and July of '83 after which the legislation self destructs. Further, interest is paid to the school districts for this loss in revenue. The amendment placed on this morning by Senator Bruce, and supported by all of us, clearly provides that the school districts will receive at least fifteen percent for this loss in revenue for the thirty day period. Additionally, the chances are very good that that interest will be paid much before the thirty day period and, therefore, that actually increases the...the revenue to the school districts. It is absolutely imperative, in my judgment, that this legislation pass. Clear to the State is falling short on revenue and to assure the school districts that they will get the money, at least by the month of July, I believe, indicates that the legislation should pass. The Governor has assured the school district that there will be no loss in revenue. I believe he is

committed to that, I certainly am and I urge for the support of House Bill 497.

PRESIDENT:

All right. On the question of the passage of House Bill 497, any discussion? Senator Johns.

SENATOR JOHNS:

Well, I just can't support it yet, even though it looks better. My County of Williamson supposedly will lose a million dollars in this proposition. I think the Governor is kind of taking the position of riding towards reelection on the backs of education and the funding of education. These are serious dollars, critical dollars that are needed as the administrators of the various school systems prepare their budgets. I hope that that second payment is forthcoming. It's supposed to be guaranteed but that has a way of disappearing. There are ways that an executive can tighten the controls over what is dispensed, and this bothers me to no end, because it's been proven that the Executive can hire people without our permission, and ask for the appropriation later, and bargain for it and get it. So, if you find me voting No on this, it's because of the convictions I've just expressed.

PRESIDENT:

Further discussion? Senator Schaffer.

SENATOR SCHAFFER:

Well, I'd just like to, if you will, reemphasize some of the comments Senator Maitland made. I believe it's an equitable plan, it's clearly something that most of us would rather not do. I think most of the school boards understand why we have to do it, and I think particularly those of us involved in the appropriations process are aware of the financial situation of the State, and simply put, if we want to leave here sometime in July with some semblance of a balanced budget and avoid unnecessary crises, we have very

little alternative. This is a, I think a bipartisan issue, it should have bipartisan support. It's one of those...one of the difficult things we're going to have to do this year, as I think some of the responsible members on both sides of the aisle are...are aware of now, and I suspect that we all will be by the time we finally adjourn this Session.

PRESIDENT:

Further discussion? Senator Demuzio.

SENATOR DEMUZIO:

Yes, thank you Mr. President. I have a question of the sponsor, if he will yield.

PRESIDENT:

Sponsor indicates he'll yield, Senator Demuzio.

SENATOR DEMUZIO:

Senator Maitland, can you tell me the rationale that was utilized by the administration in...in attempting to reduce...or the expenditures in this fiscal year in terms of this hundred and twenty-seven million dollars that's going to be rolled over into the next fiscal year? What criteria was utilized in...in punishing the elementary and secondary education for making the school districts have to go to...to the private market to borrow money in order for them to end their...their fiscal year? Why...why are we picking on the schools?

PRESIDENT:

Senator Maitland.

SENATOR MAITLAND:

Senator Demuzio, I...I guess I don't totally understand the purpose of your question, but I can tell you this, I don't believe we're picking on the secondary...elementary and secondary schools but rather we're assisting them. Keep in mind that in many years past the resource equalizer has from time to time been partially funded. The Governor is committed to making certain that those school districts get their

money even though it will be delayed by...by one month this year and one month next year. Clearly, if this legislation does not pass and the State runs out of money sometime in June, they will not get that revenue ever. This provides them with that money for certain.

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

Yes, Senator Maitland, I...I don't...I don't quarrel with the cash flow problem that we have. My question is, why are we specifically laying off into elementary and secondary, why not...corrections or higher education or to vendors in...in public aid or Medicaid, why just in the area of elementary and secondary? Now, back in January and February there was about a hundred million dollars worth of vouchers, as I recall correctly, that were slowed down by the administration that weren't being paid. And now I assume that those are...are on...being paid on a timely basis as well as the income tax refunds, but why are we simply specifically laying this thing off in...in elementary and secondary? That's all I want to know, why...why just this area?

PRESIDENT:

Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President. Clearly, elementary and secondary isn't the only agency who is being affected by the cash shortfall. We have laid off employees in virtually every agency in the State, mental health institutions have been closed, other agencies have...been asked to delay expenditures to subsequent years. So I...I believe, quite frankly, that if anything, elementary and secondary is coming out better because there will be no loss in revenue to them.

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

So, in essence, what you're saying is that we simply do not have a balanced budget in this fiscal year that we're currently operating under, that we have to roll over a hundred and twenty-seven million dollars of school aid payments in the next fiscal year in order to balance the budget. And if, in fact, we do that, can you tell me at what percentage that we will be funding elementary and secondary education in this school year? The Constitution provides for at least, I think, fifty percent. If we...if we delay a hundred and twenty-seven million dollars this year, can you...can you tell me at what percent we will be funding elementary and secondary for this fiscal year?

PRESIDENT:

Senator Maitland.

SENATOR MAITLAND:

Senator Demuzio, honestly, I...I can't give you an exact percentage, of course not. The...the elementary and secondary budget is...is something over two billion dollars as you well know. We are...we are diverting by one hundred and twenty-seven million dollars that amount to the month of July which is the next fiscal year.

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

Yes, I...I...I didn't think that you would have the exact percentages or anything of that nature and I didn't ask the question to be...to be nasty, I just wanted to point out that, you know, we are not even living up to the constitutional mandate that we are mandated to do in...in elementary and secondary. And, in fact, what we're doing...I think in the last five years, we have only at one time reached, I think, forty-five percent of the total funds allocated for elementary and secondary in the formula and have not met the

obligations of the Constitution, and I want to point out that we're going backwards instead of frontwards. Thank you.

PRESIDENT:

Further discussion? Senator Grotberg.

SENATOR GROTBORG:

Well, thank you, Mr. President and fellow members. I believe Senator Maitland has described in some detail what this whole situation is about, but I kind of get a little bit worked up from the other side of the aisle that indicates that this administration is putting its budget balancing effect on the backs of elementary and secondary...education when it is absolutely not. Everyone has read the bill, everybody knows what's in it. There is nothing in the Constitution, the former speaker allayed to, that says that the economy of Illinois shall always be batting at a hundred, not ninety. There is nothing in the Constitution that says the revenue shortfall is a mandate. Every year is a new ballgame. The fixed cost of doing business for the State of Illinois by its various departments has been manipulated to the advantage of the budget to try to save some money. This is another extension, every unit which is affected has borrowing policies, borrowing power and do it regularly, every school...district in the State of Illinois either has investments or debt and it's an everyday occurrence in their local community held harmless by this bill. There is really nothing at stake except the fact that we probably couldn't make the payment given the balance in the State Treasury if we didn't do this, Senator. And I...I resent fullheartedly the fact that the allegations of the...this administration or any...he's the Governor of all of the people. Most everybody in this room has been very supportive of this budget, but the rhetoric this time of the year, kind of... should be diminished, I think, when we come down to serving all of the people of Illinois and that's what this bill does.

PRESIDENT:

Further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. I rise in support of 497, but I do want to clear up a point that was made regarding why are we doing this to education rather than some other groups. First of all, what we're doing here essentially is postponing a payment. Now, if you postpone the payment of a payable, then what you're doing is asking that person to make up on their own the cash flow shortfall from doing that. In terms of education, and I might add, every school district in my district put out a resolution opposing this particular concept. I called up the board presidents and the superintendents and we had a little breakfast. And what the problem is with education as contrasted to other group, is that they, in fact, incur a budgetary deficit not a cash flow problem, because with the State aid anticipation notes that they can borrow against and other instruments, they can, in fact, meet any of their cash needs in this period of time. There will be no cash flow problem. In addition to that, they will be reimbursed at a figure higher than what they are, in fact, going to borrow for, so they make money on top of it. Now for those who don't need to borrow, who have enough, they will not incur a budgetary deficit, they will make some additional investment income. And I don't see any problem with doing this.

PRESIDENT:

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, I think we have to keep in mind there are about five middle western states that are operating in deficit financing, and goodness knows, I support education completely. We're not taking the money away from education, we're spacing it out a

little bit in order to give them a chance to...give the State a chance to stay in solvency, and the second...and the second point we have to keep in mind is that the schools can borrow money at much less interest...than the interest rate that they will be getting on the delayed payments. I think we...we got to be very realistic and realize that we are in an economic crunch, and we're not trying to make education suffer, they're going to get their money, but for heaven's sakes, I'm not going to go and vote for...a State income tax, like they've had to do in Michigan in order to get funds in. So I urge support of this bill.

PRESIDENT:

Further discussion? Senator Gitz.

SENATOR GITZ:

Mr. President and members of the Senate, the points have been made, I think, in detail about budgetary questions that affect the school districts and the delayed payment, but I submit to you there are two other issues at stake here. Number one is the fact that this is not a good proposal on yet another basis. By delaying the payment, you're going to pay an interest penalty. You're going to pay an extra one million, in fact, 1.7 million for the privilege of spacing that out, which is certainly not going to be good for the State of Illinois, not to mention that many school districts, even if they get an interest benefit, are not especially thrilled with this proposal. Now this is the first year, and in separate legislation we are proposing actually cut elementary and secondary education funds. Now if that isn't trying to balance the budget at the expense of education, I don't know what you call it. The fact of the matter is, is it's not simply delay the school payment or nothing. There are other proposals which are in the works, including some limitations on State employee salary increases, that some of us feel are a much superior alternative to this kind of

delayed payment schedule. We are doing two things, on a number of fronts we are making the plight of education and the local property taxpayer harder. We are secondly costing the State of Illinois budget more money to pay an interest penalty, that does not make good sense; and thirdly, we are ignoring the fact that there are other ways in a twelve billion dollar budget that we ought to be able to deliver the goods that are needed for an effective appropriation for local school districts and still keep the State solvent. On that basis I think this is truly unwise legislation.

PRESIDENT:

Is there any further discussion? Any further discussion? Senator Maitland may close.

SENATOR MAITLAND:

Thank you very much, Mr. President. I think the issue has clearly been debated. I think the Body must understand that in the event this legislation should fail, it's...it's very possible, it's inevitable, that school districts will take a substantial loss in revenue. The Governor has repeatedly been committed to education and funding it at the highest level possible. I think this clearly directs the money in the right area and, therefore, the legislation should pass. I would remind the Body that the bill is on postponed consideration, it's absolutely imperative, in my judgment, that the legislation pass then for that reason. Addressing Senator Johns' point about his school district losing one million dollars, I'd like to know the name of that superintendent because that simply cannot happen. If the State fails to balance its budget by the end of the year, clearly, this will affect the future financing of education because of increased bond costs and all those other things that will happen because the State has gone belly-up. This cannot allow to happen, I urge your support for House Bill 497.

PRESIDENT:

Question is, shall House Bill 497 as amended pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 31, the Nays are 13, none Voting Present. House Bill 497 as amended, having received the required constitutional majority is declared passed. Senator Johns, for what purpose do you arise? All right, with leave of the Body, we'll move to the Order of the Resolutions Consent Calendar. The Calendar has been distributed...Consent Calendar has been distributed. Mr. Secretary, any objections been filed?

ACTING SECRETARY: (MR. FERNANDES)

No objections have been filed.

PRESIDENT:

All right. If not, Senator Bruce moves the adoption...moves the adoption of Senate Resolution 531, 532, 533, 534, 535, 537, 538, 539 and House Joint Resolution, which was added with leave of the Body this morning, House Joint Resolution 86. Any discussion? If not, all in favor signify by saying Aye. All opposed. The Ayes have it. The resolutions are adopted. Senator Newhouse, for what purpose do you arise?

SENATOR NEWHOUSE:

Is Senator Hall on the Floor? Thank you, Mr. President. Today marks a momentous occasion in the life of one of our members. Senator Hall passed his 39th birthday today, and I'd just like this Body to recognize the fact that Senator Hall has reached age 39. Congratulations, Senator Hall.

PRESIDING OFFICER: (SENATOR BRUCE)

Message from the House.

ACTING SECRETARY: (MR. FERNANDES)

A Message from the House by Mr. Leone, Clerk.

Mr. President - I am directed to inform the Senate

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

House Bill 958. Passed the House May 19, 1983,
Anthony J. Leone, Clerk of the House.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there leave to go to the Order of Resolutions? Leave is granted. Resolutions, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Joint Resolution No. 95 offered by Senator Rock.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Rock is recognized...

ACTING SECRETARY: (MR. FERNANDES)

(Secretary reads SJR No. 95)

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I have asked...asked to be passed out the Senate schedule for the next two weeks and I would just like to call it to the attention of the membership. Senate Joint Resolution 95, which is now before us, calls for us to leave today, unless anybody wants to stay until tomorrow, but I haven't heard that expressed...good, Charlie, to return Monday at one o'clock, and the Committee on Executive Appointments will meet at noon just prior to the opening of the Session. But return Monday, May 24th at the hour of one o'clock, I would urge all the members to please be present and prompt. We will, at that point, I am sure...I'm hopeful, be able to get into the amendments on all the appropriation bills. We are confronted with a May 28 deadline. Senator Philip and I have discussed at some length the possibility and I underscore, possibility, of perhaps affording the membership a four day weekend by not working next Friday the 28th, and I am per-

fectly willing, as is he, to see if we can accommodate that. We have to, however, recognize that we do have a deadline, the 28th day of May is the last day to get Senate Bills out of the Senate. So, it's absolutely essential that we carry the load on Monday, Tuesday and Wednesday, in particular, so that we can try to do that. The following week then, we will be in on the first of June, which is a Tuesday after the Memorial Day weekend. And you will notice that is a short week. I am reliably informed there is an event of some interest to the members on the other side on Thursday, June 3rd, and rather than have you go up and come back, we just thought we'd take Friday off, but it's going to necessitate probably a little...a few longer hours than otherwise would be necessary. So I would urge everyone to please try to be here on Monday the 24th promptly at one o'clock so we can get going and accomplish what we have to accomplish that week. And so I would move you, Mr. President, that the rules be suspended and that Senate Joint Resolution 95 be immediately considered and adopted and sent to the House. The House has not yet indicated the day they are leaving this week, their deadline, as you are probably aware, is Sunday. And so there is a threat like a sword of Damocles hanging over the Chamber over there that they may have to work Saturday and/or Sunday. We'll leave them to their devices, I think we ought to go home right now.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is to suspend the rules for the immediate consideration and adoption of the resolution. On the motion to suspend, all in favor say Aye. Opposed Nay. The Ayes have it, the rules are suspended. On the motion to adopt, all in favor say Aye. Opposed Nay. The Ayes have it, the resolution is adopted. Any further...any further business? Senator Gitz.

SENATOR GITZ:

To remind the Body that Wednesday morning, May 26th, the Committee on the Reorganization of State Government will have to take formal action on Executive Orders 1 and 2 for 1982, and we have set that time aside to act on it by the deadline.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Buzbee.

SENATOR BUZBEE:

Yes, two things, Mr. President. Given the fact that the slow down the school aid payment bill just passed, it is necessary that we have an appropriation bill which will provide the interest money to those school districts which the Governor has promised them. So, therefore, at this time, I would move that House Bill 522, of which I believe Senator Kent is the sponsor, be discharged from the Senate Appropriations I Committee and be brought to the Floor onto the Order of 2nd Reading for the purpose of emasculating that bill and adding on...and for the purpose...for the purpose of...of putting the amendment on which will provide the interest money, and Senator Carroll is now upset because I'm moving bills out of his committee. So I would move that at this time, Mr. President.

PRESIDING OFFICER: (SENATOR BRUCE)

All right. The motion is...Senator...Senator Kent, that is your legislation, did you have comment?

SENATOR KENT:

I would...I would also move to discharge, yes.

PRESIDING OFFICER: (SENATOR BRUCE)

All right. Senator Buzbee has moved to discharge House Bill 522 from further consideration of the Appropriations I Committee and that the bill be placed on the Order of 2nd Reading. On the motion, all in favor say Aye. Opposed Nay. The Ayes have it. The bill is discharged and placed on the Order of 2nd Reading. Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I'd like to have the Journal show that Senator Becker, once again, was home convalescing from a illness.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Rock.

SENATOR ROCK:

Thank you. I would ask that the record also reflect the fact that Senator Donnewald is absent because of illness.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Buzbee.

SENATOR BUZBEE:

In reference to House Bill 522, I wonder if Senator Kent would be willing to go ahead and put that amendment on now so we would have it in the posture of being f...in...in its final passage form. It would save a day, and we can go ahead and get that voted out of here next week then. And, Mr. President, when you...when you finish with that order of business, you have a way of looking around and forgetting that I've got the mike, I have another piece of business I would like to conduct with you if you'll recognize me again.

PRESIDING OFFICER: (SENATOR BRUCE)

We've never turned your microphone off, Senator, your...you've got the Floor. Senator Kent, did you wish to do that? We...the Chair could apprise the members that, if you wish, we could read the bill a second time, advance it to 3rd and...and...and then debate the amendment next week. You won't lose any time, but if it's here we can do it. Senator Kent.

SENATOR KENT:

That would be fine, yes, Sir. Read it in its...

PRESIDING OFFICER: (SENATOR BRUCE)

All right, Mr. Secretary, read the bill a second time. The Secretary is getting a copy of the bill. Senator Buzbee, you had another matter. Senator, we'll just...hold this.

SENATOR BUZBEE:

Yes, while the Secretary is getting a copy of the bill, I would like, at this time, to ask leave of the Body to add Senator Rupp as a hyphenated sponsor with me on House Bill 327. So that would be Senator Buzbee-Rupp.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there leave? Leave is granted. Senator Johns.

SENATOR JOHNS:

I think if the record will show that properly, I've already asked for that privilege.

PRESIDING OFFICER: (SENATOR BRUCE)

All right. Well, then we'll add Senator Buzbee as a third. Is there leave for that procedure? Leave. We are on the Order of House Bills 2nd Reading, House Bill 522. Read the bill, Mr. Secretary, please.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 522.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

Are there amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator Kent.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Kent is recognized.

SENATOR KENT:

This amendment to House Bill 522 deletes the title and inserts the appropriation to the State Board of Education. It also deletes everything after the enacting clause and places the interest payments for the June split State aid payment.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is to adopt Amendment No. 1 to House Bill 522. On the motion, is there discussion? All in favor say Aye.

Opposed Nay. The Ayes have it, the amendment is adopted.

Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

3rd reading. Any further business to come before the Senate? Senator D'Arco moves that the Senate stand adjourned until the hour of 1:00 p. m. on May the 24th. On the motion, all in favor say Aye. Opposed Nay. The Ayes have it. The Senate stands adjourned.