

83RD GENERAL ASSEMBLY

REGULAR SESSION

JUNE 20, 1983

PRESIDENT:

The hour of noon having arrived, the Senate will please come to order. Will the members be at their desks and will our guests in the gallery please rise. Our prayer this afternoon by the Reverend Joseph F. Zimmerman from Our Lady of the Angels Seminary, Quincy, Illinois.

REVEREND JOSEPH F. ZIMMERMAN:

(Prayer given by Reverend Zimmerman)

PRESIDENT:

Thank you, Father. Reading of the Journal.

SECRETARY:

Thursday, June the 9th, 1983.

PRESIDENT:

Senator Luft.

SENATOR LUFT:

Mr. President, I move that the Journal just read by the Secretary be approved unless some Senator has additions or corrections to offer.

PRESIDENT:

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

SENATOR LUFT:

Mr. President, I move that reading and approval of the Journals of Tuesday, June 14th; Wednesday, June 15th and Thursday, June 16th, in the year 1983, be postponed pending arrival of the printed Journals.

PRESIDENT:

You've heard the motion as placed by Senator Luft. Any discussion? If not, all in favor signify by saying Aye. All opposed. The Ayes have it. Motion carries. It's so ordered. Messages from the House.

SECRETARY:

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

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

Senate Bill 84, together with House Amendment

1.

A like Message on Senate Bill 12 with House Amendment 1.

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

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

House Joint Resolution 59 and House Joint Resolution 60.

PRESIDENT:

Consent Calendar. Communication.

SECRETARY:

To the Honorable President of the Senate.

Sir - In compliance with the provisions of the Constitution of the State of Illinois, I am forwarding herewith Senate Bill 328, Public Act 83-7 that have been...the items have been reduced by the Governor.

Signed, James Edgar, Secretary of State.

PRESIDENT:

Resolutions.

SECRETARY:

Senate Resolution 252 offered by Senator Carroll, and it's congratulatory.

And Senate Resolution 253 offered by Senator Lemke, and it's congratulatory.

PRESIDENT:

Consent Calendar. If I can have your attention, while the members are making their way to the Floor from their offices, we have a couple of special guests and the Chair

will yield to Senator Davidson.

SENATOR DAVIDSON:

Thank you, President Rock, Colonel. Ladies and Gentlemen of the Senate, I'd like to present to you a person who by his activity and devotion to it, as well as a number of other people, make some of us who were in World War II take thirty-eight years off our life. I'd like to present to you Colonel Hoxey, Colonel of the Confederate Air Force which has a B-29 and the only flying...remaining flying B-24 in the United States out at Springfield Airport. They're going to be here till Friday, the 25th...excuse me, 24th. Appreciate the opportunity to give your attention to Colonel Hoxey for a few minutes because the only reason they're here, they blew an engine on that 24 and had to land here, and they stay afloat...or in the air by donations. I put my two dollars in to see them so I...I'm putting in a little extra. Vince, you're next. Colonel Hoxey.

COLONEL HOXEY:

(Comments made by Colonel Hoxey)

SENATOR DAVIDSON:

Colonel. Ladies and Gentlemen it's a pleasure to introduce to you, to show you that we have beauty reign supreme in the Springfield area, I introduce to you Miss County Fair Queen who happened to be Miss Sangamon County from Springfield. I'd like to introduce to you Miss Teenager of Illinois, Brenda Scarbrough from Rochester and her grandmother, Mrs. Hutchinson. Brenda.

BRENDA SCARBROUGH:

(Comments made by Brenda Scarbrough)

SENATOR DAVIDSON:

And before I present Brenda this resolution I would like to introduce her mother and father and younger sister who are sitting in the south gallery. They wanted to be up where they could see her from the Podium rather than be here on the

Podium with us, Mr. and Mrs. Scarbrough and your daughter, Brenda, on behalf of the members of the Illinois Senate I'd like to present to you Senate Resolution 154 in recognition of your honor that you have won. Wish you best wishes to come back with Miss Teenager of America when you're in the contest. Best of luck to you. President Rock, you want to leave it in my hands or do you want to come back?

PRESIDENT:

Senator Luft, for what purpose do you arise?

SENATOR LUFT:

Thank you, Mr. President. Originally, I thought I was listed as the hyphenated sponsor of Senate Bill 149. I see that I am not, and I would ask leave to be so recorded at this time.

PRESIDENT:

Alright. Senator Luft seeks leave to be added...shown as a cosponsor of Senate Bill 149. Is leave granted? Leave is granted. Senator Lemke, for what purpose do you arise?

SENATOR LEMKE:

I'd like to have leave to hear Senate Resolution 253 for immediate consideration so we can have it printed up for the fellow that's going to be here tomorrow.

PRESIDENT:

Senator Lemke seeks leave of the Body to go to the Order of Resolutions to take Senate Resolution 253 which was just introduced and assigned to the Consent Calendar. He asks leave to consider it immediately for its immediate adoption. Is leave granted? Leave is granted. On the Order of Resolutions, Senate Resolution 253. Senator Lemke.

SENATOR LEMKE:

I'd like to have this approved. This is a resolution for Chief White Buffalo, Tom Greenwood who's one of the founders of the Illinois-Michigan Canal who will be here tomorrow. So, I ask for its immediate consideration.

PRESIDENT:

Alright. Senator Lemke has moved the immediate adoption of Senate Resolution 253. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The resolution is adopted. If I can have your attention, we'll turn to Page 63 on the Calendar. We will begin with House bills 2nd reading and at the conclusion of 2nd reading, we will go immediately to House bills 3rd reading, and we will be working until approximately six o'clock this evening. And we will start tomorrow morning at nine and work...again until about six. On the Order of House Bills 2nd Reading, House Bill 26, Senator Egan. House Bill 43, Senator Netsch. House Bill 207, Senator Smith. House Bill 234, Senator Bruce. House Bill 321, Senator Netsch. House Bill 333, Senator Joyce. 375, Senator Savickas. 384, Senator Keats. 384. On the Order of House Bills 2nd Reading, House Bill 384. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 384.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Are there amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Keats.

PRESIDENT:

Senator Keats.

SENATOR KEATS:

This is a Compensation Review Board amendment that we will discuss more later, we'd like to put on now. It is my own amendment to my own bill.

PRESIDENT:

Alright. Senator Keats has moved the adoption of Amendment No. 1 to House Bill 384. Any discussion? If not, all

in favor signify by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. 417, Senator Sangmeister. On the Order of House Bills 2nd Reading is House Bill 417. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 417.

{Secretary reads title of bill}

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

PRESIDENT:

Senator Sangmeister on Committee Amendment No. 1.

SENATOR SANGMEISTER:

Thank you, Mr. President and members of the Senate. On Committee Amendment No. 1, added in committee, was additional compensation to an unremarried, surviving spouse of a law enforcement officer or fireman who was killed in the line of duty. And I would move the adoption of that amendment.

PRESIDENT:

Alright. Senator Sangmeister has moved the adoption of Amendment No. 1 to House Bill 417. Any discussion? If not, all in favor signify by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 477, Senator Bruce. 485, Senator Marovitz.

495, Senator Marovitz. 499, Senator Demuzio. On the Order of House Bills 2nd Reading is House Bill 499. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 499.

{Secretary reads title of bill}

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 502, Senator Demuzio. On the Order of House Bills 2nd Reading is House Bill 502. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 502.

{Secretary reads title of bill}

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 506. 511, Senator Netsch. 519, Senator Welch. 524, Senator Netsch. 530, Senator Coffey. 537, Senator Kustra. 538. 541, Senator Maitland. 557, Senator Philip. 563, Senator Demuzio. Senator Demuzio on 563. 564. 577, Senator Marovitz. 606, Senator Netsch. 619, Senator Buzbee. 620, Senator Euzbee. '643, Senator D'Arco. 663. There are a number of amendments filed and the members aren't here. With leave of the Body we can get back to that. 667, Senator Demuzio. On the Order of House Bills 2nd Reading, House Bill 667. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 667.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Demuzio.

PRESIDENT:

Senator Demuzio, Floor Amendment No. 1 to House Bill 667.

SENATOR DEMUZIO:

...Mr. President, just take it out of the record.

PRESIDENT:

Take it out of the record, Mr. Secretary. 684, Senator Demuzio. On the Order of House Bills 2nd Reading, House Bill 684. Read the bill, Mr...take it out of the record. 695, Senator Darrow. 700, Senator Schaffer. Senator Demuzio, you want to take over, I've got an amendment for this one? Well, I'm sorry, it was...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Alright. On the Order of 2nd Reading, middle of Page 66, House Bill 700, Senator Schaffer. Senator Schaffer. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 700.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Schaffer.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schaffer.

SENATOR SCHAFFER:

Mr. President and members of the Senate, as will become obvious very shortly, this bill is the one that creates the separate board for Northern Illinois University. In the course of the committee hearings there were some technical errors spotted in the bill. There was some concerns by the library people about some of the ramifications of the language. With this amendment we have addressed all of those problems so that no one is negatively impacted. We repeal the provision for a secret ballot election for chairman of the Board of Trustees which some people did not think was appropriate, and in general have attempted to meet the concerns of everyone that was discussed in the committee.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schaffer moves the adoption of Amendment No. 1 to House Bill 700. Is there any discussion? All those in favor will signify by saying Aye. Opposed Nay. The Ayes have it. The amendment is adopted. Any further amendments?

SECRETARY:

Amendment No. 2 offered by Senator Rock.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Mr. Secretary, which one is 2? I have two amendments placed with you.

SECRETARY:

I...the LRB number on the one that I have in that order is...

SENATOR ROCK:

Just the last two...the last two numbers.

SECRETARY:

...04.

SENATOR ROCK:

04, okay.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Amendment No. 2 would do essentially the same thing that we tried to do some years ago with Senate Bill 16 during the 79th General Assembly. It would create...if we are going to do this separate board for Northern, this would create a separate board for Southern, so that the Edwardsville campus and the Carbondale campus would each have a separate board and...they would have the same benefit from separate boards as that alleged by House Bill 700 unamended, and I would move the adoption of Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Alright. Senator Rock has moved the adoption of Amendment No. 2 to House Bill 700. Is there any discussion? Oh, Senator Schaffer.

SENATOR SCHAFFER:

Well, there are reasons and there are real reasons. I...the next amendment gives the University of Illinois Chicago Circle an independent board. I think what we have here is a somewhat thinly disguised attempt to torpedo Senate bill...or House Bill 700, and I...I would hesitate to even consider an amendment such as this without Senator Buzbee on the Floor. I would respectfully suggest that perhaps arguments...and Senator Vadalabene is here to defend his interest, we're happy to see. I would respectfully submit that we should not muddy these issues. I would respectfully request an opportunity to hear the bill in its pure, pristine form, to quote the much venerable President of the Senate. And those of you who like it hopefully will support it, and those of you who do not like it would at least let it give...give yourself an opportunity to vote...against it in its purest form. This is an important issue in the northern part of the

State and with one university. I would not propose to muddy the waters by this amendment whose motivation is transparent.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Alright. Any further discussion? Senator Johns.

SENATOR JOHNS:

Did I understand the President to say that there would be separate boards for SIU-E and SIU-C?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

That is correct.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Johns.

SENATOR JOHNS:

Appointed by the Governor as usual?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Yes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Johns.

SENATOR JOHNS:

I'd like to see them elected instead of appointed, 'cause they're not doing the job for SIU-C, period, and all the rest. Would you consider an amendment to that bill to make it elective?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Well,...I've been characterized as, at least, transparent with this amendment. I'm not sure we want to start electing boards of trustees to universities. My purpose in this amendment is to make it obvious that if we're going to consider doing this for a member school of the Board of Regents,

that perhaps it's not a bad idea and we ought to do it for other universities. And...so my amendments will address...Amendment No. 2 addresses SIU Edwardsville and Carbondale, and Amendment No. 3 will address, obviously, the University of Illinois, Champaign and Circle. But, yes, I will...certainly, I will consider an amendment...I just don't happen to agree that the boards of trustees of...of these universities ought to be elected, although we elect them for the U of I. I suppose your rationale is...is alright.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Alright. Any further discussion? Senator Jeremiah Joyce.

SENATOR JEREMIAH JOYCE:

Well, would Senator Johns consider an amendment to his amendment to Senator Bock's amendment to...you know, where are we going? If you want to do this, you know, why don't you do it on your own bill. If you're going to stand up and want to kill the bill, why don't you just stand up and say you want to kill the bill and let's move on.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Alright. Further discussion? Senator Grotberg.

SENATOR GROTBERG:

Well, thank you, Mr. President. Not in the same tone as the previous speaker but with the same thrust, this bill has come quite a way, a lot of work has gone into it and I think this Legislature will be back every year from now until perpetuity. I think, Senator Rock, that your idea may not be all bad in the long-run. But let us see what happens if we keep this bill pure and pristine and begin the process of divesting huge universities of a system of systems and into a pilot project for individual boards which has its economies, its sense of purpose and a whole lot of things that follow. I would ask you to reject the Rock amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Welch. Further discussion?
Senator Euzbee.

SENATOR EUZBEE:

Thank you. I...I'm not sure if I'm for this amendment or against it because the bill is a horrible idea, and perhaps if...if we put the amendment on it will make it even more horrible, and perhaps it will kill the bill, I don't know. But it was decided by the Illinois General Assembly years and years and years ago that they would go to a system of systems of governance for institutions of higher education...partially it was done as a self-defense mechanism because the universities had been able to gather so much clout in the General Assembly that they were able to get just everything that they asked for and more. And finally, the General Assembly said we've got to defend ourselves and they...and they came up with the idea of the system of systems. Now, I don't know what Northern's particular complaint is as to why they want to be able to pull out and go on their own; but if you do this, then the next thing we'll be doing is we'll have a separate board for Sangamon State, a separate board for Governor's State, perhaps we can take the SIU Medical School here in Springfield and elect a separate board for that, which no doubt would require that only doctors be eligible to run, I guess, as board members because otherwise who else would know anything about running a medical school, right? As a matter of fact, the University of Illinois has, I think, been very accommodating to the interest in the City of Chicago as of...late when they now have changed the name of that school from University of Illinois Chicago Circle to University of Illinois Chicago Campus. Then, there's the University of Illinois Urbana-Champaign Campus. SIU is known as SIU Carbondale and SIU Edwardsville. It has worked well. The current chancellor of that university, as a matter of fact, happens to have been the previous president of

Edwardsville, the smaller of the two campuses, and they decided to elevate him to be the chancellor of the whole system. It's worked very well. I don't think it's a good idea to...to start having separate boards for every school...every university in this State.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Alright. Further discussion? Senator Vadalabene.

SENATOR VADALABENE:

Well, I'm not going to speak too much longer on it. I remember the fight that Senator Buzbee and I had about ten years ago when I separated SIU Edwardsville from SIU Carbondale. And if all of you remember the great Governor who had a legend of zero, Governor Dan Walker, who vetoed the bill. So, I...I like the concept, President Rock, and I will be supporting your amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Alright. Further discussion? Further discussion? Senator Rock may close.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I am quite serious about these amendments and intend to vote for the bill as amended. Underlying reason being that if we are going to have a fundamental realignment of the governance of some of these institutions of higher education, then it really ought not to be piecemeal, we ought not do it one at a time, let's do more than one at a time, particularly those that I think are major universities that, perhaps, ought to have. I supported Senator Vadalabene's bill, as I recall, and the Governor vetoed it. But perhaps it's time to reconsider that. And I applaud Senator Schaffer for affording us this opportunity, and I urge the adoption of Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock moves the adoption of Amendment No. 2 to

House Bill 700. All those in favor will signify by saying Aye. Opposed Nay. Ayes have it. There's been a request for a roll call. Those in favor of...of the adoption of Amendment No. 2 to House Bill 700 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 26, the Nays are 23, the...none voting Present. Senate...Senate Amendment No. 2 to House Bill 700 is adopted. Any further amendments?

SECRETARY:

Amendment No. 3 offered by Senator Rock.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Amendment No. 3 is...is one that does essentially the same thing for the major university in our State. It would afford the University of Illinois Chicago Circle a separate governance board, and I think this is something, frankly, that is long overdue. The University of Illinois Circle enjoys a larger student population than the subject of House Bill 700 in its pristine form. And it seems to me again that if we are to have a fundamental realignment in the governance of the institutions of higher learning, this is the big one. And I would urge the adoption of Amendment No. 3.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock moves the adoption of Amendment No. 3 to House Bill 700. Is there any discussion? Senator Schaffer.

SENATOR SCHAFFER:

I was just wondering if Senator Rock was in support of the bill and how many votes that brought with. I've got a few, we put them together we can do this thing if you're serious. That House sponsor I've got over there is pretty

effective, he might get concurrence in this if we really want to do it, but we have to get the bill through the Senate. I just...I think I've got about twelve votes over here, can you get me the rest over there and we'll put this thing through? Let's do a little negotiation right here on the Floor. I mean, I'm willing to go on with this if that's what the people from Chicago want. The people from Northern Illinois want a separate board. I always kind of figured those people at the Circle were kind of proud to have that University of Illinois stamp on their diploma. I thought it worth...made it worth a little bit more money, to be honest with you; the prestige of a longstanding State institution. But if Chicago wants to tell Champaign to go to blazes, who am I to stand in their way? But if we're going to do it, let's push it all the way to the Governor's Desk. I suspect he might even sign it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Alright. Further discussion? Senator Weaver.

SENATOR WEAVER:

Question of the sponsor, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Weaver.

SENATOR WEAVER:

I haven't seen this amendment, Senator Rock, but does...does this also include the medical center?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Yes, it...it is the University of Illinois at Chicago. Therefore, it does include the medical center. Yes, sir.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Alright. Any further discussion? Senator Weaver.

SENATOR WEAVER:

Well, you...you referred to the circle campus and I just

wondered whether your amendment was drafted to take care of the total activity up there. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Alright. Any further discussion? Senator Rock has moved the adoption of Amendment No. 3 to House Bill 700. All those in favor will signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No...there's been a...Senator Rock.

SENATOR ROCK:

Well, that...that request is in order. Then, I would only like to be afforded the opportunity to have a closing remark. The gentleman indicated that he has, in the usual disproportionate fashion, less than a full majority for passage of this if amended. I intend...with the adoption of Amendment No. 3, I intend to support House Bill 700. Now, how many...how many others over here I, frankly, haven't taken a head count. But I would suggest again that the fundamental reason, if House Bill 700 is good for NIU, and perhaps it is in the judgement of some, then it's certainly good for the two other major universities in our State, and certainly for the University of Illinois at Chicago. And I would urge the adoption of Amendment No. 3.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Alright. There's been a request for a roll call on the...on the adoption of Amendment No. 3. 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 28, the Nays are 21, 1 voting Present. Amendment No. 3 to House Bill 700 having received the required number of votes is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. House Bill 716, Senator Rigney. House Bill

HB 741
2nd Reading

717, Senator Rigney. 726, Senator Bruce. 741, Senator Marovitz. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 741.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senators Marovitz and Bloom.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Alright. Senator Marovitz.

SENATOR MAROVITZ:

Can I see a copy of that amendment? Amendment 2. Oh, okay. Yeah, I'm sorry. Alright. Amendment No. 1 which is sponsored by myself and Senator Bloom is a JCAR amendment which just puts the Act in compliance so that there will be publishing in the Illinois Register, and it's a JCAR amendment, only technical in nature. I would ask for the adoption of Amendment No. 1 to House Bill 741.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...Senator Marovitz has moved the adoption of Amendment No. 1 to House Bill 741. Is there any discussion? If not, all those in favor signify by saying Aye. Opposed Nay. The Ayes have it. The amendment is adopted. Any further amendments?

SECRETARY:

Amendment No. 2, by Senator Marovitz.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. Amendment No. 2 clarifies that the...that the bill will not apply to containers which are...large containers

which are transferring pesticides back and forth multiple times a day. It is an agreed amendment. I would ask for the adoption of Amendment No. 2 to House Bill 741.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz moves the adoption of Amendment No. 2 to House Bill 741. Is there any discussion? If not, all those in favor will signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. House Bill 744, Senator Kent. Top of Page 67, 747. House Bill 747, Senator Egan. 749, Senator Smith. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 749.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the floor?

SECRETARY:

Amendment No. 1 offered by Senator Smith.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Smith.

SENATOR SMITH:

Thank you, Mr. President and members of the Senate. This Amendment No. 1 to House Bill 749 is merely a technical change.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Smith moves the adoption of Amendment No. 1 to House Bill 749. Is there any discussion? If not, all those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

AB 764
2nd Reading

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. House Bill 758, Senator Newhouse. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 758.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Alright. Senator Newhouse, Amendment No. 1.

SENATOR NEWHOUSE:

Yes, Mr. President. This amendment eliminates the opposition of the Pension Laws Commission. What it does is it replaces the active fireman whose term expires after the effective act of this date with the president of the Chicago Firefighter's Union, and I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Newhouse moves the adoption of Amendment No. 1 to House Bill 758. Is there any discussion? If not, all those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. House Bill 764, Senator Chew. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 764.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. House Bill 767, Senator Bruce. 787, Senator Newhouse. Middle of Page 67, 787. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill...787.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. House Bill 793, Senator Smith. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 793.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. House Bill 799, Senator Collins. House Bill...814, Senator Maitland. House Bill 854, Senator D'Arco. House Bill 888, Senator Sommer. House Bill 932, Senator Newhouse. Top of Page 68, 952, Senator Grothberg.

Alright. On the Order of 2nd Reading, top of Page 68, House Bill 952. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 952.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Grotberg.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Grotberg.

SENATOR GROTEBERG:

Thank you, Mr. President and fellow members. Amendment No. 1 to...House Bill 952 is, in fact, the optometric eye drop bill that was passed out of here with thirty-eight votes, and as it got massaged around the perimeter of the House toward the deadlines, it went down by one vote. And I have been requested to offer it again so that the House sponsor would have time to work on a concurrence motion to, by all means, try again. And without further...delay of the proceedings, I speak only to the urgency of this well-deserved bill that went out of here with such a formidable vote. I move the adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Alright. Senator...Senator Grotberg has moved the adoption of Amendment No. 1 to House Bill 952. Is there any discussion? Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I rise in opposition to Amendment No. 1 to House Bill 952, and would remind the membership that this is the last ten days of the Session. We did, in fact, over my objection, among others, pass Senate Bill 450 out of this

Chamber. The House saw fit not to pass it. Amendment No. 1 is Senate Bill 450. Now, it just seems to me that...I suppose we're going to see enough of this kind of thing anyway because the House, in fact, has not dealt with all the Senate bills. But this is the one that...that allows someone less qualified than a medical doctor to, in fact, utilize something on one's eyes. And as much as I disagreed with it then, I disagree with it now, and I certainly don't see any justification for putting it on by amendment. This Chamber in committee and on the Floor had an opportunity to consider this, as did the House; the House chose to defer consideration of it, apparently, or hopefully to kill it. But we ought not to be resurrecting a subject with that kind of controversy by virtue of an amendment. So, I would urge...the defeat of Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Alright. Any further discussion? Senator Grotberg may close.

SENATOR GROTEBERG:

Well, thank you, again, Mr. President. In due respect to the former speaker, if you will recall the...the well-educated program that went on here on House bill...Senate Bill 450, and the conviction with which we sent this bill over to the House. Every one of your optometrists sought you out, explained it thoroughly to you, and when it got to the Senate, there was another organization in the State of Illinois that did some rather effective work with some cooperation from House leadership that denied a couple of votes to this bill from being passed at a very inopportune time. I urge, in spite of the last ten days of the Session, that this is one worthy bill that is worthy of sending back to get a roll call on concurrence or nonconcurrence when there is a full membership on the Floor of the House. And you and I have each had our turn at that battle in both

Houses. I, again, submit everyone that can support your optometrist on House bill...on Senate Bill 450, this is the time to stand up and be counted, and let's try it fair and square. I move for an Aye vote and ask and plead with you to support me in this amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Alright. Senator Grotberg has moved the adoption of Amendment No. 1 to House Bill 952. All those in favor will signify by saying Aye. Opposed Nay. The Ayes have it. Ayes have it. The amendment is adopted. Any further...alright. There's been a request for...there's been a request for a roll call. All members be in their seats. Those in favor of the adoption of Amendment No. 1 to House Bill 952 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 38, the Nays are 9, none voting Present. Amendment No. 1 to House Bill 952 having received the majority vote is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. We have had a request from Peoria WRAU-TV to...requests permission to film the proceedings. Is leave granted? Leave is granted. Ladies and Gentlemen, if we could have your attention, we have a very, very special guest with us today, and I would like at this time to turn the proceedings over to Senator John D'Arco for the introduction of a special guest. Senator D'Arco.

SENATOR D'ARCO:

Thank you, Senator Demuzio. We are very privileged and honored today to have with us the Counsel General of Italy in Chicago. Claudio Fherrari. Mr. Fherrari will deliver a few remarks to us concerning the relationship of Italy and the

HB 960
2nd reading

United States. And with that, I would introduce the Counsel General, Mr. Fherrari.

COUNSEL GENERAL, MR. FHERRARI:

(Comments made by Mr. Fherrari)

PRESIDING OFFICER: (SENATOR DEMUZIO)

Top of Page 68, on the Order of 2nd Reading, House Bill 960. Senator Kustra. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 960.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President and members of the Senate. The original bill in increasing the threshold of income from twenty-five to thirty-five thousand dollars, as that being required for filing economic interest statements, exempted collective bargaining employees from filing requirements. The committee requested that that be taken out and that's what this amendment does. I move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Alright. Senator Kustra moves the adoption of Amendment No...Amendment No. 1 to House Bill 960. Is there any discussion? If not, all those in favor will signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Amendment No. 2 offered by Senator Kustra.

HB 985
2nd Reading
HB 963
2nd Reading

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President. This amendment deletes the provision which would allow the Department of Commerce and Community Affairs to index the filing threshold to the growth of personal income in Illinois. Again, this is an amendment requested by the committee. I move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kustra moves the adoption of Amendment No. 2 to House Bill 960. Any discussion? If not, all those in favor signify by saying Aye. Opposed Nay. The Ayes have it. The amendment is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. House Bill 963, Senator Savickas. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 963.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. House Bill 985, Senator Welch. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 985.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Welch.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. The purpose of this amendment is to correct a defect in the method in which Illinois Commerce Commission members are appointed and reappointed. What this amendment does is state that if the Senate refuses to consent to the appointment of any member to the Illinois Commerce Commission, such office shall be deemed vacant, and within two weeks of the date the Senate refuses to consent to the reappointment of any member, such member shall vacate such office. What we have here is an attempt, now that Mrs. Schmid is no longer in office, to do away with the problem we had where she kept serving on the commission three months after we voted her not to be reappointed. I think that with that issue out of the way we can address this particular question without worrying about any individual personalities, and I would move for the adoption of this amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Alright. Senator Welch has moved the adoption of Amendment No. 1 to House Bill 985. Any discussion? All those in favor signify by saying Aye. Opposed Nay. The Ayes have it. The amendment is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. House Bill 1017, Senator Kelly. Read the bill, Mr. Secretary, please.

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END OF REEL

REEL #2

SECRETARY:

House Bill 1017.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. House Bill 1029, Senator Euzbee. House Bill 1032, Senator Smith. Read the bill, Mr. Secretary, please. On the Order of 2nd Reading, House Bill 1032.

SECRETARY:

House Bill 1032.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. House Bill 1038, Senator Schaffer. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 1038.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. House Bill 1045, Senator Marovitz. House Bill 1054, Senator Kelly. House Bill 1055, Senator Jerome Joyce. House Bill 1057, Senator Schaffer. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 1057.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. House Bill 1079, Senator Egan. House Bill 1081, Senator Egan. House Bill 1083, Senator Marovitz. All right. On the Order of 2nd Reading, the top of page 69, House Bill 1083. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 1083.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. House Bill 1086, Senator Marovitz. Read the bill, Mr. Secretary, please. On the Order of 2nd Reading, House Bill 1086.

SECRETARY:

House Bill 1086.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

HB 1144

HB 1155
2nd Reading

2nd reading

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PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. House Bill 1100, Senator Marovitz. House Bill 1101, Senator Bloom. House Bill 1108, Senator Welch. House Bill 1138, Senator Bloom. House Bill 1143, Senator Maitland. 1144, Senator Savickas. Read the bill, Mr. Secretary, please. At the bottom of page 69, on the Order of 2nd Reading, House Bill 1144, Mr. Secretary.

SECRETARY:

House Bill 1144.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Top of page 70, 1155, Senator Marovitz. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 1155.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Marovitz.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you...thank you, very much, Mr. President and mem-

bers of the Senate. Amendment No. 1 to House Bill 1155 was an amendment requested by the utility companies as well as the Commerce Commission. It clarifies that the bill only applies to electric power or electric energy, and I would ask for the adoption of Amendment No. 1 to House Bill 1155.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Marovitz moves the adoption of committee...Amendment No. 1 to House Bill 1155. Is there any discussion? All those in favor signify by saying Aye. Opposed Nay. The Ayes have it. The amendment is adopted. Any further amendments?

SECRETARY:

Amendment No. 2, by Senator Marovitz.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

I...I think they may be duplicate amendments. So, if I could see the two amendments, I think perhaps we're only want to adopt one.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Amendment No. 2, Senator Marovitz.

SENATOR MAROVITZ:

...Mr...yeah, Mr. President, I'd like to...having voted on the prevailing side of the adoption of Amendment No. 1, I want to reconsider the vote by which Amendment No. 1 was adopted...for the purpose of Tabling the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Marovitz having voted on the prevailing side moves to reconsider the vote by which Amendment No. 1 was adopted. All those in favor signify by saying Aye. Opposed Nay. The Ayes have it. The amendment is now reconsidered. Senator Marovitz now moves to withdraw Amendment No. 1...all right, Senator Marovitz now moves to Table Amendment No. 1 to House Bill 1155. All those in favor sig-

nify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is Tabled. Further amendments?

SECRETARY:

Amendment No. 2 offered by Senator Marovitz.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Amendment No. 2 is identical to Amendment No. 1 which I just explained, only it is technically correct whereas Amendment No. 1 was not technically correct. It...it clarifies that the bill applies only to electric power or electric energy and I would ask for the adoption of Amendment No. 2 to House Bill 1155.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz moves the adoption of Amendment No. 2 to House Bill 1155. Is there any discussion? If not, all those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. House Bill 1178, Senator Bruce. House Bill 1179, Senator Collins. 1182, Senator Davidson. 1187, Senator Berman. 1192, Senator Bloom. All right, on the Order of 2nd Reading, the middle of page 70, 1192. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 1192.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Philip.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Philip, Amendment No. 1.

SENATOR PHILIP:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This provides one clerk for each of the Supreme Court Justices at the rate of twenty-five thousand dollars per year. I move the adoption of Amendment No. 1 to House Bill 1192.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Philip moves the adoption of Amendment No. 1 to House Bill 1192. Is there any discussion? Senator Keats.

SENATOR KEATS:

A question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield.

SENATOR KEATS:

What bill number was this when we defeated it?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Philip.

SENATOR PHILIP:

I haven't the slightest idea. This is House Bill 1192.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Keats.

SENATOR KEATS:

I appreciate that, my leader. It's just that this was a House bill that if my memory was, got eighteen votes, I think. I was just wondering who the sponsor of this one was when the Senate in its wisdom blew it out of here. I mean it...it didn't even get, I think eighteen votes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Any further discussion? Senator Philip may close.

SENATOR PHILIP:

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

HB 1196
2nd Reading

Senate. I...I might remind the distinguished Senator that the chief...the justices only have two clerks at this point, most of them are running behind on caseloads. As you know the courts are overburdened with all kinds of unusual cases. The senior clerks make twenty-nine thousand now, the junior clerk, twenty-seven. We thought a reasonable salary for an additional clerk was twenty-five thousand. I move the adoption of Amendment No. 1 to 1192.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Philip moves the adoption of Amendment No. 1 to House Bill 1192. Is there any further discussion? All those in favor will signify by saying Aye. Opposed Nay. The Ayes have it. The amendment is adopted. There's been a request for a roll call. Will all members please be in their seats. The question is, shall...House Amendment...the question is, shall Amendment No. 1 to House Bill 1192 be adopted. 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 29, the Nays are 19, none voting Present. Amendment No. 1 to House Bill 1192 having received the required majority vote is declared adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. House Bill 1196, Senator D'Arco. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 1196.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Insurance and Licensed Activities offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator D'Arco, Amendment No. 1.

SENATOR D'ARCO:

All right. I...I would move to Table Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator D'Arco moves to Table Amendment No. 1 to House Bill 1196. All those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is Tabled. Any further amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. All right. Is there leave to return House Bill 1196 to the Order of 2nd Reading? Leave is granted. On the Order of 2nd Reading, House Bill 1196.

SECRETARY:

Amendment No. 2 offered by Senator D'Arco.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. What Amendment No. 2 provides is that permanent waiving which has always been in the definition now will be included in the curriculum as it was previously and unfortunately was taken out by the prior amendment and we eliminated that. So I would move to adopt Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator D'Arco moves the adoption of Amendment No. 2 to House Bill 1196. Any discussion? All those in favor will signify by saying Aye. Opposed Nay. The Ayes have it. The amendment is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. House Bill 1205, Senator Degnan. House Bill 1224, Senator Welch. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 1224.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. House Bill 1228. Is there leave to have Senator Bruce handle that bill? Leave is granted. On the Order of 2nd Reading, the bottom of page 70, House Bill 1228. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 1228.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. House Bill 1230, Senator Luft. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 1230.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Top of page 71, 1253, Senator Savickas. 1257, Senator Welch. 1259, Senator Bruce. All right. On the Order of 2nd Reading, top of page 71, House Bill 1259. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 1259.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. House Bill 1260, Senator Bloom. House Bill 1286, Senator Jones. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 1286.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Elementary and Secondary Education offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

Yeab, thank you, Mr. President. I'd like leave to Table....Committee Amendment No. 1 to this bill. It was drafted in error.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones moves to Table Committee Amendment No. 1. Is there any discussion? All those in favor will signify by

saying Aye. Opposed Nay. The Ayes have it. Amendment No...Committee Amendment No. 1 is Tabled. Any further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. House Bill 1293, Senator Marovitz. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 1293.

(Secretary reads title of bill)

2nd reading of the bill. No...the Committee on Judiciary I offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President, members of the Senate. Amendment No. 1 just extends the lien provision for police instigated tows, and I would ask for the adoption of Amendment No. 1 to House Bill 1293.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz moves the adoption of Committee Amendment No. 1 to House Bill 1293. Is there any discussion? All those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. All right. House Bill 1305, Senator Nedza... 1328, House Bill 1328, Senator Degnan. House Bill 1330, Senator Luft. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 1330.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. House Bill 1337, Senator Degnan. House Bill 1338, Senator Bloom. House Bill 1355. Is there leave for Senator Bruce to handle this...handle this bill? Leave is granted. House Bill 1355. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 1355.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. All right. House Bill 1356, Senator Jones. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 1356.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Jones.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Jones.

SENATOR JONES:

Yeah, thank you, Mr. President. Leave to withdraw Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones seeks leave to withdraw Amendment No. 1 to House Bill 1356. Is leave granted? Leave is granted. Amendment was withdrawn. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. House Bill 1359, Senator Egan. 1401, Senator Egan. 1405, Senator D'Arco. 1412, Senator D'Arco. 1414. 1442, Senator Savickas. 1489, Senator Lemke. 1504, Senator Egan. 1505, Senator Friedland. 1526, Senator Jeremiah Joyce, at the bottom of page 72. The top of page 73, House Bill 1530, Senator Bruce. House Bill 1653, Senator Welch. 1751, Senator Darrow. Okay, on the Order of 2nd Reading, the top of page 73, House Bill 1751. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 1751.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Nedza.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Nedza. Senator Nedza on the Floor? Senator Darrow has moved to adopt Amendment No. 1 to House Bill 1751. Is there any discussion? If not, all those in favor will signify by saying Aye, whoop...Senator Welch.

SENATOR WELCH:

I'd just like to know what the amendment is; nobody has said anything about it. Well, then let's wait for Senator Nedza.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Take it out of the record. All right. House Bill 1778, Senator Schaffer. 1814, Senator Holmberg. 1886, Senator Schaffer. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 1886.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. House Bill 1960, Senator Schaffer. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 1960.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. House Bill 2012, Senator Netsch. 2014,

Senator Rock. 2070, Senator Kent. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 2070.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

Are there amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

3rd reading. House Bill 2171, Senator Demuzio. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 2171.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Agriculture, Conservation and Energy offers one amendment.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Demuzio is recognized on Amendment No. 1 to House Bill 2171.

SENATOR DEMUZIO:

Yes, thank you, very much, Mr. Chairman...or Mr. President and Ladies and Gentlemen of the Senate. Amendment No. 1 is a amendment that was adopted in committee, restores the existing definition of hazardous waste and extends that definition to unauthorized use of hazardous waste. It's the Attorney General's bill. I move adoption of Amendment No. 1.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is to adopt Committee Amendment No. 1. On the motion, those in favor say Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

Are there amendments from the Floor?

SECRETARY:

Amendment No. 2 by Senator Demuzio.

PRESIDING OFFICER: (SENATOR BRUCE)

It's a very short amendment, Senator. I think it's a technical amendment changing a "p" to an "f." The motion is to adopt Amendment No. 2. On the motion, those in favor say Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

3rd reading. House Bill 2212, Senator Marovitz. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 2212.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

Are there amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

3rd reading. House Bill 2251, Senator Netsch. House Bill 2290, Senator Rock. Senator Rock, did you have an announcement?

SENATOR ROCK:

Thank you, Mr. President. Again, I would...for the benefit of those members who arrived a little late, it's our intent to work everyday this week commencing at nine until about six o'clock, and we will do the same today, obviously. The schedule for the weekend is flexible, obviously, depend-

*MS 1
2nd reading*

ing on how much work we accomplish during the week. I know some members would wish, if at all possible, to return to their district for at least part of the weekend. So, we'll stay kind of flexible with the understanding that neither on Saturday nor on Sunday will we go beyond two o'clock in the afternoon. I think, Mr. President, in order to facilitate the printing of the Calendar, I would move you that the House bills that remain on 1st reading, would...would be referred to the Rules Committee. We can deal with them as we need deal with them.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is to submit the bills listed on page 74 and 75 under the Order of House Bills 1st Reading to the Senate Committee on Rules. On the motion, those in favor say Aye. Opposed Nay. The Ayes have it. The bills under the Order of House Bills 1st Reading, page 74 and 75, are committed to the Committee on Rules. We will now go...with leave of the Body, go to House Bills 3rd reading. Is there leave? Leave is granted. There's been a...question concerning recalls and we will handle those tomorrow. So if you have amendments to bills already on 3rd reading, if you would give those to the Secretary before today ends, we will have a list out tomorrow and you will list...miss your chance unless you give it to him today for preparation for tomorrow. For what purpose does Jerome Joyce arise?

SENATOR JEROME JOYCE:

Thank you, Mr. President, just a question. Are we going to have an Agreed Bill List or are we just going to go through this exercise today for the fun of it?

PRESIDING OFFICER: (SENATOR BRUCE)

I am sure, Senator, that we'll have an agreed list. House Bills 3rd reading, House Bill No. 1, Senator Berman. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 1.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Bill 1 is a rewrite of a bill that passed out of this Body last year and was gutted to a great extent by the Governor's Amendatory Veto. This bill is the Child Passenger Protection Act which requires the use of a child restraint system, a car safety seat, when a child up to four years of age or under is transported by an Illinois parent in an automobile owned by that parent. Children four and five years old may be in either a child restraint system or in a safety belt in the parent's car. The bill makes some...several important changes that many of us were concerned about last year and were inappropriately addressed by the Governor's Amendatory Veto. As the law presently stands, the police are not allowed to issue warning tickets for first offenses; this bill allows that. Secondly, the age bracketing of the bill when passed last year and amended made it virtually unworkable by exempting four and five...three and four year olds and making it applicable to one and twos and fives and sixes. This bill has been endorsed by the...pediatricians, by the safety councils throughout the country. It is similar to a bill that has been adopted in a number of other states. It addresses the number one killer of young children and that is automobile accidents. We have looked over the roll call of every member in this Body, including members that were in the House last year, and I am pleased to say that an overwhelming majority of the people in this Body today voted for House Bill 1 in its form that it was last year. It was a good vote then, it's a better vote

now. I solicit your Aye vote.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? Senator Buzbee.

SENATOR BUZBEE:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR BRUCE)

Indicates he will yield. Senator Buzbee.

SENATOR BUZBEE:

In the Governor's misuse of the amendatory veto which governors are want to do, which is one reason I want to do away with it and Senator Sangmeister and I have a constitutional amendment to do just that, but in the...in the Governor's misuse of the amendatory veto...have you...have you corrected now all of those things that he did wrong with this bill? By that, I'm specifically saying, it's now clear that one to six year olds will be in child restraint sorts of apparatus?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Berman.

SENATOR BERMAN:

This bill provides that one through four will be in seat restraints, fives and sixes can be in either the seat restraints or in your own...safety belts...seat belts.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Buzbee.

SENATOR BUZBEE:

Okay, under the current law, what is a policeman to do when he stops a motorist and...and sees a child that is not properly restrained? How does he know how old that child is, does he ask Mom and Daddy is...how old the child is and then decide what kind of a ticket to give them? Is that the situation we're currently under?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Berman.

SENATOR BERMAN:

Probably.

PRESIDING OFFICER: {SENATOR BRUCE}

...Senator Buzbee. Senator Schaffer.

SENATOR SCHAFFER:

Well, a couple of questions. I assume that this bill revisited upon us is the same that the law enforcement officer is called to gauge the age of children, and if the adult with them chooses not to be truthful, I don't see there's any way how an officer can tell the age of children unless there's some miraculous thing here. A...a couple of questions. I note with interest that we have exempted motorcycles. Now, motorcycle child restraint seats do exist, I've seen them, I think many of us have. I can...you don't have to restrain your child on a motorcycle, I guess you can ride the kid on your shoulders on a motorcycle, but if you have a car you have to restrain the child. Now that's a piece of interesting logic that...that defies my ability to comprehend. I note with interest that this says car owned by the parent. What about those people who drive company cars, who own a company or own part of a company and have a car leased or assigned to them and the registration will say XYZ corporation, are all of those people exempted? What about public transportation? What about buses and cabs and those things that we finance and regulate? Are they...we inflict this on the citizens of this State but not the governmental units. Frankly, this bill isn't a whole lot better than it was when it was before us; I am confident that it will pass. It's my sincere hope that there are enough of us here that recognize that the bill is unenforceable, that it will be used as a vehicle to harass the citizens of this Illinois and to generate revenue in those towns that choose to use it for that and that it, in fact, is something that is really something government cannot accomplish; it is a matter of paren-

tal responsibility and frankly an idea that is an infringement on the freedoms of the people of this State. I didn't like the bill then, I'm afraid I don't like it any more now. In some ways it's even a little more odious. I would only respectfully ask enough of us to vote here so the Governor can see that if he needs to clean it up again he'll have some support. But I would appreciate some questions. Why not motorcycles? What about the company car? How does the officer tell what the age is? And what guarantees do we have that at least in certain areas that this bill will be nothing more than a tool used by police operating under less than wonderful standards to harass, say, members of a particular minority group that they just want to pull over?

PRESIDING OFFICER: (SENATOR ERUCE)

Senator Berman.

SENATOR BERMAN:

I was going to say, yes, no, no, yes, yes, but that would be a facetious answer to, I presume, serious questions. The motorcycles were exempt essentially because they felt that the exposure was virtually nonexistent and that the...what we wanted to do was to cleanup the automobile bill that we passed last year. On a technical reading as to the ownership of the car, you may be right. If there is a question on a warning ticket when the person who is driving that car and who is the parent appears in court, they probably could get off by showing that they are not the "owner" of the car. But the purpose of the bill will have been served because the educational purpose of causing that parent to appear in court is the educational process that this bill is really intended to, and that goes to the question, fourth or fifth, regarding harassment. I don't dismiss the integrity of the police officials in this State that lightly, that this will be used as a method of harassment. I think that was three of your questions, I'm not sure I kept track of the...of the others,

Senator Schaffer, I apologize, but I think Senator Bloom kept good track, and in closing I'm sure he can respond to some of those others.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President and Ladies and Gentlemen of the Senate. The previous speaker addressed a number of my questions, but I am concerned, Senator Berman, why we limit this only to parents. I know when our own children were growing up they were always in restraint devices, we believed in them, we thought that was the proper thing to do. I think parents tend to have more concern about their children than others. What about the babysitter? The...the bill just addresses legal guardian, so therefore those people are out of it. What about the grandparents, people like that? Grandparents, for example, perhaps aren't quite as sharp, quite as quick, and the child may be in much more jeopardy in their care and I'm wondering why those people were left out of the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Berman.

SENATOR BERMAN:

Again, I think it's a question of...of addressing those that are most involved, who can respond most directly and should respond most directly to the care of the children that are in their vehicles. It is true that grandparents will drive kids around, et cetera. But I will say this, that if this bill is enforced as we expect it to be, and that doesn't mean law enforcement, it means voluntary compliance through education by parents, when the grandparents take the kids out in the parents car, those child restraint seats will be there and the kids will know that they should be in it, and hopefully the grandparents will know that they should be in

it. Yes, there are gaps in the coverage, but from those that are concerned about being an overly burdensome bill, this allows some of those people, so to speak, off the hook, but the educational process will be accomplished.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Maitland.

SENATOR MAITLAND:

Well, I would submit to you that when normally that the children are with the grandparents, they would be in the grandparents car and not in...in the parents car. But I'm wondering, also, what do we do, what...what can the policeman require the driver of the vehicle to produce to show that yes, they are the parents, or no, they are not the parents?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Berman.

SENATOR BERMAN:

I believe that like anything else, for example, if the policeman stops and in his opinion he says, how old is that child that's not in a child restraint...seat and the parent says, seven, and the police officer feels that that child is not seven, then the police officer could issue a...a warning ticket on the first violation or a regular ticket thereafter. Again, at the time that the parent would come into court, they would be able to show to the court, not to the police officer, the police officer is the law enforcement, he is not a judge. They can't require anything for that matter.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Maitland.

SENATOR MAITLAND:

Well, I think clearly in your remarks, it...it shows how difficult this is going to be to enforce. Again, opposing this bill, I understand is...is very difficult, it sounds like apple pie and motherhood and all those good things. I just submit to you it's going to be extremely difficult to

enforce; it's over reaction by government and I intend, as I did a year ago, to vote against the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. May I ask the sponsor a question?

PRESIDING OFFICER: (SENATOR BRUCE)

Indicates he will yield. Senator Watson.

SENATOR WATSON:

Several of the questions that I wanted to ask have already been asked, but one thing that I would...that I question is, what about the people passing through Illinois, how does it affect them?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Berman.

SENATOR BERMAN:

It...it does not pertain to them.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Watson.

SENATOR WATSON:

It does not pertain to them. Okay, what about the cost of this restraint device, how much does this cost?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Berman...Senator Berman.

SENATOR BERMAN:

The current market price for these is approximately twenty-five to thirty-five dollars, close to the cost of the ticket that's issued. In addition, there are a number of both commercial and volunteer organizations throughout the State that have been set up since the passage of this bill last year to provide at no cost these kind of child restraints, either as sales promotions through the automobile industry or through volunteer exchanges of parents groups

throughout the State of Illinois. So that the cost for those that can't afford it will not be a problem.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Watson.

SENATOR WATSON:

Well that was...that was my very next question, as to how are we going to provide these for those people who can't afford it. In my area of the State, what organizations will be handling this...this exchange or this...this type of free device being made available to people, who will be handling that?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Berman.

SENATOR BERMAN:

Service organizations, the JC's are an example, Rotary, Kiwanis, your Chambers of Commerce that are involved with your automobile dealers have been plugged in in certain parts of the State. I'm sorry, I don't have a list to tell you exactly who's active in your town, but I'll be glad to get that to you.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Watson.

SENATOR WATSON:

Well, I would very much like to have that list. I am a member of the JC's, I'm not familiar with this at all being a part of their State-wide effort. It's a...it's something as mentioned before that sounds good, something that everybody is for and everybody is concerned about, but I certainly don't think that government has a place in being involved in this. I think it's a bad bill, and as I have done in the past, I will be voting No also and I urge other members to do the same.

PRESIDING OFFICER: (SENATOR BRUCE)

All right. The Chair has the following Senators who have

sought recognition: Senator Geo-Karis, Fawell, Kustra, Chew and Schuneman, so you know when you'll be speaking. Senator Geo-Karis.

SENATOR GEO-KARIS:

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

PRESIDING OFFICER: (SENATOR BRUCE)

Indicates he will yield. Senator Geo-Karis.

SENATOR GEO-KARIS:

Senator, did I understand you correctly to say that this bill is changed from the one that we passed last year in that there is a warning given to the parent of the child who is not in the safety seat. Is that correct?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Berman.

SENATOR BERMAN:

Yes.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Geo-Karis.

SENATOR GEO-KARIS:

What...what other major changes did you say took place in this bill that were not in last year's bill?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Berman.

SENATOR BERMAN:

The major changes...last year there was a...as amended by the Governor there was a....an age gap; two and three year olds were not covered by the bill after it was amendatorily vetoed. This corrects that by saying, one through four must be in child restraints, five and six can be in child restraints or in seat belts. Also the phrase, "personal needs," has been addressed to eliminate that ambiguity that was in last year's bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, I am speaking in favor of the bill. The...there have been a lot of costly accidents, very tragic accidents, where the...the children of that age are not kept safely in a car. Not only is it for the safety of the children involved but also for the safety of other cars which get involved in some accidents with a particular car in which the children are not safely kept. I speak in favor of the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Fawell.

SENATOR FAWELL:

Thank you, very much, Mr. President. For those of you who have not had the experiences I have to see a child who has been injured in this manner; believe me, if you did, every one of you would be voting for this bill. I happen to be a guardian of such a child who has been confined to our convalescent home since the age of sixteen. He struck his head against a windshield and sustained brain stem damage. This was a child who was an athlete, he was a football player, baseball player, my son's best friend. He is now twenty-six years old, he has not spoken, he has not walked, he has not been able to live a normal life nor probably never will for the rest of his life. This is probably, as far as I'm concerned, one of the most important bills on the Floor. I have taken this child several times to Chicago Rehab. Hospital. I have seen other children with the same type of injury. It has been asked about grandparents cars; potentially, I am a grandmother this fall and one of the first things I shall make sure that my son and his wife have is such a seat. I urge your vote for this bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President and members of the Senate. This is, I think, one of the most important pieces of legislation that we can consider this Session. I'm interested in the questions that some of my colleagues have about the enforceability of the Statute, and it seems to me as they strive for perfection in the enforceability of this law, they might reflect on the fact that there are probably few pieces of legislation which we pass here which are perfectly enforceable. And as a matter of fact, law enforcement officials across this State use a remarkable degree of discretion in enforcing the laws which we've passed here over the years. And so this bill may not in every precise way give that law enforcement officer every last guide he needs. What this bill does do is require...is require a new standard of care, and this business of does it apply to the grandparents or does it apply to the parents, in a sense the important point is that we are setting State policy here today. We are telling the parents of the...in the State of Illinois that we think it is important enough that they take care of their kids, that they strap their kids in, and I'm sure that's going to have some affect on what those grandparents do and what other people do. And let me just remind those of you that have any doubts about what happens to kids in automobile crashes, motor vehicle crashes are by far the leading cause of death of children under the age of five. In Illinois during the 1975 to '81 period, one hundred and forty children under the age of five died, and twenty-five thousand were significantly injured in automobile accidents. That has to do with the pliability of the child's spine and skull. And those, Ladies and Gentlemen of the Senate, are the things that we wish to protect by this bill. The 1978 enactment of a Tennessee Statute resulted in a greater than three hundred percent increase in the usage of car safety seats and reduced the fatality and serious serious injury rates in that State

by fifty-percent in 1978 and seventy-one percent in 1979. I listened with great respect the concerns of my colleagues who truly believe that the free market should reign in this area, that it isn't the responsibility of government. Well, I'm reminded of the book authored a couple of years ago by Milton Friedman, it was called, "Free to Choose" and it was the gospel of free market economics. And all I can say to you is that we're dealing today with a class of citizens who are not free to choose and they need our protection. I ask for a Yes vote on this.

PRESIDING OFFICER: (SENATOR BRUCE)

(Machine cutoff)...Chew.

SENATOR CHEW:

Thank you. Number one; the bill that we passed heretofore was amendatory vetoed by the Governor and people aren't thinking what this really does. There's an initial cost in having the facilities of restraint installed in an automobile. It has not been determined how you may install these restraints without permanently installing them in an automobile. Thirdly; once they're in there then it reduces the amount of seating area for adults when children are not...passengers. I attempted to find some service organization in the Chicago area that has agreed for the installation without a charge and that is not accurate. No organization, as I could determine, has decided to award this cost free. If we get into the business of telling parents what to do with their children, then we ought to require the automobile manufacturers just as we required those manufacturers to install seat belts and shoulder belts. This is nothing but a haven for the manufacturers of the facilities, the restraint facilities, to become millionaires. I recall there was a bill here that required any materials being transported by trucks to have tarpaulins. We investigated this thoroughly and the bill was proposed by the manufac-

turers of tarpaulins. Now, if we don't have anything to do with the conceiving of a child and the birth of a child and the feeding and the rearing of a child, why should we have a restraint for the child to be a passenger in the car? This country is built on freedom of choice and there is not...no truth whatsoever about the greatest fatalities in this country are automobile accidents with children; that's not true, Senator Kustra. The greatest number of fatalities to children happens at home, not automobiles, on stepladders, playing games, climbing trees and taking medicine that has not been put out of the reach of children. I don't believe this Legislature should go on record in mandating what a parent should do to the child. We are taking away the very freedoms that's granted us by the Constitution. Now here is a beautiful editorial by one of our major networks, and it goes to show more kids are killed as the results of car accidents than any other cause; that is absolutely not true, but you must understand that this network is supporting the bill. And it goes on to tell us to tell Governor Thompson to leave the bill alone, write your Senators and Representatives. And it talks about the rehabilitation of...Institute of Chicago, it tells us that at...that last year in Illinois, forty-four, Ladies and Gentlemen, forty-four children under the age of ten was killed in automobile accidents. Illinois has eleven million people and we pick out one section of the millions and millions of miles that's driven in the State of Illinois, we said forty-four children under the age of ten was killed in car accidents. The bill does not provide an exemption from pass through passenger cars of Illinois. It is not contained in the bill, and anyone who says it is...is inaccurate. As far as the enforcement factor, we have some very fine police officers, but inasmuch as the fines that are paid by motorists go to certain localities, this is an absolute dream come true for those areas that set speed traps and

black traps, black traps, let me emphasize that. We have police officers that put it on their agenda to stop automobiles more frequently than black passengers ride through than white, and that is a fact; and your speed trap will tell you that in all of your southern states, and Illinois is no better. There was a long series of television coverage dealing with the states where police officers set up with the approval of supervisors what is known as speed traps, and it designated in its report by race as the number of cars that were stopped something like fifty black drivers to two white drivers. This didn't happen in Illinois, but Sixty Minutes had it two years ago. So, yes, it is a means for police officers to issue tickets from people away from home and the fine will be paid at the time that you set your bond. If we're sincere about it, why don't we do like California did on their exhaust systems. Cars cannot be sold in California unless they're equipped with this anti-smog system. If we're doing it for the sole benefit of safety, why don't we have these restraints built in the car that's sold in Illinois. But the reason we don't have them is because it's a bill designed to enhance the growth of the manufacturers of the safety equipment and any mother or father or any parents, grandparents, would have enough interest in the safety of their children to put them on safety belts.

PRESIDING OFFICER: (SENATOR BRUCE)

Charlie...Senator Chew, your time has expired.

SENATOR CHEW:

And we ought to leave that to the discretion of the parents instead of legislating something that we don't really believe in ourselves. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Schuneman. Senator Schuneman. All right, he does not wish to comment. Senator Bloom.

SENATOR BLOOM:

To close?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Bloom, did you wish to close with Senator Berman? There were another questions...there were other questions.

SENATOR ELGOM:

Okay, well, no. Art, we're dividing...and I were dividing the responsibility.

PRESIDING OFFICER: (SENATOR BRUCE)

All right. Why don't we hold you to...to close. Senator Macdonald.

SENATOR MACDONALD:

I had turned my light off, but I will make a few comments. There was just this weekend a documentary on infant mortality and the very exact issue that we're talking about now, the essential ownership of infant car seats. These car seats are not permanently installed in an automobile, they can be removed, they can help grandparents. I used my daughter's and my son's for my grandchildren and take them out of their cars and put them in my car. And I will say it is devastating when you see in slow motion and the arguments that are used that who is better equipped or capable of holding a baby in its arms in a car than the mother or father or grandmother. And if you could see in slow motion what happens to these children on a severe impact when the adult holding the child is crushed into a dashboard or even into the back of a front seat, you can see how devastating the effect is on a small infant. I urge your support on behalf of all of the children who fit into the category of those children we are protecting today, and I would advocate for those children in the future, let's do something now essential and reasonable to protect the life of those yet unborn children.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Further discussion? Senator Bloom may close along with Senator Berman. Senator Bloom.

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END OF REEL

REEL #3

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Bloom.

SENATOR BLOOM:

Okay, thank you, Mr. President, I'll be brief. Many of the...prior speakers in opposition said many things and some of them were just plain not correct. First, the Secretary of State does support this bill; second, forty-one other states have it, as a matter of fact, Missouri just passed similar legislation last week; third, the point has been made but I'll remake it, and that is that for children four years old or younger car safety restraint seats are portable, you can put them in, you can take them out, you can move them from car to car, for heavens sake. We heard the testimony last year from the Commissioner of Public Safety in Tennessee, and as a matter of fact law enforcement officials look at this type of legislation everywhere as a very, very, useful tool. And it has never ever been documented that this has been used as a form of harassment for parents nor is that the intent. And sure, we can find fault, we can...heck, I've heard people find fault with the way an easement bill is drawn. But the practical matter is and the bottom line is, the State of Illinois mandates parents to immunize their children against disease, and what we're doing here is saying, quite simply to parents, we'd like to immunize them against death in automobile accidents. Finally the...the cost issue, the cost issue was raised last time around. Essentially, it costs the equivalent of two gallons of gas. One of the prior speakers...two tanks of gas...I'm sorry...one of the prior speakers said that he was unaware of any kind of groups that were involved in a loanor donor program. Well, Ladies and Gentlemen of the Senate, all you have

to do is call the Institute of Physical Rehabilitation and you'll find there are sixty that have been in place in the prior year and that does not take into account ones that have sprung up this spring, Kiwanis Clubs, Rotary's Clubs and other service clubs. It seems to me...it seems to me that if you stop and step back and put away your ideological litmus paper or whatever litmus you hang in front of your eyes, that this is the kind of public policy that this Body ought to make. Therefore, I would urge that everybody vote Aye for this concept. Thank you, very much.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Berman to close. All right. The question is, shall House Bill 1 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are...41, the Nays are 15, 2 voting Present. House Bill 1 having received the required constitutional majority is declared passed. House Bill 6, Senator Jerome Joyce. Read the bill, Mr. Secretary, please.
SECRETARY:

House Bill 6.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Jerome Joyce.

SENATOR JEROME JOYCE:

Thank you, Mr. President. Presently a utility is prohibited from charging a higher rate if their customer uses solar power. It is prohibited until October 1st of 1984, this extends it to October 1st of 1989.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? Discussion? The question is, shall House Bill 6 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish?

HB 11
3rd Reading

Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. House Bill 6 having received the required constitutional majority is declared passed. House Bill 8, Senator Watson. House Bill 9, Senator Rigney. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 9.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Rigney.

SENATOR RIGNEY:

Mr. President, House Bill 9 exempts the sales tax on items of personal property for student organizations that are affiliated with an elementary or secondary school. The sales activities must be under the direct supervision of a teacher in that school. We know that these kids sell candy, fruit, baked goods, and so forth to earn money for senior trips and such activities of that kind. The truth of the matter is that most of these, I think, are probably not paying sales tax now. What we're trying to do is to make it clear that there is an exemption for this kind of activity.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? Discussion? The question is, shall House Bill 9 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are 1, none voting Present. House Bill 9 having received the required constitutional majority is declared passed. House Bill 11, Senator Holmberg. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 11.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Holmberg.

SENATOR HOLMBERG:

House Bill 11 provides that both parents when they have been divorced and have joint custody of the child shall be...shall receive report cards, correspondence and that sort of thing from the school district if they have so requested.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? Discussion? The question is, shall House Bill 11 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are 1, 1 voting Present. House Bill 11 having received the required constitutional majority is declared passed. House Bill 12, Senator Lemke. House Bill 18, Senator Egan. House Bill 20, Senator Holmberg. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 20.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Holmberg.

SENATOR HOLMBERG:

Yes, this bill is basically an agreed bill between the Chamber of Commerce and the EPA which extends the date from December 31st, 1982 to December 31st, 1984, the date by which the Pollution Control Board must establish its permanent regulations. Right now they are temporary and it gives them a little extension which they need.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? Discussion? The question is, shall

HB 25
3rd Reading

House Bill 20 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. House Bill 20 having received the required constitutional majority is declared passed. House Bill 21, Senator Zito. House Bill 22, Senator Marovitz. House Bill 25, Senator Smith. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 25.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Smith.

SENATOR SMITH:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This bill, House Bill 25, merely restores language concerning the qualification of jurors and it adds that "Interpreters must be present during the actual trial." I move for the passage of this bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? Discussion? The question is, shall House Bill 25 pass. Those in...for what purpose does Senator Darrow arise?

SENATOR DABROW:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR BRUCE)

Indicates she will yield. Senator Darrow.

SENATOR DABROW:

...I'm sorry, but I wasn't following as closely as I should. Does this allow deaf individuals to serve on juries?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Smith.

SENATOR SMITH:

Yes, it does.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Darrow.

SENATOR DARROW:

And does it also allow blind people to serve on juries?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Smith.

SENATOR SMITH:

Yes, it does.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Darrow. All right. The question is, shall House Bill 25 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open...have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 39, the Nays are 16, 1 voting Present. House Bill 25 having received the required constitutional majority is declared passed. House Bill 27, Senator Marovitz. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 27.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. This bill requires the Attorney General to defend an attorney employed by the State Appellate Defender Program against whom a civil suit for legal malpractice is brought resulting from an Act or omission within the scope of his employment for the State of Illinois. This extends the representation and indemnification provisions of current State law to the State appellate defender lawyers if they're sued for malpractice. These are people who are employed by

the State of Illinois and represent indigent defendants on appeal. The primary statutory responsibility of the Office of State Appellate Defender is to provide legal representation of indigents on appeal, and I think there are almost thirteen hundred...indigent criminal appeals that are handled by this office. I would ask for an affirmative roll call on this bill and be happy to answer any questions.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? Senator Grotberg.

SENATOR GROTBERG:

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

PRESIDING OFFICER: (SENATOR BRUCE)

Indicates he will yield. Senator Grotberg.

SENATOR GROTBERG:

Senator, I would ask, is there anything similar for the state's attorneys, do we set aside anything for malpractice for them and the assistant state's attorneys on the prosecution side of the agenda?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Marovitz.

SENATOR MAROVITZ:

That's a different case, Senator, they don't get sued. The...in these cases the State appellate defenders, they personally represent indigent defendants themselves. The state's attorney or assistant state's attorneys are not in that position.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Grotberg.

SENATOR GROTBERG:

That's one question. I thought I heard that it also amends the Pension Act. Would you care to go into that side of it?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Marovitz.

SENATOR MAROVITZ:

To my knowledge, it does not amend the Pension Act at all. But the...but a...but...and I didn't mention that in my statement. But a...a question that would be similar would be like a...a...a doctor in a State prison who is doing work and paid for by the State of Illinois, he has indemnification provisions, there are indemnification provisions in his...his Act so he would be indemnified and represented in that...in case of a malpractice suit.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Grotberg.

SENATOR GROTEBERG:

Thank you, Mr. President. It was the Secretary, as he read the bill that it amends certain Acts including the Pension Act. Would you correct me if I am wrong, Mr. Secretary.

PRESIDING OFFICER: (SENATOR BRUCE)

In the synopsis as it came from the House, it includes a reference to the Illinois Pension Code. So the Secretary read it properly. Senator Grotberg.

SENATOR GROTEBERG:

Thank you, he read it properly. Could the Secretary then, because nobody else seems to be able to inform me, does it amend the Pension Act?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator, the Secretary cannot involve himself in debate. Senator Grotberg, do you have a question of some member that can answer?

SENATOR GROTEBERG:

Thank you, I think I'll read the bill before I vote.

PRESIDING OFFICER: (SENATOR BRUCE)

All right. Senator Keats.

SENATOR KEATS:

I just wanted to ask a question of the sponsor.

PRESIDING OFFICER: (SENATOR BRUCE)

Indicates he will yield. Senator Keats.

SENATOR KEATS:

Okay, two questions, first of all, who's suing? Is it someone who didn't pay for the legal services to begin with that's now suing a guy, he didn't pay a dime but he's suing now?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Marovitz.

SENATOR MAROVITZ:

An indigent defendant who has an appeal...a lawyer from the State Appellate Defenders Program is appointed and he represents the indigent on appeal. Should the indigent lose his appeal, he could...he could sue the attorney who is employed by the State of Illinois for malpractice. That is the case.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Keats.

SENATOR KEATS:

The answer is, somebody who had never paid for the services to begin with, i.e., it could be a prison inmate, couldn't it, if the prison inmate...

PRESIDING OFFICER: (SENATOR BRUCE)

May we have some order, please. Senator Keats.

SENATOR KEATS:

...if the prison inmate decides to appeal, loses his appeal, he can then turn around for the heck of it and sue a guy who he never paid one dime to do his legal work, right?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Marovitz.

SENATOR MAROVITZ:

Unfortunately, that's correct. So, we're...we are protecting the attorney here who is employed by the State of Illinois in such cases.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Keats.

SENATOR KEATS:

Could we not...couldn't we perhaps simplify this by saying, if you don't pay, you can't sue. I mean it...to me this is an interesting legal thing, if someone just wants to get involved for malpractice suits, hey, here's the game.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Marovitz.

SENATOR MAROVITZ:

Other than the fact that it would be unconstitutional, I can't see any problems with that.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR BRUCE)

Indicates he will yield. Senator Geo-Karis.

SENATOR GEO-KARIS:

How much will it cost the State, approximately?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Marovitz.

SENATOR MAROVITZ:

Well, there's no way to project that because there's no way to tell if...if there are going to be any suits.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator...

SENATOR MAROVITZ:

This...this...the reason for...for the legislation is...is a court decision which indicates that...that an indigent defendant in this particular case would...would have the ability to do this. There have not been any cases filed so, hopefully, the cost to the State would be zero, but there is no way to project if and when a malpractice suit would be

filed against the State Appellate Defenders Office.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, Mr. President and Ladies and Gentlemen of the Senate, I think even an appellate defender, if...if he does his job right, even if he's sued, anybody can be sued. I...I don't feel that we should go ahead to the expense of furnishing that kind of defense which would be very costly to the State, not at this time anyway. And I understand that the Attorney General's Office has opposed this type of bill in the past and, therefore, I speak against it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator...Senator Welch.

SENATOR WELCH:

A question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield. Senator Welch.

SENATOR WELCH:

Senator Marovitz, what is the current system if a appellate defender is sued? How...who defends them and who pays for the cost of the suit?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

The appellate defender today currently would have to defend himself and if, in fact, a judgment was rendered would have to pay that out of this own pocket, or...or he would have to get malpractice insurance and pay for that out of his own pocket despite the fact that he's on the State payroll.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Another question, Senator. If the attorney, the appel-

late defender, is sued in the course of his business, couldn't he then say that under a doctrine of respondent superior or as an agency theory that the State is liable for his acts since he was doing them in the course of his employment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

I'm sure that any good...if...if an indigent were able to hire a lawyer, that the lawyer would probably sue the individual and the State of Illinois. I...but...but...there...there would be still a judgment against the individual as to who he would collect from, that's a question.

PRESIDING OFFICER: (SENATOR BUUCE)

Further discussion? Senator Welch.

SENATOR WELCH:

Yes, Mr. President. I would just like to say that I'd like to speak on behalf of this bill and urge its adoption. I think that at this point, these people who work as appellate defenders are people who deserve some protection. I think that for...for too long we've had people working who have been up in the air as to whether they would be sued or not; and when you get so many prisoners who seem to be jailhouse lawyers nowadays and have their own sets of lawbooks in the prison, the easiest thing for them to do is keep suing and once they lose a lawsuit, what do they have to lose? They have nothing else to do but work in the prison yard and work in the library filing lawsuits. So these people who work for the appellate defenders are everyday people, like many of us in here, they just happen to be in a job that they need some protection on. I think that they do a very good job, I'm familiar with the appellate defenders office in...in Ottawa, Illinois, working in the 3rd Appellate

District and I think that they need some protection. And I think it's time that we realize that these individuals should not be out there on their own without that kind of protection, and I would urge a favorable vote on this bill. Thank...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Buzbee.

SENATOR BUZBEE:

Thank you, Mr. President. I thought Senator Welch was headed in the right direction there and he...he was, but he came up with the wrong conclusion, I think. I...I am a little confused, it seems to me that, doesn't any attorney who practices law carry malpractice insurance?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield. Senator Marovitz.

SENATOR MAROVITZ:

Attorneys who practice law privately...all, I'm sure, carry malpractice insurance, but these are not private attorneys, these are attorneys that are on the State payroll. And...and doing...for instance, when I...when I got out of law school I was a corporation counsel in the City of Chicago. To my knowledge there were no corporation counsels employed by the City of Chicago to defend the City of Chicago who had their own malpractice insurance for cases involving the City of Chicago.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Buzbee.

SENATOR BUZBEE:

Cynic to my right here. I...well...all right, I go back to Senator Welch's statement that under the rule of agency, wouldn't the State of Illinois be liable for any judgment that might be rendered against an employee of the State of Illinois?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

There may be liability on the State of Illinois, but the fact is that an individual attorney who is sued would have to hire himself his own attorney to defend a suit and there would be a judgment rendered against him on the books. So, he...his...his exposure, his liability would be very substantial. Even if he won the case, the mere cost of defending the case would be very substantial from...from...even from a frivolous lawsuit standpoint. If the case went to trial, he'd have to hire himself an attorney, it would have cost him thousands of dollars despite the fact that he's doing the State's business.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Fuzbee.

SENATOR FUZBEE:

Well...I...what...what...it...it seems to me that...that the State would...would also be liable if one of their employees were found in malpractice that the State would also be liable for the...for the defense costs of that State employee, number one. And number two, let me ask you, what about a state's attorney, what if a state's attorney has a malpractice suit brought against him somehow, is he indemnified by...by the State or does he have his own...if...all I'm thinking is, if I were in the practice of law, regardless if I'm an employee or a private contractor, I would carry malpractice insurance just to protect my hindside.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

I believe I answered the question in regards to state's attorneys, they are in a completely different position. They don't represent an individual...plaintiff or defendant, they represent the State or they represent the county. In this

particular case, you have a State appellate defender who represents an individual defendant, the state's attorney represents the government and it would only be the government that would be suing them. So, they're...they're in a completely different position.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I rise in support of this bill. Senator Buzbee, let me point out, lawyers that work for my law firm are covered by a malpractice policy that the law firm pays for. They do not have to go out and buy their own, that's part of the inbred protection that they are entitled to as an employee. Same applies to these people. These State appellate defenders are charged with carrying out certain responsibilities that we have imposed upon them by the passage of Statute, they are carrying out a State purpose. They are entitled to protection that is afforded by the State, and we have two choices: number one,...buy individual malpractice coverage for each of them, which will be very prohibitive costwise. The cheaper route and the more efficient route is the passage of this bill, because a lot of times suits are brought in which judgments will not be recovered by the plaintiffs but it's the defense of them that becomes expensive. The Attorney General is well qualified to defend these employees of the State who act as lawyers for the appellate defender, and they will knock out a lot of these cases at a minimal cost. If you saw the price tag...and I spoke to the supervising attorney of the appellate defenders division and I asked them that same question, the price tag would be something that you, as chairman of appropriations, would fall out of your seat for. This is a economical, cheap and efficient way to protect these employees of the State. I urge an Aye

vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Marovitz may close.

SENATOR MAROVITZ:

Thank you, Mr. President and members of the Senate. I would just ask for an Aye vote on this very equitable bill for State employees who are doing the work, as Senator Berman pointed out, that's designated to them by the State of Illinois in representing indigents on appeal; and we're just making sure that if, indeed, somebody files a suit against them that as employees of the State of Illinois they are covered and they will be defended by the Attorney General of the State of Illinois, and I'd ask for your Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. The question is, shall Senate...or the question is, shall House Bill 27 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 39, the Nays are 15, 3 voting Present. House Bill 27 having received the required constitutional majority is declared passed. House Bill 28, Senator D'Arco. All right. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 28.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. This bill simply insures the defendant that he has a right to have an attorney present at a preliminary examination. There was some question about the

terminology of a preliminary examination but we cleared that up, and I don't know of any opposition to the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Is there any discussion? The question is, shall...House Bill 28 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 58, the Nays are none, none voting Present. House Bill 28 having received the required constitutional majority is declared passed. House Bill 33, Senator D'Arco. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 33.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. House Bill 33 simply changes the fee structure that a public defender is entitled to in receiving fees when defending indigent defendants, up to a cap of twelve hundred dollars. The cap previously was one thousand dollars. And I think we changed it from twenty to thirty dollars an hour, and I would ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there any discussion? Senator Fawell.

SENATOR FAWELL:

Thank you. Question for the sponsor, please.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield. Senator Fawell.

SENATOR FAWELL:

Could you tell me, did the State...does the State Mandate's Act come into play on this bill?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator D'Arco.

SENATOR D'ARCO:

No, the...the cost would be paid by the county, counties over two million in population. So the State Mandate's Act would not apply here.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any further discussion? Senator Grotberg.

SENATOR GROTBERG:

Well, thank you, Mr. President and fellow members. I just thought somebody should rise to bring into focus what we're really talking about is an upgrading of the public defender's fees in criminal cases to appointed defenders. And the attitude of this General Assembly, as I recall, has drawn a lot of conversation around...such subjects. The thirty dollar an hour rate and twenty dollars an hour for their homework and raising of one thousand to twelve hundred as a cap seems to me that...the...easily be well overpaid for the work they do. And if the case is significant enough, I don't think that the judge is prevented from awarding more in...in heavy criminal cases depending upon the usage, and I would like to hear some attorney discuss exactly what's going on besides what the sponsor has told us so far. I do not practice in court, but I certainly practice enough to know that they're well taken care of now and I don't know that they should have any more of the public's money for this cause.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator D'Arco may close.

SENATOR D'ARCO:

Well, Mr. President, let me say this, that in every other county in the State of Illinois there is no cap. I mean, the court allows a reasonable attorney fee in every other county; it is only in Cook County that we have a cap of a thousand

dollars, and now we're raising that cap two hundred dollars more. I mean, I don't understand why you think this is such a terrible bill. Are you changing your mind, John, or...oh, you're getting there, okay. You know, and from twenty dollars to thirty dollars an hour, Mr. President. I would ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall House Bill 33 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 48, the Nays are 9, none voting Present. House Bill 33 having received the required constitutional majority is declared passed. House Bill 36, Senator Lemke. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 36.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

What this does is amends the Criminal Code to allow juries to take notes during criminal trials. I think it's a good bill and I ask for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Is there any discussion? Senator D'Arco.

SENATOR D'ARCO:

No, I...I'm sorry, no. My light shouldn't be on.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Sangmeister.

SENATOR SANGMEISTER:

Thank you. Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield. Senator Sangmeister.

SENATOR SANGMEISTER:

For time immemorial, the reason that juries were not allowed to take notes was so that they would concentrate on the trial and not go off on a tangent; for example, when the State is putting in their evidence or the plaintiff is putting his evidence, that you would wait till you've heard all the evidence before you come to a conclusion as to which way you wanted to rule. That's the reason that juries have never been allowed to take notes, and I don't know why we want to change that now.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Lenke.

SENATOR LEMKE:

I'm closing?

PRESIDING OFFICER: (SENATOR DEMUZIO)

No, there's one more speaker if you want to answer.

SENATOR LEMKE:

Just to answer the question, under the current law they can't be prohibited from taking notes, all this does is we supply the paper and pencil and they take notes, my House sponsor tells me.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Now that we're going to let blind people and deaf people be jurors, I suppose they'll let them take notes too. That's a great idea.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Barkhausen. All right, Senator Fawell.

SENATOR FAWELL:

Thank you, very much. I hate to tell you this, Senator

Philip, but in the County of...in the County of DuPage, our jurors do take notes all the time. It's a good bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Lemke may close.
SENATOR LEMKE:

I think this is a good bill and I think it just codifies what's already being done by court rule, and since there's no prohibition I think it should be in the Statute and should be allowed in the courts and the paper and pencil should be furnished. That way nobody else can supply other paper from outside, this way we'll have the courts...their own paper. I ask for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall House Bill 36 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 37, the Nays are 17, 2 voting Present. House Bill 36 having received the required constitutional majority is declared passed. House Bill 41, Senator Welch. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 41.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. This bill started out being the Illinois Valley Regional Port District being allowed to apply to be a foreign trade zone through the Federal Government and in a sense has been amended to include two other areas that wish to be designated as trade zones. One area is the Waukegan Port District and the second area, out of

Peoria, is the Economic Development Council Incorporated. The purpose of a foreign trade zone is to ease trade, encourage businesses to locate in Illinois and to promote Illinois as a place to do assembly work in business by creating tax free zones. There is an additional amendment to this bill put on concerning solely the Illinois Valley...Regional Port District which states that the quorum requirement instead of being four out of the five board members will only be three out of the five board members.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Any discussion? Senator Keats.

SENATOR KEATS:

Just that this is a bipartisan bill, came out of committee unanimously and...and I would urge everyone to support it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any further discussion? The question is, shall House Bill 41 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 58, the Nays are none, none voting Present. House Bill 41 having received the required constitutional majority is declared passed. House Bill 46, Senator D'Arco. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 46.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. What the bill says is that a transcript shall be made of all proceedings and matters in a grand jury proceeding, not just the questions asked of and

the answers given by the witness. And, of course, the deliberations and vote of a grand jury would still be secret as it is now. I would...oh, yeah, the Illinois State Bar Association supports this bill and the State's Attorney of Cook County withdrew his opposition to the bill when it was in committee. And I would ask for a favorable vote.

PRESIDENT:

Any discussion? Senator Sangmeister.

SENATOR SANGMEISTER:

Thank you, Mr. President and members of the Senate. Speaking to the merits of the bill, it doesn't surprise me at all that the Illinois State Bar Association supports this bill, I presume their defense counsel in the criminal division certainly does. This again is another chip away in the grand jury proceedings, I don't know why State's Attorney Daley withdrew his objection, I'm sure he still does not support the bill. Actually what this does is...you presently have the right in the grand jury room to have the reporter that's there take down all the questions and all the answers that are asked of the witness, and I would think that that would be sufficient. All this bill is going to do is trap some state's attorney who is going to happen to make some off remark to a grand juror about the sufficiency of some evidence in a case, and they're going to turn right around and use it against him for a motion to dismiss against some criminal who should be prosecuted. This is very dangerous to open this up, it looks like a nothing bill, but I'll tell you, it's far from that; and I would suggest if you have any feeling for the grand jury proceedings and for proper prosecutions in your state's attorney's office, you'll vote No on this bill.

PRESIDENT:

Further discussion? Senator Bloom.

SENATOR BLOOM:

Thank you, Mr. President. As...as minority spokesman along with Chairman Sangmeister, I, too, rise in opposition to this. I believe that this is not in the best interest of...of orderly prosecution. What it does is say that anything that goes on in the grand jury room, which I might remind you is made up of about twenty-three citizens, not attorneys, goes. So it covers not only comments made by prosecutors but comments made by grand jurors, it's another way to go behind ...the way to go behind criminal charges and essentially...essentially attack the integrity of this. Remember a grand jury is both a sword and a shield, and it is there...it is there not only to be a prosecutorial tool but it is there to protect us when the full power of the State is brought to bear on us. Finally, I'd be remiss if I didn't say that when we start doing this, we might as well do away with the grand jury altogether, and I think that this goes against our tradition and it goes against our keeping our citizens involved in the front end of the criminal justice system. I'd urge a No vote. Thank you.

PRESIDENT:

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate. I think we've had cases in the past, and I've been an assistant state's attorney, of state's attorneys and assistant state's attorneys who are overzealous. We had a case in my area where the state's attorney prevailed upon the grand jury to bring in a hundred and one...indictments against...horsemeat sales and only one ever went to trial. So I think this kind of a bill will make a state's attorney or his assistant state's attorney more honest and more careful in the way they present their evidence to a grand jury and be fair to both sides. I speak in favor of it.

PRESIDENT:

Any further discussion? Any further discussion? Senator D'Arco may close.

SENATOR D'ARCO:

Thank you, Mr. President. Let...let me simply point out that questions of grand jurors should be recorded and put into a transcript of the grand jury proceedings because those deliberations are important to an indictment. If there is no indictment, then the proceedings are never made public. So whatever questions are asked will never be known to the public. Senator Sangmeister brought out an interesting point in committee and I think this is really the essence of the issue. And the point he made was, well, let's say that a prosecutor mentions to a grand juror, "if you think this case is bad, wait till you see the next one." Well, he is imprinting in that grand juror's mind an impression that the next case is even worse than the one he's deliberating on now. Why shouldn't that fact be known in the transcript? Why shouldn't it? It's a prejudicial fact. All the other facts are known, the facts that he wants to be known get known. Well, why can't questions asked by the grand jurors sometimes in...in very...in a naive way be known? This is a good bill because it makes public all the statements that are made in the grand jurors room before the whole panel of grand jurors. These aren't secret whispers between jurors, these are questions asked in a deliberate manner by a grand juror to know what he's talking about to make a judgment. You mean that shouldn't be recorded? Of course it should be recorded. I ask for a favorable vote.

PRESIDENT:

The question is, shall House Bill 46 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 27, the Nays are 29,

none voting Present. House Bill 46 having failed to received the required constitutional majority is declared lost. House Bill 52, Senator Demuzio. On the Order of House Bills 3rd Reading is House Bill 52. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 52.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

Thank you, very much, Mr. President and Ladies and Gentlemen of the Senate. This permits highway commissioners of road districts in counties that are not under township organization to make the required determination of needed taxes before as well as on the first Tuesday of each September. This change as proposed in this bill is at the request of the Morgan County officials who would prefer to have the latitude of...a public meeting at their convenience rather than at the specified time that's now provided in the Statute. It simply changes two words, adds "or before" to the Statute, allows those highway...the commissioners and to have...set the taxes before as well as on the required date. I move...I move the passage.

PRESIDENT:

Any discussion? Any discussion? If not, the question is, shall House Bill 52 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 55, the Nays are none, none voting Present. House Bill 52 having received the required constitutional majority is declared passed. 58, Senator Schuneman. On the Order of House Bills

3rd Reading is House Bill 58. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 58.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 58 contains the recommendations of the Secretary of State's committee on the sale of government information. It places all sections in the Vehicle Code pertaining to the sale of information in one section; it clarifies what statistical information is and the forms in which information may be sold by the Secretary of State's Office; it provides for a cost floor on any sale, and that floor is the actual cost of producing the information. The number of free registration lists is reduced to a maximum of two for each law enforcement official with additional sets available on a cost basis. The cost of a title or registration search is increased from two dollars to four dollars to help pay part of the actual cost, and the release of Social Security numbers is prohibited...explicitly except on certain conditions and those are the conditions that are presently allowed under Federal Law. This places in the Statute the current policy of the Secretary of State. I ask for a favorable roll call.

PRESIDENT:

Any discussion? Is there any discussion? Senator Kelly.

SENATOR KELLY:

Briefly, Mr. President and members of the Senate, I'm going to support this House Bill 58, but I...I can't see why we should allow any of this...private information to be sold by the Secretary of the State or any other State agency of

government. I know this is somewhat of a compromise and it's making it less difficult...or making it more difficult for this information to get out, but I can't for the life of me see how we can permit private information to be sold.

PRESIDENT:

Further discussion? Senator Netsch.

SENATOR NETSCH:

Thank you. If I may, simply and strongly, second what Senator Kelly said, compromise or no, I think this is a step in exactly the wrong direction; and what we ought to do is to readdress ourselves to something that has come up from time to time but we've never really quite been able to grapple with or at least resolve and that is a much broader level of privacy for the kinds of...of records that...that government carries on us. We are going to pass, apparently for the first time successfully, a Freedom of Information Act this Session, which is fine, that is the right step in one direction. The...the much more difficult issue is how we protect individuals from the overreaching of the kind of information that government carries on all of us, a much more difficult question to resolve. But however it is ultimately resolved, this is a modest but nevertheless significant step in exactly the wrong direction.

PRESIDENT:

Further discussion? Senator Collins.

SENATOR COLLINS:

Yes, thank you, a question of the sponsor.

PRESIDENT:

Sponsor indicates he'll yield, Senator Collins.

SENATOR COLLINS:

Who...who gets this information?

PRESIDENT:

Senator Schuneman.

SENATOR SCHUNEMAN:

Well, a variety of...of people, businesses, organizations ask for information. Much of it is...is requested by law enforcement officials.

PRESIDENT:

Senator Collins.

SENATOR COLLINS:

Organizations...anyone other than law enforcement people at this point in time, what kind of information are you talking about? Are you talking about individual private information can be purchased for business or...a private organization?

PRESIDENT:

Senator Schuneman.

SENATOR SCHUNEMAN:

Basically, what can be secured is public information that is required by the Secretary of State to be collected by him. And for example, in the area of drivers licenses, most of the information that appears on our drivers license is public information and would be available on these lists.

PRESIDENT:

Senator Collins.

SENATOR COLLINS:

Well, on...on my drivers license is a Social Security number, a date of birth, that's my private information and no business or no one else should be able to purchase that information, because it was given in confidence to the Secretary of State. It is not public information, that is private information, my personal information.

PRESIDENT:

Senator Schuneman.

SENATOR SCHUNEMAN:

The Social Security number is not routinely put on these lists, that's the exception of the information that appears on your drivers license. That information is not routinely on

the list. The...the age, the date of birth, is information that is routinely on the list.

PRESIDENT:

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

SENATOR SCHUNEMAN:

Well, thank you, Mr. President. I think that the people who have indicated some question about this bill raise some valid points. The problem is that the Secretary of State is trying to walk that thin line between freedom of...of information and the privacy that we all seek to protect. And I think he's done an outstanding job in this instance in that he appointed a blue ribbon committee to investigate and study all of these issues and make recommendations back to his office as to how we should handle this, and this bill is simply enacting into the Statute the recommendation of that committee. The bill passed out of the House on a vote of a 108 to 5, received the unanimous approval of the Senate Executive Committee, and I would ask for a favorable vote.

PRESIDENT:

The question is, shall House Bill 58 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 45, the Nays are 9, 1 voting Present. House Bill 58 having received the required constitutional majority is declared passed. 60, Senator Vadalabene. On the Order of House Bills 3rd Reading, bottom of page 4, is House Bill 60. Read the bill, Mr. Secretary.

SECRETARY:

House...House Bill 60.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

I was waiting until the caucus breaks up there, that'd be fine. Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. House Bill 60, as amended, permits in counties whose population is between two hundred thousand and two hundred and seventy-five thousand, which is St. Clair and Madison, two additional bingo games may be conducted once the two thousand two hundred and fifty dollar limit has been reached. An individual prize limit of each of these two additional games is a maximum of five hundred dollars each. The additional game provision applies only to St. Clair and Madison Counties and this is intended to help them compete with bingo operators in Missouri which borders these counties, and I would appreciate a favorable vote.

PRESIDENT:

Any discussion? Senator Euzbee.

SENATOR EUZBEE:

Thank you, Mr. President. Senator Vadalabene, I was supporting your legislation all along understanding the unique problem that you have there, but then I got a call from a constituency group in my district in Monroe County, which is right south of St. Clair County, and they have a similar problem, only now you're going to exacerbate it with the passage of this legislation. Because as was pointed out by I believe it was the American Legion in Columbia, Illinois to me, that when somebody comes off of the J. B. Bridge, if they turn left they can go into St. Clair County and participate in the higher level bingo game, or if they turn right they go to Monroe County to the American Legion in Columbia which is just three or four miles south of the J. B. Bridge, and they cannot participate in the higher level bingo game. So I believe it was Senator Netsch or somebody who pointed out in the second reading on this bill that by our helping Madison

and St. Clair Counties, and of course part of St. Clair is in my district, we are going to start in process the domino effect and...and you're right...the first domino is falling, it's Monroe County. And if we can't address the problem at...at all levels, I guess I'm going to have to oppose the bill. Assuming that it passes, I can assure you that next year I'll be in to let Monroe County in, because they're going to be excluded now; and then after that, why we'll have to go to Randolph and then to Perry and Jackson and Union and Alexander, and maybe we ought to just address the whole State rather than just a couple of counties at a time.

PRESIDENT:

Further discussion? Senator Etheredge.

SENATOR ETHEREDGE:

Will the sponsor yield?

PRESIDENT:

Sponsor indicates he'll yield, Senator Etheredge.

SENATOR ETHEREDGE:

Senator, the provision which was incorporated in this...in the bill as we received it from the House had an amendment which provided for payment for those people who help with these games. That has been stricken, has it not?

PRESIDENT:

Senator Vadalabene.

SENATOR VADALABENE:

Yes, that was stricken with Senator Netsch's amendment.

PRESIDENT:

Senator Etheredge.

SENATOR ETHEREDGE:

Then just by way of comment, I...there are a number of counties whose population fall within the range specified within this bill, but I just want to emphasize the point that the way the amendment is drafted though, it would apply only to Madison and St. Clair Counties. That question has been

raised over here.

PRESIDENT:

Senator Vadalabene.

SENATOR VADALABENE:

Yes, it's been amended a second time to specify exactly what you said, Senator Etheredge. And I might add while I'm up that...that we did pass Senator Watson's bill and it's over in the House and I think this one is almost in the same shape now as Senator Watson's bill.

PRESIDENT:

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

SENATOR VADALABENE:

Yes, a favorable vote, please.

PRESIDENT:

The question is, shall House Bill 60 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 30, the Nays are 25, 1 voting Present. House Bill 60 having received the required constitutional majority is declared passed. Senator Lechowicz.

SENATOR LECHOWICZ:

I'd like a verification.

PRESIDENT:

All right. Will the members please be in their seats. Senator Lechowicz has requested a verification. Will the Senators please be in their seats. Mr. Secretary will you read the affirmative votes.

SECRETARY:

The following voted in the affirmative: Barkhausen, Berman, Bloom, Chew, Collins, D'Arco, Davidson, Dawson, Etheredge, Fawell, Friedland, Geo-Karis, Grotberg, Hall,

Hudson, Jones, Kelly, Luft, Macdonald, Mahar, Marovitz, Netsch, Newhouse, Rigney, Sangmeister, Schuneman, Smith, Vadalabene, Watson, Mr. President.

PRESIDENT:

Senator Lechowicz, you question the presence of any member?

SENATOR LECHOWICZ:

Thank you, Mr. President. Mr. Barkhausen...Senator Barkhausen.

PRESIDENT:

Senator Barkhausen in the middle aisle.

SENATOR LECHOWICZ:

Senator Bloom. Senator Bloom.

PRESIDENT:

Senator Bloom is in his chair.

SENATOR LECHOWICZ:

Senator Berman.

PRESIDENT:

Senator Berman is to my left.

SENATOR LECHOWICZ:

Okay, Senator Chew.

PRESIDENT:

Not all the time, I might add.

SENATOR LECHOWICZ:

Senator Chew.

PRESIDENT:

Senator Chew here? Senator Chew on the floor? Senator Chew on the floor? Strike his name, Mr. Secretary.

SENATOR LECHOWICZ:

Senator Jones.

PRESIDENT:

Senator Jones on the floor? Strike his name, Mr. Secretary.

SENATOR LECHOWICZ:

No further questions.

PRESIDENT:

All right, the roll has been verified. The Ayes are 28, the Nays are 25, 1 voting Present. Senator Sam, you wish further consideration be...on that question, the Ayes are 28, the Nays are 25, 1 voting Present. House Bill 60 having failed to receive the required constitutional majority is declared lost. 61, Senator Demuzio. On the Order of House Bills 3rd Reading, top of page 5, is House Bill 61. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 61.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Demuzio.

END OF REEL

REEL #4

SENATOR DEMUZIO:

Thank you, very much, Mr. President and Ladies and Gentlemen of the Senate. House Bill 61 mandates biennial...biennial inspection of standard and miniature tracks and engine boilers and other boilers used for...solely for exhibition purposes. Senator Rigney, which...whom I will yield to, requests to be added as a hyphenated cosponsor of House Bill 61 and, therefore, I would ask leave to...to do that and yield to him for his explanation of his Amendment No. 1.

PRESIDENT:

Alright. The Senator has requested leave to show Senator Rigney as a hyphenated cosponsor. Is leave granted? Leave is granted. Senator Rigney.

SENATOR RIGNEY:

Mr. President, Amendment No. 1 is a very important little amendment to those people that had some of these old boilers that did not have the ASME stamp on them. The Fire Marshal's Office just arbitrarily refused to inspect these boilers. Amendment No. 1 provides that they will be inspected. If they are able to pass inspection, then they may be exhibited.

PRESIDENT:

Further discussion? Senator Lechowicz. Further discussion? Senator Demuzio, you...the question is, shall House Bill 61 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. House Bill 61 having received the required constitutional majority is declared passed. Senator Maitland, on 62. Senator Marovitz, on 64. Senator Maitland,

67. Senator Darrow, 74. On the Order of House Bills 3rd Reading, House Bill 74. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 74.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Darrow.

SENATOR DABROW:

Thank you, Mr. President. Ladies and Gentlemen of the Senate, what this legislation does is allow municipalities to indemnify police officers for judgements based on acts related to employment, thus safeguarding the police officer from a garnishment. In order for this to take place...there must be a judgement entered, the police officer must be employed by the municipality and have...been found negligent or have the judgement entered against him for some act that...arose out of the course of his employment, and the municipality must...indemnify him. This would prevent the plaintiff in the case from coming and garnishing the police officer's wages once the judgement is entered. It's supported by all the police organizations throughout the State. I'd ask for a favorable vote.

PRESIDENT:

Any discussion? Is there any discussion? If not, the question is, shall House Bill 74 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 56, the Nays are none, none voting Present. House Bill 74 having received the required constitutional majority is declared passed. 76. On the Order of House Bills 3rd Reading is House Bill 76. Read the bill, Mr. Secretary.

SECRETARY:

HB 77.
3rd Reading

House Bill 76.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President. House Bill 76 really clears up some language that was a bit confusing in the Statutes, and it clarifies for certain that red lights are reserved for fire department vehicles and that blue lights are reserved for members of volunteer ambulance units. And in addition, the amendment that was placed on it the Senate further clarifies that oscillating lights...rotating lights can be used for...for vehicles who are in some way rescuing or assisting with vehicles that are broken down on the highway.

PRESIDENT:

Any discussion? Is there any discussion? If not, the question is, shall House Bill 76 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 58, the Nays are none, none voting Present. House Bill 76 having received the required constitutional majority is declared passed. On the Order of House Bills 3rd Reading is House Bill 77. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 77.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Holmberg.

SENATOR HOLMBERG:

This bill expands the number of antibiotics that may be

listed on the drug formula that can be paid for by the Department of Public Aid. Although it seemingly would add some money to the amount spent by the Department of Public Aid, it has been proven that this is cost savings in the long-run because it prevents hospitalization, one of the larger costs in the department.

PRESIDENT:

Any discussion? Is there any discussion? Senator Watson.

SENATOR WATSON:

That's not what my analysis reads. It says here it costs 1.6 million. I'd like to have you comment on that if you would, please.

PRESIDENT:

Senator Holmberg.

SENATOR HOLMBERG:

Additional drugs on the formulary initially cost more, but the amount of hospitalization that they prevent enables the department to save money in the long-run, and it...it has been shown in other states that this does happen.

PRESIDENT:

Senator Watson.

SENATOR WATSON:

Well, what would happen if a patient would go to an emergency room at the hospital and be treated by a physician there, would they be able to get this antibiotic at that particular time?

PRESIDENT:

Senator Holmberg.

SENATOR HOLMBERG:

It's my understanding that emergency rooms maybe will have like a single dose or something like that that they can give, but when the patient needs a long length of prescription, they do not have that available. They need to call

or...or get prior approval and sometimes the delays are...are too long and too costly.

PRESIDENT:

Senator Watson.

SENATOR WATSON:

That's quite true, they can get the medication at the emergency room then. Is that...the answer to my question is, yes. Then the medication is available at the emergency room at the hospital regardless of what the medication is. The answer is, yes. That's right, that's right. Okay. What happens now if a physician wants to use a particular antibiotic on an individual? Can't they write the department and get, as you called, prior approval? Isn't that available to them now to do that?

PRESIDENT:

Senator Holmberg.

SENATOR WATSON:

Is it that much of an inconvenience to the...to the physician, to the patient and everyone involved for the...if the...the doctor to contact the department to get the prior approval? Is it that much of a problem?

PRESIDENT:

Senator Holmberg.

SENATOR HOLMBERG:

Yes, it is. When I decided to carry this bill, I've had the department tell me that they give prior approval and the next day they are able to get back to people. I took this to Rockford to individual doctors and I checked with them, and they said as long as thirty days go by before they get the approval that they need, that it is much easier, much faster to just check the patient into the hospital. It is too much...there is too much difficulty involved, and time and time again the course of action is hospitalization in order that the proper antibiotic can be given.

PRESIDENT:

Senator Watson.

SENATOR WATSON:

Well, I suggest that if you contact ninety-nine percent of the physicians in Illinois, they're going to say they want an open formulary. They don't like the idea of the department coming in and dictating policy and...maybe there's some merit for that. But, again, the department has to be responsible and...and, hopefully, hold down costs. I suggest that this thing is going to cost in the neighborhood of millions of dollars to the State of Illinois in a time when we really can't afford it. And I...I urge a No vote. And I see here that the Illinois Pharmacists Association is also opposed to this, as is the department. And I certainly urge a No vote.

PRESIDENT:

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, this is a good bill and I urge your support of it, because if it costs much more money to take someone to a hospital where they can give them the drug that might be needed and we can't put on a formulary, well, my goodness, there's a much bigger cost for hospital work than there is in...issuing the prescribed drug. I think it's high time that we looked at it with some common sense. And if you'll recall, we had a like bill that flew out of this House last year, but I don't know why it was vetoed. I certainly speak in favor of the bill. It will save a lot of cost and at the same time will do a lot more good.

PRESIDENT:

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

SENATOR HOLMBERG:

In addition to the doctors in the community, I checked

with the senior citizens groups, the outreach workers from the Northern Illinois Council of Aging. They said that this is one of their primary bills in this Session of the Legislature, because it is a matter of life and death for the senior citizens of northern Illinois and all of Illinois that they have the proper medication at the proper time. I urge a favorable vote. It's a necessary bill for all of the people of Illinois depending on that Department of Public Aid formula.

PRESIDENT:

(Machine cutoff)...is, shall House Bill 77 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 42, the Nays are 13, none voting Present. House Bill 77 having received the required constitutional majority is declared passed. 79, Senator Davidson. On the Order of House Bills 3rd Reading is House Bill 79. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 79.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Davidson.

SENATOR DAVIDSON:

Mr. President and members of the Senate, the bill does what it says on the Calendar. This came out of public hearings in the Motor Vehicle Laws. Has the support from the Department of Law Enforcement, Department of Transportation and Illinois Motorcycle Leaders Association, et cetera. It's put in the same uniform language that allows motorcyclists to have a little...possibly a little more safer opportunity to ride. It puts a pulsating high-low beam on their headlight

HB 80
3rd Reading

which they must have on during the daylight hours.
Appreciate a favorable roll call.

PRESIDENT:

Any discussion? Is there any discussion? If not, the question is, shall House Bill 79 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. House Bill 79 having received the required constitutional majority is declared passed. On the Order of House Bills 3rd Reading is House Bill 80. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 80.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Holmberg.

SENATOR HOLMBERG:

This is a companion bill to 77. This one deals with the arthritic drugs and, again, it expands the number of drugs in this area that can be prescribed and paid for under the Department of Public Aid Formula. Again, supported by senior citizens groups. One of the probably two vital drug areas that they're in need of, in addition to the antibiotics is the arthritic drugs.

PRESIDENT:

Any discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the...of the Senate, in a...in communication too with the same topic, I might tell you that there are people who are suffering from arthritis and there's about...arthritis is one of the two top causes of disability, and one out of seven Americans suffer

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from arthritis, and we have seventy thousand arthritis cases in Illinois Public Aid alone. I think we should give them some decent medication, and I speak for the bill.

PRESIDENT:

Further discussion? Senator Lechowicz. Senator Holmberg, do you wish to close?

SENATOR HOLMBERG:

I ask for a favorable roll call.

PRESIDENT:

Question is, shall House Bill 80 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 49, the Nays are 8, none voting Present. House Bill 80 having received the required constitutional majority is declared passed. On the Order of House Bills 3rd Reading is House Bill 84. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 84.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. This addresses a problem for townhome associations that we've addressed for condominium association and that is the...problem of double taxation, where the townhome association is being assessed a tax for the common areas and the residential real property owners also being assessed a tax. And this simply says that the real property owner would be assessed a tax according to the proportionate share of value of such common areas, and the...townhome association would not be assessed the tax for the common areas. So, we wouldn't have the double taxation.

problem but only one taxpayer would be paying a tax, and I would ask for a favorable vote.

PRESIDENT:

Any discussion? Is there any discussion? Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. There is no question that it is a problem, and although this is perhaps not the only solution, this certainly is a perfectly reasonable solution to the problem, and I would support the bill.

PRESIDENT:

Any further discussion? Senator Etheredge.

SENATOR ETHEREDGE:

Will the sponsor yield?

PRESIDENT:

Indicates he'll yield, Senator Etheredge.

SENATOR ETHEREDGE:

This...this bill did pass out of committee on a...without any negative votes whatsoever. It certainly does seem like a...a fair and reasonable approach; however, I note that the Department of Revenue is listed in opposition to the bill and I was just wondering if the sponsor could refresh my memory as to...as to why they are opposed.

PRESIDENT:

Senator D'Arco.

SENATOR D'ARCO:

According to the Department of Revenue, the value of the common areas is assessed to the...the association rather to the individual homeowner, and I think that's a question of interpretation. The idea is that when he buys the...the residential property he is paying for the value of the common areas as well as his own individual unit and, therefore, is paying a tax on the common areas and the Department of Revenue is interpretation a little different than that.

PRESIDENT:

Further discussion? Further discussion? If not, the question is, shall House Bill 84 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 56, the Nays are none, 2 voting Present. House Bill 84 having received the required constitutional majority is declared passed. On the Order of House Bills 3rd Reading is House Bill 86. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 86.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President and members of the Senate. This bill amends the Township Act. It removes the January 1st, 1982 deadline for adopting a plan to change the township boundary lines. That's all the bill does. Representative Steczo, who is from my district, introduced this bill because in the Village of Posen...which is within our district, there's a two block area that's in Thornton Township and we, by referendum, want to have that transferred to Breman Township, as do all the residents that live within the Village of Posen. And this would give us the availability to have a public referendum to do so. And it passed the...the House by 109 to 1 vote, and I would ask for your favorable support.

PRESIDENT:

Any discussion? Any discussion? If not, the question is, shall House Bill 86 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 52,

the Nays are none, none voting Present. House Bill 86 having received the required constitutional majority is declared passed. Senator Maitland, 93. On the top of Page 6, on the Order of House Bills 3rd Reading is House Bill 93. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 93.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President. House Bill 93 provides that a written notice of the hearing shall be mailed or delivered to all owners of property adjacent to a road which is the subject of a hearing. In the past, many property owners are affected by changes in roads, and this clearly provides that notice will be given to those people in advance of the hearing.

PRESIDENT:

Any discussion? Is there any discussion? If not, the question is, shall House Bill 93 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 56, the Nays are none, none voting Present. House Bill 93 having received the required constitutional majority is declared passed. On the Order of House Bills 3rd Reading, House Bill 97. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 97.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Sangmeister.

SENATOR SANGMEISTER:

Thank you, Mr. President and members of the Senate. This is a bill that you've probably heard from your local county probation officers who are in support of, because it amends the Probation Officer's Act to allow eligible probation in court services departments to annually receive fifty percent of their funding in the form of reimbursement from the administrative office of the Illinois courts. I'm a member of the...been appointed by the Governor to the Task Force on Prison Overcrowding, and one of the alternatives we are considering, of course, is probation. Most judges in the State of Illinois will tell you that if they have a reasonable alternative and felt probation was working well, that they would use it. We are now, as you know, going into forced release by Director Lane of somewhere up to ten, eleven going out a year, and we have to seek some reasonable alternatives and this is certainly one of them. This bill went through the General Assembly the last time with an overwhelming vote. The Governor vetoed it because of the funds involved. But being that his task force is seriously considering this alternative, I would think he may want to take a look at it this time around. If there are any questions I'll be happy to answer them; otherwise, I ask for a favorable vote.

PRESIDENT:

Is there any discussion? Any discussion? Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Once again, in FY '84 this is eleven million dollars. In FY '85 it's twenty-two million dollars. I don't know where it's coming from unless everybody is ready to vote for some kind of a tax increase.

PRESIDENT:

Further discussion? Further discussion? Senator Sangmeister may close.

SENATOR SANGMEISTER:

Well, what Senator Philip says is absolutely correct, but the thing we have to think about is that there has to be some alternatives, and those alternatives are we're going to have to spend money either building more prisons or building a decent probation system in the State of Illinois. And although I'm not exactly positive, I would think in DuPage County his probation department is well in favor of this bill as well. What are the alternatives? If...there's nothing at...nothing...no problems with the...there is no problems with the Governor here whatsoever. If the task force does not recommend this alternative to him, he can just as well veto the bill again as he did in the past. But I do think he would want this alternative on his desk, and I urge a favorable vote.

PRESIDENT:

The question is, shall House Bill 97 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 43, the Nays are 8, 5 voting Present. House Bill 97 having received the required constitutional majority is declared passed. 99, Senator Buzbee. On the Order of House Bills 3rd Reading is House Bill 99. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 99.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Buzbee.

SENATOR BUZBEE:

Thank you, Mr. President. This is the House rendition of Senate Bill 2. It eliminates the transportation cost in the automatic fuel adjustment clause for the delivery of coal into the State of Illinois. It's an issue that's been before us many, many times, and we have already passed Senate Bill 2. This has an effective date of May the 1st, 1984. It's my understanding that the utilities, while not exactly euphoric over this legislation, at least have withdrawn their opposition now given the fact that we have changed the effective date to May the 1st of 1984, and I would ask for a favorable roll call.

PRESIDENT:

Is there any discussion? Senator Johns.

SENATOR JOHNS:

Mr. President and Ladies and Gentlemen of the Senate, for years Senator Buzbee and I have been proposing this, and along with all the colleagues from downstate we've tried to stress to you that this particular facet of the coal industry is of the utmost importance to us. When you look at the cost of coal to transport it, it often outweighs the cost of coal of Illinois. We've got a higher BTU coal, we've got a better coal, but we just can't seem to get some of you to realize how important this is to us. If you cut this transportation charge that's allowed, you'll bring home to Illinois jobs by the thousands, you'll make the utilities act responsibly in installing equipment, you'll bring together a venture of utilities, coal operators, coal mining unions and the General Assembly all in one with this vote. I urge you to give a very sympathetic and understanding vote to this bill.

PRESIDENT:

Further discussion? Senator Davidson.

SENATOR DAVIDSON:

Mr. President and members of the Senate, I rise in sup-

port of this legislation. In years past, I have opposed it. This is a good bill to get Illinois coal industry back on board so that the coal companies...or excuse me, the utility companies will go before the Commerce Commission and get the rate to put the scrubbers to either retrofit or the new plants coming on line, this will help in the industry and help you and I and help tax increase for the revenues that everybody is talking about 'cause we'll have more people working. I urge a Yes vote.

PRESIDENT:

Further discussion? Further discussion? Senator Buzbee may close.

SENATOR BUZBEE:

I would ask for a favorable roll call.

PRESIDENT:

The question is, shall House Bill 99 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 56, the Nays are none, 1 voting Present. House Bill 99 having received the required constitutional majority is declared passed. 104, Senator Zito. 107, Senator Lemke. 108, Senator Berman. 112, Senator Marovitz. 114, Senator Smith. On the Order of House Bills 3rd Reading is House Bill 114. Read the bill, Mr. Secretary.

SECRETARY:

(Machine cutoff)...114.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Smith.

SENATOR SMITH:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Bill 114 provides that a person or groups of

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3rd reading

persons commit institutional intimidation when without legal justification the group intentionally for reasons of race or religion or national origin commit any of the following acts: damages to a building used for religious worship, damage to sacred groups such as cemeteries or mortuaries, damage to any school or educational community center identified with the church, and harms any person or members of a religious congregation travelling to or from church or any of the other institutions that I listed.

PRESIDENT:

Any discussion? Any discussion? If not, the question is, shall House Bill 114 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. House Bill 114 having received the required constitutional majority is declared passed. On the Order of House Bills 3rd Reading is House Bill 108. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 108.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

(Machine cutoff)...Berman.

SENATOR BERMAN:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Bill 108 prohibits a person who intentionally and unjustifiably causes another's death from inheriting or otherwise receiving property or other interest by reason of such person's death. This is a gap that has been in our civil law for a long time. It was called to our attention by the Judge Dahl, the presiding judge of the probate division of Cook County. I solicit your Aye vote.

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HB 115
3rd Reading
HB 156

HB 137
3rd Reading
HB 125
3rd Reading

HB 156
3rd Reading

PRESIDENT:

Any discussion? Any discussion? If not, the question is, shall House Bill 108 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 56, the Nays are none, none voting Present. House Bill 108 having received the required constitutional majority is declared passed. If I can have the attention of the membership, the next forty-two bills are revisory bills. With leave of the Body, if there is no objection, we will ask the Secretary to read each of the bills a third time and we can take them all on a single roll call. Is there leave...leave granted? Leave is granted. On the Order of House Bills 3rd Reading, House Bill 115. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 115.

(Secretary reads title of bill)

1st...3rd reading of the bill.

PRESIDENT:

On the Order of House Bills 3rd Reading, House Bill 116. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 116.

(Secretary reads title of bill)

1st reading of the bill.

PRESIDENT:

On the Order of House Bills 3rd Reading, House Bill 117.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 117.

(Secretary reads title of bill)

1st reading of the bill.

PRESIDENT:

On the Order of House Bills 3rd Reading, House Bill 118.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 118.

(Secretary reads title of bill)

1st reading of the bill.

PRESIDENT:

On the Order of House Bills 3rd Reading, top of Page 7,
House Bill 119.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 119.

(Secretary reads title of bill)

1st reading of the bill...3rd reading of the bill, I'm sorry.

PRESIDENT:

On the Order of House Bills 3rd Reading, House Bill 120.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 120.

(Secretary reads title of bill)

...3rd reading of the bill.

PRESIDENT:

On the Order of House Bills 3rd Reading, House Bill 121.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 121.

(Secretary reads title of bill)

3rd reading...

PRESIDENT:

On the Order of House Bills 3rd Reading, House Bill 124.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 124.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

On the Order of House Bills 3rd Reading, House Bill 125.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 125.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

On the Order of House Bills 3rd Reading, House Bill 126.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 126.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

On the Order of House Bills 3rd Reading, House Bill 127.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 127.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

On the Order of House Bills 3rd Reading, House Bill 128.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 128.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

On the Order of House Bills 3rd Reading, House Bill 129.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 129.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

On the Order of House Bills 3rd Reading, House Bill 130.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 130.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

On the Order of House Bills 3rd Reading, House Bill 131.

ACTING SECRETARY: (MR. FERNANDES)

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3rd Reading
HB 135
2nd Reading

House Bill 131.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

On the Order of House Bills 3rd Reading, House Bill 132.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 132.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

On the Order of House Bills 3rd Reading, House Bill 134.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 134.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

On the Order of House Bills 3rd Reading, House Bill 135.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 135.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Top of Page 8, on the Order of House Bills 3rd Reading,
House Bill 137.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 137.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

On the Order of House Bills 3rd Reading, House Bill 138.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 138.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

On the Order of House Bills 3rd Reading, House Bill 139.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 139.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

On the Order of House Bills 3rd Reading, House Bill 140.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 140.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

On the Order of House Bills 3rd Reading, House Bill 142.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 142.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

On the Order of House Bills 3rd Reading, House Bill 143.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 143.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

On the Order of House Bills 3rd Reading, House Bill 144.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 144.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

On the Order of House Bills 3rd Reading, House Bill 145.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 145.

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3rd Reading

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

On the Order of House Bills 3rd Reading, House Bill 147.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 147.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

On the Order of House Bills 3rd Reading, House Bill 148.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 148.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

On the Order of House Bills 3rd Reading, House Bill 149.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 149.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

On the Order of House Bills 3rd Reading, House Bill 150.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 150.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

On the Order of House Bills 3rd Reading, House Bill 151.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 151.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

On the Order of House Bills 3rd Reading, House Bill 152.

HB 156
3rd Reading
HB 157
3rd Reading

ACTING SECRETARY: (MR. FERNANDES)

House Bill 152.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

On the Order of House Bills 3rd Reading, House Bill 153.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 153.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

On the Order of House Bills 3rd Reading, the top of Page 9, is House Bill 154.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 154.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

On the Order of House Bills 3rd Reading, House Bill 155.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 155.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

On the Order of House Bills 3rd Reading, House Bill 156.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 156.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

On the Order of House Bills 3rd Reading is House Bill 157.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 157.

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3rd Reading*

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

On the Order of House Bills 3rd Reading is House Bill
158.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 158.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

On the Order of House Bills 3rd Reading is House Bill
159.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 159.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

On the Order of House Bills 3rd Reading is House Bill
160.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 160.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

On the Order of House Bills 3rd Reading, House Bill 162.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 162.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

On the Order of House Bills 3rd Reading is House Bill
163.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 163.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

On the Order of House Bills 3rd Reading is House Bill 164.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 164.

(Secretary reads title of bill)

3rd reading of the Bill.

PRESIDENT:

On the Order of House Bills 3rd Reading is House Bill 167.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 167.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

On the Order of House Bills 3rd Reading is House Bill 168.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 168.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

The question is, shall House Bills...the question is, shall House Bills 115, 116, 117, 118, 119, 120, 121, 124, 125, 126, 127, 128, 129, 130, 131, 132, 134, 135, 137, 138, 139, 140, 142, 143, 144, 145, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 162, 163, 164, 167 and 168 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 55, the Nays are none, none voting Present. The aforementioned bills having

received the required constitutional majority are declared passed. Senator Lemke, on 169. On the Order of House Bills 3rd Reading is House Bill 169. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 169.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Lemke.

SENATOR LEMKE:

What this bill does is amends the Law Revisionary Commission Act, extends the life of the commission to December 31st, 1985, effective immediately. I ask for its adoption.

PRESIDENT:

Any discussion? Is there any discussion? If not, the question is, shall House Bill 169 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 7, none voting Present. House Bill 169 having received the required constitutional majority is declared passed. Senator Geo-Karis, on 171. On the Order of House Bills 3rd Reading is House Bill 171. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 171.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate,...House Bill 171 amends the Code of Criminal Procedure to prohibit the court from requiring or ordering the

victim of a sex offense to submit to certain examination unless authorized by the Criminal Code or authorized by Supreme Court rule, and I move for its passage.

PRESIDENT:

Any discussion? Is there any discussion? If not, the question is, shall House Bill 171 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 56, the Nays are none, none voting Present. House Bill 171 having received the required constitutional majority is declared passed. 172. On the Order of House Bills 3rd Reading, the bottom of Page 9, is House Bill 172. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 172.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, House Bill 172 provides that it is a crime to threaten a public official and...expands the law already in force to include associate, circuit, appellate and Supreme Court judges and their families. And I move its passage.

PRESIDENT:

Any discussion? Senator Collins.

SENATOR COLLINS:

...yes, thank you, Mr. President. A point of personal privilege. I was called to the telephone on the bills from 115 through 168. Had I been at my desk, I would have voted Aye.

PRESIDENT:

HB 178
3rd reading

The record will so reflect. Any discussion on 172? If not, the question is, shall House Bill 172 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 55, the Nays are none, none voting Present. House Bill 172 having received the required constitutional majority is declared passed. 174, Senator Lemke. On the Order of House Bills 3rd Reading is House Bill 174. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 174.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Lemke.

SENATOR LEMKE:

What this does is amends the Code of Civil Proceeding as to heresay. Permits the declarent to testify to a prior statement of identification of a person after receiving him if the declarent is subject to cross-examination concerning the statement. This in regards to the case of the People versus Rogers, Illinois Supreme Court in regards to prior identification. I think it's a good bill, I ask for its adoption.

PRESIDENT:

Any discussion? Any discussion? If not, the question is, shall House Bill 174 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 1, 1 voting Present. House Bill 174 Having received the required constitutional majority is declared passed. 178, Senator Sam. On the Order of House Bills 3rd

Reading is House Bill 178. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 178.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. House Bill 178 provides that a discharge in bankruptcy does not negate the requirement of proof of financial responsibility. Current law provides that if an uninsured motorist has an accident the Secretary of State may suspend driver's licensing privilege for one year. Many automobile insurance companies in Illinois classify suspended drivers as preferred risks. Preferred risk policyholders often pay a higher premium for auto insurance coverage than the average policyholder, and as a result, during the period of suspension prior to providing financial responsibility many casualty lawyers advise uninsured motorists in personal injury cases to file for bankruptcy. The Secretary of State's Office estimates approximately two thousand six hundred suspended drivers filed for bankruptcy last year. And I would approve for a favorable vote.

PRESIDENT:

Any discussion? Is there any discussion? If not, the question is, shall House Bill 178 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 56, the Nays are none, none voting Present. House Bill 178 having received the required constitutional majority is declared passed. Senator Hall, on 186. 196, Senator DeAngelis. Top of Page 10. 198, Senator Demuzio. On the

Order of House Bills 3rd Reading is House Bill 198. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 198.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

Thank you...thank you, Mr. President and Ladies and Gentlemen of the Senate. House Bill 198 is a bill that would permit legislative members of the Council on Aging to be reappointed for an additional two-year term while serving in the General Assembly. Provides that the four party leaders to reappoint legislative members to the council, and a legislator who's appointed to fill a vacancy shall serve for the remainder of his predecessor's term. I move for the adoption of House Bill 198.

PRESIDENT:

Any discussion? Any discussion? If not, the question is, shall House Bill 198 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. House Bill 198 having received the required constitutional majority is declared passed. On the Order of House Bills 3rd Reading is House Bill 199. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 199.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

Yes, thank you. This provides for reimbursement to the legislative members of the Council on Aging for expenses incurred in performance with their duties. Current law only allows us...allows citizen members to be reimbursed for expenses but not legislative members. These two bills are supported by the council...the...by the Department on Aging in order to strengthen the Council on Aging, and I move for the favorable adoption.

PRESIDENT:

Any discussion? Any discussion? If not, the question is, shall House Bill 199 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. House Bill 199 having received the required constitutional majority is declared passed. 200, Senator Grotberg. On the Order of House Bills 3rd Reading is House Bill 200. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 200.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Grotberg.

SENATOR GROTBORG:

Thank you, Mr. President and fellow members. Let me open with the fact that my name should have been on the handout that is on your desk from the Tribune and the Sun Times, and I...please forgive me for that. In the heat of the battle, I forgot to put my name on it. Gentlemen and Ladies, under current law the following persons are exempt from serving as jurors: the Governor, Lieutenant Governor, Secretary of State, State Comptroller, Treasurer, members of the Board of

Education, State Superintendent of Education, Attorney General, members of the General Assembly during their term of office, all judges, of course, all clerks of courts, sheriffs, coroners, practicing physicians, Christian Science readers, postmasters, practicing attorneys, all officers of the United States...Postmasters, all officers of the United States, officiating ministers of the gospel, members of religious communities, mayors of cities, aldermen of cities, village trustees, policemen, active members of the fire department, all persons actively employed upon the editorial or mechanical staffs of the department of any public...or of any newspaper of general circulation, the National Guard, dental surgeons. What the thrust of the present exemptions is that mean getting a jury of your peers for most of us means that you will never get one because they never get called. And it is the thrust of Senator Groberg and Representative Cullerton that it's time that we changed that. The bill before you has gone back and helped the newspaper people just enough that their editorial staff and the typesetters only are exempt. Because we didn't amend the Dental Act, the dentists are still in it. Other than that, I added in the Senate that attorneys may of their own volition be excused from jury duty, but they must tell the judge that they don't want to serve at the time of the call. I'd be...to answer any questions, but I...think the...the publicity added to the late issues of the Chicago Tribune in April, the facts are that it's time for this bill. I would, rather than delay the proceedings, I'd be glad to answer any questions that I'm able to. And with that, I would ask for a favorable roll call.

PRESIDENT:

Any discussion? Any discussion? Senator Darrow.

SENATOR DARROW:

Will the sponsor yield?

PRESIDENT:

Indicates he'll yield, Senator Darrow.

SENATOR DARROW:

Why are you exempting newspaper editors?

PRESIDENT:

Senator Grotberg.

SENATOR GROTEBERG:

That was the first amendment quarrel that came down the pike as soon as we filed the bill. They've historically been exempt on a first amendment criteria.

PRESIDENT:

Further discussion? Senator Marovitz.

SENATOR MAROVITZ:

Why are you exempting dentists?

PRESIDENT:

Senator Grotberg.

SENATOR GROTEBERG:

They...the dentists are exempt in the Dental Act, not in the Juror Act, and they...nobody else asked, incidentally, none of the other professions.

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

...any of the other medical professions. I mean, how does somebody get exempted and somebody not get exempted? Obviously, there are a lot of people exempted now. Now we've only exempted some people.

PRESIDENT:

Senator Grotberg.

SENATOR GROTEBERG:

Thank you. Senator, we've only exempted a few compared to what they were. Anybody can get exempt from jury duty if the judge...if he makes his appeal to the judge and the judge says you're out. The problem is, they're not even on the

list. They don't get called nor do they get the opportunity to serve. I didn't mean exempt, they can be excused, sir...your question.

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

...I guess the...the...my point is, if we're going to remove exemptions, then we remove exemptions. If we're not going to move...remove exemptions, then we don't remove exemptions. I mean, now we've got the dentists in there, I'm sure that...I'm sure that the chiropractors and the pharmacists and a lot of other people would like to be...would like to be. Well, but I mean, we...we either do it or we don't do it, and I...it just seems to me that now we're being selective as to who the more influential lobbyists are, and perhaps that's nice for the lobbyists but if we're going to exempt people, let's do it. If we're not, let's not do it, but this seems to be kind of a half-blanked way to do it.

PRESIDENT:

Further discussion? Senator Davidson.

SENATOR DAVIDSON:

Question of the sponsor.

PRESIDENT:

Indicates he'll yield, Senator Davidson.

SENATOR DAVIDSON:

Senator Grothberg, under the present law, people licensed under the Illinois Medical Practice Act are those who are exempt from jury duty. Does this or does this not remove that exemption?

PRESIDENT:

Senator Grothberg.

SENATOR GROTHBERG:

Chiropractors are not exempt now, Senator Davidson, but the other doctors are, and this...now nobody is exempt.

PRESIDENT:

Senator...Senator Davidson.

SENATOR DAVIDSON:

Well, just to correct you, sir, we are exempt, 'cause anybody licensed under the Illinois Medical...Practice Act, which applies to MD's, osteopaths and chiropractors, are exempt under the present law. And if this removes the exemption for those of us under the Illinois Medical Practice Act, I'm going to oppose this bill because there's...I'm happy to say that most people should respond to their citizen's duty to be a juror, and my wife has been. But any person who's dealing with the possibility of a life-threatening situation for a patient would have to go to a jury...to a judge to ask to be exempt...or excused from jury duty, I think you're treading in areas you shouldn't be, and I'll urge a No vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hall.

SENATOR HALL:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will.

SENATOR HALL:

Senator, I didn't understand your answer to Senator Darrow's question on newspaper people. Why...did you say that they're being exempted or dismissed?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Grotberg.

SENATOR GROTEBERG:

Senator, historically, everybody that worked in a newspaper...advertising salesmen, everybody, were exempt. On a first amendment basis they came in and made their case. They, the Illinois Press Association, that editors and typesetters and copywriters should continue to be exempt so they...can be objective about everything, whatever that

means. We satisfied them...to that degree, but the back room...the rest of their back room is now not exempt. So, we made some headway there.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator...Senator Sangmeister.

SENATOR SANGMEISTER:

Will the sponsor yield for a couple of clarifying questions?

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR SANGMEISTER:

Senator Grothberg, do I understand the way the bill, because it has been amended, in its present shape is, the Governor of the State of Illinois can serve jury duty, is that correct?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Grothberg.

SENATOR GROTHBERG:

Just like in California, that's what the governor does. I talked to the Governor and he said, some of these days I'd be delighted to be in a jury room rather than in the Governor's Chair.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Sangmeister.

SENATOR SANGMEISTER:

(Machine cutoff)...members of the General Assembly, are we exempt or not exempt under your bill?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Grothberg.

SENATOR GROTHBERG:

Only while we're members.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Sangmeister.

SENATOR SANGMEISTER:

You mean...does that mean members in...while we're in Session or does it mean members, period?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Grotberg.

SENATOR GROTBERG:

We're no longer exempt if that's...the answer to you...without this bill, we're exempt while we are members in our elected term. We are now joining the rest of the public in becoming available for jury service, and most reasonable judges would be gladly to excuse you to come down and vote for their pay raise.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Sangmeister.

SENATOR SANGMEISTER:

Well, that means we're not exempt under this bill. What happens while we're in Session, are we exempt then?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Grotberg.

SENATOR GROTBERG:

We have to get the excuse.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Sangmeister.

SENATOR SANGMEISTER:

So, we've got to go back to our own circuit judges now and ask for ourselves, is that what you're saying, that we be exempted?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Grotberg.

SENATOR GROTBERG:

I won't tell you what the House sponsor has just told me. But I think any legislator worth his salt can get his excuse from his juror to serve in this General Assembly.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Sangmeister.

SENATOR SANGMEISTER:

What about radio commentators and television news people, are...are they exempt under this bill?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Grothberg.

SENATOR GROTHBERG:

No, and they're not very well organized either.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Sangmeister.

SENATOR SANGMEISTER:

Well, I presume that's the answer to why editors are being let out and they're not, is that correct?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Grothberg.

SENATOR GROTHBERG:

Yes.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Sangmeister.

SENATOR SANGMEISTER:

Sounds like the bill has got meritorious sponsors and meritorious thoughts, but it's a bad bill all the way around.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

Yes, thank you. Senator Grothberg, you indicated that the rationale for exempting the press was that in order for them to be able to give an objective opinion in their writing or covering the proceedings.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Grothberg.

SENATOR GROTHBERG:

Senator Collins, would I stand here and malign the press? Of course, nothing but honorable motives involved in that.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

Well, I could use that same rationale to say that any legislator in this State who made those laws, and in many instances they are awful laws, should not...it would be a conflict of interest to go down and serve as a juror in...in...in a...in a criminal trial. I...I just think that would be ridiculous.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Sommer. Senator Bruce. Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President. Very briefly, I understand why the editorial boards were exempt, at least from the newspapers, and that was to get editorial support for the legislation. I think Senator Grotberg...forgot to realize that in the metropolitan areas the mass media, the tv and radio media, also editorialize and you should have exempted them. When you first explained this to me you told me that all members of all media were automatically exempted, and in that case I agreed, because those of us who have served down here for so many years understand that those in that field would have trouble finding a fact if they fell over it and, therefore, should not be capable of serving on any jury. And, therefore, that would be supportive. But when you get this selective, I think that this is the wrong way to go.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

END OF REEL

REEL #5

SENATOR ROCK:

Thank you, Mr. President. I, too, rise in opposition to House Bill 200 as amended. Either we're all in or we're all out. I urge an...a No vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Further discussion? If not, Senator Grotberg may close.

SENATOR GROTBERG:

Well, thank you, Mr. President. We've heard everyone's rationale now as to why we shouldn't have a jury of our peers and why certain bodies should be exempt and why certain bodies shouldn't. The House sponsor tells me he'll be glad to recede from the attorney's amendment that was put on over here if it'll make a lot of people happy; no problem there, and the fact of the electronic media, without this bill they're not in it at all now, and at this point in time, the...the newspaper reporters are in it, and we can come back next year and do whatever it is we want to do with the rest of the crowd. But when it comes to eighty-two percent of the people, first of all, ignoring the call and there are another fifty-five or sixty percent of the people exempt from getting on the call, isn't it time that you and I, as legislators of this State, stood up and did something about it? You want your favorite person off duty? Is it going to hurt your clout back home because you can't call the county...judge and ask him to excuse somebody? I am opposed to that system. I think it's better that the more people get called the better we are. The bigger the possible panel drawing the better it is. There's a case to be made for drivers license versus voter list, we're changing that slowly at the county level. There are all kinds of progressive things going on in this world; the one thing that has gone backward is the ability to

demand and get a jury of your peers. I was thrilled and honored for Justice Blackman of the United States Supreme Court to sit down beside me at a banquet at North...Northern Illinois University, and I asked him, "Judge, off the bench, I shouldn't ask you these question, but what do you think?" He says, "The states that are doing it are so advanced...it's remarkable." For instance, California and many other states, Texas exempts only the Governor, I believe. That...that it is a mandate from the people in our Constitution and it's been watered down state by state, state by state, but the United State's Constitution and the Constitution of the State of Illinois guarantees you these rights. Why don't we get at it and just vote Aye? Next year we'll get the rest of them if I can be around to help. Thank you, very much, I'd appreciate an Aye vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Question is, shall House Bill 200 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 21, the Nays are 32, 1 voting Present. House Bill 200 having failed to receive a constitutional majority is declared lost. House Bill 203, Senator Rigney. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 203.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rigney.

SENATOR RIGNEY:

Mr. President, House Bill 203 is actually identical to Senate Bill 78 that we've passed out here about a month ago. It's the chlorination bill that exempts those small commun-

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ities under five thousand for mandatory EPA required chlorination. Really nothing more to say about it. I think it's a good bill. I ask your Aye vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? If not, the question is, shall House Bill 203 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 45, the Nays are 9, none voting Present. House Bill 203 having received the constitutional majority is declared passed. House Bill 205, Senator DeAngelis. Read...House Bill 208, Senator Bloom. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 208.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Bloom.

SENATOR BLOOM:

Yes, thank you, Mr...Mr. President and fellow Senators. Briefly stated, House Bill 208 has addressd to a point of controversy between local arresting authorities and...and counties. What it does is try and effect a compromise, and the idea is that the people that are arrested, when they're brought in, sometimes some arresting authority is overzealous and there's certain hospital costs incurred. What this does is basically say, no, your sheriffs and your county are...are not responsible for all incurred expenses, rather the medical expenses; it's limited to medical costs. However, after the sheriff has taken custody, then, the county does pick up the tab. I'll answer any question; otherwise, I'd seek a favorable vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? If not, the question is, shall House Bill 208 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are 1, none voting Present. House Bill 208 having received the constitutional majority is declared passed. House Bill 213, Senator Macdonald. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 213.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Macdonald.

SENATOR MACDONALD:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Bill 213 allows township...it is a permissive bill, and it allows townships to set up a...an aid to the handicapped if they so desire. There was an amendment that was put on this bill because the Department of Rehabilitation Services was worried that maybe they would have to give money from the State. That possibility has been taken care of in the bill, and I know of no opposition, and I ask for your support.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? Senator Keats.

SENATOR KEATS:

I...I hate to arise on this bill, but I'd like to ask a question.

PRESIDING OFFICER: (SENATOR SAVICKAS)

You may ask your question.

SENATOR KEATS:

Okay, I...I was hoping she would yield. Normally, the President is kind enough to check. This is...

PRESIDING OFFICER: (SENATOR SAVICKAS)

I guess she's waiting to hear your question.

SENATOR KEATS:

Thank you, Frank. This is a permissive bill. Presently, is it illegal for a township to do this?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Macdonald.

SENATOR MACDONALD:

It is unprecedented, is my understanding. I don't know that it is illegal but this gives...a legislative standing that a township may do this.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Keats.

SENATOR KEATS:

How many of these things could we have set up? Could we have...in Cook County where we have thirty townships, could we have thirty different committees and thirty different townships, plus the City of Chicago, plus the County of Cook all doing it?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Macdonald.

SENATOR MACDONALD:

Senator Keats, this bill is merely permissive. It does not set up...no township has to do this unless they so desire. It is a good bill. There are handicapped people who are not being served, and if they can be served locally, I think it's a good bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, the question is, shall House Bill 213 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 48, the Nays are 4, none voting Present. House Bill 213 having received

the constitutional majority is declared passed. House Bill 223, Senator Lechowicz. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 223.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Bill 223 amends the Acts being amended, validates appropriation and tax levy ordinance for the Cook County and Cook County Forest Preserve District for the Fiscal Years 1966 through 1980. The purpose of this legislation is to preempt the use of...nonsubstantive procedure objection as the basis of a suit challenging tax levies an extension. The recent success of suits challenging the assessment practices of pollution control facilities and of certain districts levying...special utility taxes underlines the importance of this legislation, both for the county and for the county forest preserve. This legislation normally comes through every General Assembly which will validate the taxing ordinances both for Cook County and the Cook County Forest Preserve Districts. I would be more than happy to answer any questions. If not, I encourage your favorable consideration.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? If not, the question is, shall House Bill 223 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, 1 voting Present. House Bill 223 having received the constitutional majority is declared passed. House Bill

224, Senator Marovitz. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 224.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVIITZ:

Thank you, very much, Mr. President and members of the Senate. House Bill 224 permits townships to deposit in a trust account, at the request of the contractor, the percentage of the contract price required to be retained under a contract for repair, remodeling or construction of structures or for the construction of maintenance of roads or highways. This bill gives townships the option of depositing into a bank under a trust agreement the amount retained on contract work for local and road improvements, if it's done at the request of the contractor with the approval of the township. There is currently no statutory provision for the deposit of the retainer in the case of townships, although just recently we did this for State agencies, county government, and last Session, municipalities. Townships would like to be added to this, and I would ask for your affirmative vote. This passed the House 112 to nothing.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? If not, the question is, shall House Bill 224 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are none, none voting Present. House Bill 224 having received the constitutional majority is declared passed. House Bill 225, Senator Egan. House Bill 227, Senator Netsch. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 227.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. House Bill 227 amends the Appellate...State Appellate Defender Act to permit two individuals to share one attorney or staff position, and provides that when that does take place, for purposes of seniority, each individual shall receive credit at a rate equal to the percentage of time employed in the shared position. It also specifically prohibits attorneys who are sharing a position to engage in the private practice of law. This was particularly request...requested by the 3rd District Appellate Defender Office where they have at least two people who are prepared to do this and they are, of course, highly supportive of it. The...all of the code departments are currently authorized to engage in what is called job sharing, and it...there are some positions which are currently shared on that basis, so in effect this simply extends to the State Appellate Defender Office a privilege which is already enjoyed by all of the other agencies of the State.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Bloom.

SENATOR BLOOM:

Yes, thank you, Mr. President and fellow Senators. I rise in support of this. This is part of an overall job sharing package. At the nexus of it has been Representative Breslin, and in a way it's...it's a good cost efficient use of State dollars in these times, and I would commend this bill to you as well as Senate Bill 291 which is coming up later. Thank you.

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PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Keats. Is there further discussion? If not, the question is, shall House Bill 227 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. House Bill 227 having received the constitutional majority is declared passed. House Bill 233, Senator Welch. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 233.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. This bill will amend the School Code by permitting the school districts to offer kindergartens for either half-day or full-day attendance. It also permits districts with full-day kindergarten to count those students under full-day attendance for purposes of general State Aid. The effective date is July 1, of 1983.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? Senator Fawell.

SENATOR FAWELL:

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

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will.

SENATOR FAWELL:

Senator, is this...does this mean that the funds are going to be distributed differently than they are at present if somebody decides they want to have a full-day kingergarten?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

Yes, it will. Of course, this is a voluntary program, it's not mandated by the State of Illinois upon school districts.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Fawell.

SENATOR FAWELL:

But the State will end up paying for it as far as State Aid is concerned, is that right?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

That is my understanding; however, the impact of this will not be until Fiscal Year 1985. We...tried to obtain a fiscal note and they could not give us a specific figure as to what it would cost based on the fact that this is a voluntary program; and it may encourage schools to change from a half-day program rather to a full day on alternate days to cut down on transportation costs.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Fawell.

SENATOR FAWELL:

To the bill then, Sir. I happen to have taught kindergarten for a few years, and it seems to me that when we start talking about taking a five year old, keeping them in school all day for the purpose of teaching rather than the purpose of just day care, you are demanding a great deal from children of that age. There are a lot of children, especially boys, who aren't even ready for kindergarten at the age of five. They become very tired at that age; that's the reason if all of you who have children remember they...you had to send the rugs with them to let them sleep? Their hand and

eye coordination are not suitable yet. I think we are just adding one more burden onto the schools. It's going to be if Jones School does it, then Smith School is going to have to do it. We are short of funds, and I would suggest to my colleagues they take a very strong look at this bill and vote No.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. I rise in support of this bill. Studies have been...have shown that we miss some of the greatest opportunity for training our...of our young people by not taking advantage of their learning ability in their younger years. What I would like to see of this bill is not only its passage, but its really full implementation. Children of five years of age that usually go to kindergarten have great capacity for learning. I think we saw this years ago then..with the advent of television and what they were able to learn by...when they were...even before they were old enough to go to school, learn with parental guidance and with education in television. What this bill does is to give some encouragement, it's an optional program. If a school district feels that they can really start these kids off with a full day, and start them learning, they can do it and not be in effect penalized, as they presently are, by only allowing a half-day reimbursement for kindergarten. I think this is a very important step in line with all these reports that are coming out from the Federal level and throughout the country about how to really improve our quality of education. These kids can learn plenty. Let's give the schools the opportunity to teach them, and I strongly urge an Aye vote for this full-day kindergarten bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR MAITLAND:

...thank you, very much, Mr. President. I rise reluctantly to oppose House Bill 233. I think, as Senator Berman has suggested, there may be some very good benefits from full-time, full-day kindergarten. I think, however, we are a bit premature with...with this particular piece of legislation. I think as we view the financial State of affairs of the State of Illinois presently, we have to evaluate what this is going to do primarily to school districts who simply will not be able to offer a full-time kindergarten program. Now, without question, this...this particular piece of legislation is going to shift funds away from high school districts and it's going to shift funds away from unit districts who do not offer a full-time kindergarten; and I think when revenue is not readily available, we have to look at that, and those of us who represent districts where we're not going to have full-time kindergarten must accept the fact that if this bill passes, it's going to take money away from our school districts. Secondly, and in conclusion, the State Board of Education right now is undertaking a study, in detail, and we hear so much about studies, but a detailed study to evaluate the value of full-time kindergarten. I think perhaps we might come back in a year or so and support this concept. I believe, however, the day has not yet come and House Bill 233 should be defeated.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will yield.

SENATOR COLLINS:

In those districts who choose to have the full-day kindergarten, does the parent have the option of allowing his or

her child to go half a day if they feel that a whole day kindergarten is too much for their child?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

My impression would be, yes, and that would have to be worked out though with the local school. That would...that would be under their...domain.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

Wait. What do you mean your impression will be yes, because...that should be clear, because if a child should not be forced to go all day if the parent really feels that that child would probably be better in a...after school program where the child can get more relaxed, playful learning experiences rather than an education experience as they usually do in the regular schools.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

Senator Collins, my impression has just been confirmed, the school can offer...let a student go for half a day even though they have a full-day kindergarten. It's just that the State reimbursement will be less for that particular student's attendance.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Euzbee.

SENATOR EUZBEE:

Thank you, Mr. President. I rise in opposition to House Bill 233. First of all, we like to talk around here about the size of the pie. Well, if the pie is this big, and I'm School District A and I decide I'm going to give...full-time...full-day kindergarten, and you're School

District B and you decide you're not going to give full-day kindergarten, then I'm going to get a little bit more of the pie and, obviously, you're going to get a little bit less. Now we had a bill around here a few years ago, I think Senator Davidson was the sponsor of it, which indicated the change of...of birth dates to allow a student to enter kindergarten or the first grade. At that point we were making it more difficult for a youngster to get into kindergarten, you had to be a certain age to be able to...to get in and that the...the birth date was changed to make it more difficult. Now, we're going to say that these five year olds are going to go to school full time, if our school district is wealthy enough to be able to afford it; and there's also another bill floating around here somewhere which is going to do away with one day of the school week, we're only going to go to school four days a week but ten hours a day, and now we're going to go to kindergarten, I suppose, ten hours a day if you're five years old. I think the time has come to...to stop all this ridiculousness, including Senator Bruce's bill, and...and put it in its proper place and kill it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

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

SENATOR WELCH:

Thank you, Mr. President. Senator Buzbee sets his priorities on money not on education of children, and I think that that is very important point that should be made here. Did I summarize your argument...correctly, or I don't mean to...just buried your argument.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Buzbee, for what purpose do you arise?

SENATOR BUZBEE:

A point of personal privilege. It's too bad that the Senator didn't go to law school where he did his undergrad-

uate work at Southern Illinois University. If so, he probably would have been able to understand the English language a little better.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Welch was closing. Senator Welch.

SENATOR WELCH:

Well, I don't want to carry this on any further. Let me just say that to those who say that students should not go to kindergarten full time or part time, I say this, I say that perhaps the parents should have some choice. Perhaps the parent should decide whether it's a full day or half day that the...the child goes to, and furthermore, I would also say that a student who goes to kindergarten is better prepared to do well in school in future years. Studies have shown that not only through grade school and high school is...he or she a better student but when he gets out. I think that the question of...of money has to be decided at the local level, and I think that we should let those students and those school boards and those parents make that decision. I would urge an affirmative vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, the question is, shall House Bill 233 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 27, the Nays are 28, 3 voting Present. House Bill 233...all right, the sponsor requests postponed consideration. House Bill 235, Senator Welch. All right. House Bill 236, Senator Berman. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 236.

(Secretary reads title of bill)

3rd reading of the bill.

HB 238
2nd Reading

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

Well, thank you, this is a good...this one's a good school bill. This extends the time from sixty to a hundred days that an assistant principal may be...may serve in the absence of the regular principal due to illness or leave of absence. The...the request for this is to build in greater flexibility in the assignment of principals to superwise the schools. I solicit your Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Is there any discussion? Any discussion? Question is, shall House Bill 236 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 56, the Nays are 2, none voting Present. House Bill 236 having...received the required constitutional majority is declared passed. 238, Senator Schuneman. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 238.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President and members of the Senate. House Bill 238 merely allows a municipality to establish a Municipal Industrial Development Commission with the express purpose of acquiring, holding title to, developing and selling real estate to promote and enhance industrial development in that community. We passed a similar bill out of the Senate, a Senate bill, earlier on an agreed roll call. The Calendar

describing this bill is incorrect in that it says that it creates a small business division within the community...Department of Community and...Commerce and Community Affairs, that's incorrect. The bill was amended to do as I described it. I would ask for you favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, is there any discussion? Any discussion? Question is, shall House Bill 238 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 57, the Nays are none, none voting Present. House Bill 238 having received the required constitutional majority is declared passed. House Bill 240, Senator Vadalabene. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 240.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. House Bill 240 would extend the current annuity received by the children of firefighters who are unable to provide for their own support due to mental or physical disability. Instead of these benefits ceasing at age eighteen, they shall continue until the child recovers from his or her disability or dies. It is the opinion that House Bill 240 will affect less than ten people in the State and...and therefore, the cost will be minimal and, I would appreciate a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there any discussion? Any discussion? The question

is, shall House Bill 240 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 57, the Nays are none, none voting Present. House Bill 240 having...received the required constitutional majority is declared passed. 241, Senator Vadalabene. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 241.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMOZIO)

Senator Vadalabene.

SENATOR VADALABENE:

Yes, House Bill 241 amends the Downstate Firemen's Pension Code and Policemen's Pension Code to raise the minimum firefighter's and police officer's and widow's pension to three hundred dollars per month. This is a decreasing benefit as most of these people are elderly, and in their seventies, and will not collect increase forever, and I would appreciate a favorable vote.

PRESIDING OFFICER: (SENATOR DEMOZIO)

Is there any discussion? Any discussion? The...the question is, shall House Bill 241 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 55, the Nays are 1, none voting Present. House Bill 241 having received the required constitutional majority is declared passed. Is there leave to return to 242? Leave is granted. 246, Senator Vadalabene. Read the bill, Mr. Secretary, please.

SECRETARY:

HB 252
3rd reading

House Bill 246.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. House Bill 246 extends the disabled veteran's property tax exemption to the veteran's unmarried surviving spouse. The exemption is now passed along to the disabled veteran's spouse only if she is unremarried. The exemption is lost when...if the surviving spouse remarries. This bill would permit the surviving spouse to reclaim the exemption if a subsequent marriage ends; in other words, at any time after the veteran's death when the surviving spouse is not married, and I would appreciate a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Is there any discussion? Any discussion? Question is, shall House Bill 246 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 52, the Nays are 1, 3 voting Present. House Bill 246 having received the required constitutional majority is declared passed. 247, Senator Netsch. 252, Senator Jerome Joyce. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 252.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEROME JOYCE:

Yes, thank you, Mr. President. Senator Carroll says I

should call this now because the Cubs are on a roll. This is the CUB bill and we have discussed it just last week on the amendment and that is the bill, it's an eleven-member board. The utilities will collect the...the fee. They will disburse it and...and collect it. It also has the Division of Utilities Consumer Council for the Attorney General's Office, in the meantime, and I'd be happy to answer any questions, if there are any.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, is there any discussion? Any discussion? The...Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President. I guess most of the debate took place on 2nd reading on this bill, but just simply to rise in opposition to House Bill 252. As I indicated the other day, I felt that we had...I felt that a pretty good bill had come over from the House. Obviously, this Body didn't feel that way. But I tell you, I...to put...to suggest that the utilities, who are considered to be the evil people in this whole problem right now, they now are going to be collecting the money. If those people out there who voted in favor of CUB last November knew exactly what we were doing here now, they'd probably throw us out of the General Assembly. Now, I firmly believe, as most of you believe, that this is not the way that this package is going to go the the Governor's Desk, but I do believe the bill should be...opposed, if for no other reason than just that. We were creating a free standing committee to help...to help consumers, and now the utilities, those evil people, are going to be collecting those funds; and I believe that is not the original purport of CUB, and for that reason alone, this bill should be defeated.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Rigney.

SENATOR RIGNEY:

This bill, of course, we did hear in our House Agricultural Committee. I certainly agree with Senator Maitland, it was in good shape when it came over; that's, I think, probably the way all of us were hoping we're going to have a chance to vote for it. The only thing I can say at this particular juncture is that I'm going to support it because we are passing it in a different form than what it came from the House. There's a process known as concurrence around here and then when that fails, why we'll have a little Conference Committee and kind of iron out a few of these things. Hopefully, someday that'll go to Conference Committee and we'll come back with a...with a bill that we'll all be happy to vote for.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, any further discussion? Senator Joyce may close.

SENATOR JEROME JOYCE:

Yes, thank you, Mr. President. I might...in response to Senator Maitland, I don't know if he's inferring that when the utility companies collect a tax for the State of Illinois that they're cheating on us...oh, they're...they're okay to do that but they're not okay to collect for the CUB. Okay. I'd ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall House Bill 252 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 49, the Nays are 8, none voting Present. House Bill 252 having received the required constitutional majority is declared passed. Top of page 12, 257, Senator Berman. 261, Senator Lenke. 264, Senator Kelly. 265, Senator Zito. Senator Zito on the Floor? 267, Senator Smith. Oh, wait a

HB 267
3rd Reading

minute. Is...Zito here? Senator Zito on 265. Read the bill, Mr. Secretary. On the Order of 2nd Reading, middle of page 12, House Bill 265.

SECRETARY:

House Bill 265.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Zito.

SENATOR ZITO:

Thank you, Mr. Speaker and members, this House...I'm sorry, I'm in the other Chamber. Thank you, Mr. President and members. This bill is virtually identical to the gasohol bill we passed out of here, Senate Bill 149. I think this bill is somewhat in a better posture in the sense that it does have a cap for the limitation of the sales tax removal on...in the year 1992. We did not want that to run continuously. Senator Etheredge's amendment has been placed on this bill to put it in the same posture. I know of no opposition at this point, and would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there any discussion? Is there any discussion? If not, the question is, shall House Bill 265 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 56, the Nays are none, 1 voting Present. House Bill 265 having received the required constitutional majority is declared passed. House Bill 267, Senator Smith. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 267.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Smith.

SENATOR SMITH:

Thank you, Mr. President and members of the Senate. House Bill 267 amends the Environmental Protection Act to require certain persons from Stuart treat or dispose nonhazardous waste after March 1985 to post a performance bond. This is must...only a bond to insure the protection of those who have these nonhazardous waste in their vicinity. I move the passage for it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is...is there any discussion? Is there any discussion? If not, the question is, shall House Bill 267 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 57, the Nays are none, none voting Present. House Bill 267 having received the required constitutional majority is declared passed. House Bill 268, Senator DeAngelis. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 268.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President and members of the Senate. House Bill 268 as amended extends to the victims of residential burglaries the same privileges that are extended to victims of commercial burglaries, and that is the return of their property and the use of photographs as evidence. The use of the photographs has to be approved both by the prosecuting attorney and the defendant. I know of no opposition

to the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there any discussion? Any discussion? If not, the question is, shall House Bill 268 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 56, the Nays are 1, none voting Present. House Bill 268 having received the required constitutional majority is declared passed. 270, Senator Etheredge. 273, Senator Geo-Karis. Senator Geo-Karis on the Floor? Read the bill, Mr. Secretary.

SECRETARY:

House...excuse me, House Bill 273.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President, this is a bipartisan effort and do what...House Bill 273 does amends the Revenue Act of 1939 in relation to taxing bodies which owe refunds of taxes illegally collected due to...incorrect assessment on property. This bill permits such taxing bodies owing a specified minimum amount to issue bonds for the purpose of reducing the debt, and it's limited to...it...to the pollution control facilities if any taxing was done illegally, that's what it's limited to. I move favorable...passage.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there any discussion? Senator Bruce.

SENATOR BRUCE:

Thank you, Mr. President and members of the Senate. I rise in support of this bill. It affects about six or eight legislative districts in the State of Illinois in which are

located either coal fired or atomic powered generating plants, and we changed the Act several years ago on how their pollution control facility should be assessed. There was an on...there has been and is an ongoing dispute as to correct assessment. Some areas owe as much as sixty-six million dollars. This bill is limited to those...pollution control facilities. We passed an identical bill out of here. I believe it gives the taxing districts who have a loss in excess of ten thousand dollars the authority to issue bonds to pay off that really negative collection that the county clerk will have and pay that back to the clerk by the use of bonds, and I would solicit your favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Chew.

SENATOR CHEW:

Mr. President, I don't know if it's a proper time, but I voted wrongly on 252. Unintentionally I voted a No and I wanted to vote a Yes on 252, and Mrs. Smith did the same thing cause I suppose I was following her, and I'd ask that the record would show that we're on the Yes vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The record will so reflect. Is there further discussion? Senator Geo-Karis may close.

SENATOR GEO-KARIS:

(Machine cutoff)...vote. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall House Bill 273 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 4, 3 voting Present. House Bill 273 having received the required constitutional majority is declared passed. House Bill 286, Senator Maitland. Read the bill, Mr. Secretary, please.

HB 291
3rd Reading

SECRETARY:

House Bill 286.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President. House Bill 286 allows the school districts to claim the cost of converting gasoline engines to more fuel efficient engines as a direct allowable cost for State reimbursement purposes. Presently, they...they depreciate the conversions out over a number of years, and this bill would allow them to...to capture all of that as a direct allowable cost in the year that the work was done. This is an attempt to allow school districts to convert to LP to diesel engines all of which will save both the school district and the State money over the long-pull.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there any discussion? Any discussion? If not, the question is, shall House Bill 286 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 56, the Nays are 1, none voting Present. House Bill 286 having received the required constitutional majority is declared passed. 291, Senator Bloom. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 291.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bloom.

SENATOR BLOOM:

Thank you, very much, Mr. President and fellow Senators. The bill does essentially what the synopsis says it does. It basically allows two individuals to share one employee position in any State agency and includes the several layers of courts in the State and the Legislature, its committees or commissions. It's part, as I said, when I discussed...rose in support of Senate...House Bill 227, an overall package that Representative Breslin has spearheaded out of the House. She's to be commended. I'll try and answer any questions; otherwise, ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Any discussion? Senator Keats.

SENATOR KEATS:

Just a question.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield. Senator Keats.

SENATOR KEATS:

Remembering the bill from committee, 227 cleared up the pension and benefits one. Does this clear up so that we don't have a hundred percent pension and benefits for the individuals also? That was my memory, I just want to check to be sure.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Bloom.

SENATOR BLOOM:

Yes, Senator Keats, as you may recall the issue came up in committee and it was in the context of benefits, pension and unemployment, and the idea was they would be sharing the salary so that in those three situations they would be getting half. In other words, if it were a ten thousand dollar salary, your pension or your benefits...your pension credit, your benefits or your...your unemployment compensation would be figured off of five thousand. Do you remember? Okay.

PRESIDING OFFICER: (SENATOR BRUCE)

...Senator Keats. Further discussion? Further discussion? Senator Bloom may close. All right, the question is, shall House Bill 291 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, 1 voting Present. House Bill 291 having received the...the required constitutional majority is declared passed. House Bill 292, Senator Demuzio. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 292.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Demuzio.

SENATOR DEMUZIO:

Thank...thank...thank you, Mr. President. This...this bill is identical to Senate Bill 512. What it would do, it would allow the corporate officers in...of small businesses as defined in the Illinois Small Business Purchasing Act to elect to withdraw from coverage under the Workmen's Compensation Act. Upon the election to withdraw, a written notice must be provided to the Industrial Commission, an insurance carrier for such an election. That's all it does and I would ask for your favorable consideration.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? Is there discussion? Question is, shall House Bill 292 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. (Machine cutoff)...who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. House Bill 292 having received the required constitutional majority is declared passed. Senator Demuzio, did you wish to handle 242? All right. While presiding,

HB 242
2nd Reading

Senator Demuzio sought leave to return to 242. Is...is there leave? Leave is granted. Read the bill, Mr. Secretary. House Bill 242.

SECRETARY:

House Bill 242.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Demuzio.

SENATOR DEMUZIC:

...thank you, very much, Mr. President and Ladies and Gentlemen of the Senate. House Bill 242 amends the downstate firemen's article of the Pension Code. This bill specifies that the municipality is required to pay the cost of premiums only if that part of a collected...if it's part of a collective bargaining agreement. The premium shall be paid directly to the municipality which in turn shall forward to the insurance company and actually what this...in fact, will do, it allows the municipalities to continue the group health insurance coverage for downstate firemen if the firemen so elect. I would be glad to answer any questions if anyone has any.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? Discussion? The question is, shall House Bill 242 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are 2, none voting Present. House Bill 242 having received the required constitutional majority is declared passed. House Bill 295, Senator Vadalabene. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 295.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. This bill simply states that if a firefighter dies leaving a dependent child under eighteen years old and there is no surviving spouse to care for the child, each child is entitled to a twenty percent pension until reaching the age of eighteen. This is a decreasing factor, and I would appreciate a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, is there any discussion? Is there any discussion? If not, the question is, shall House Bill 295 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 57, the Nays are none, none voting Present. House Bill 295 having received the required constitutional majority is declared passed. 296, Senator Welch. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 296.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. The purpose of this bill is to amend the Lost Property Act...which by raising from fifteen dollars to one hundred dollars the value of goods which are found which must be reported to the county clerk and advertised at the door of the courthouse and in three other public places. I would move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there any discussion? Any discussion? If not, the question is, shall House Bill 296 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 57, the Nays are none, none voting Present. House Bill 296 having received the required constitutional majority is declared passed. House Bill 300, Senator Nedza. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 300.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Nedza.

SENATOR NEDZA:

Thank you, Mr. President and Ladies and Gentlemen of the...the Senate. The synopsis in the Calendar is in error because it says, "may transmit a computer printout to the assessor instead of delivering to him a signed written statement." The bill clearly states that the Board of Appeals shall transmit a computer printout of the results or make and sign a brief written statement for the reason for such change. All this does is give the...the commissioners an extra option because there's approximately forty thousand cases that are being heard. This would expedite matters somewhat and give the...save some money, but it also gives to the public the availability in case they do use the printer computer system type that the individual would still have the availability...excuse me, the the availability of locking at the worksheets, the tax returns, the appraisals and all of the other pertinent information. So, therefore, it's a option, it's not being...it's not changing it, and I would ask for your favorable consideration unless there's any ques-

tions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, is there any discussion? Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President and members of the Senate. I think anytime that we consider a piece of legislation which affects the Cook County Board of Appeals it's...it's at least a good idea to take a second look at it. It is after all, as I've said on this Floor before, that agency which has thrown more people in jail or has resulted in more people thrown in jail than any other agency in the State of Illinois. Now, I understand what the sponsor wants to do here but I just think that we ought to take a look at that specific language and see that what's going to happen here is that you give the Cook County Board of Appeals an option all right, but that option is to transmit a computer printout of the results. That option then would remove the requirement which...if...if...if the assessor chooses to use that option, then there will not be a written statement of the reason for the change sent. I...I...that's just as simple as the language looks in the Statute or in the proposed bill here, and as far as I'm concerned, I think the Cook County Board of Appeals ought to be responsible for sending to the assessor a written statement of the reason for the change. If anybody...any group of people responsible to taxpayers ought to be require to make that kind of statement, it certainly should be the Cook County Board of Appeals. I'd be glad if the...if the sponsor can elaborate on this and perhaps explain otherwise, but the language is going to give the assessor or the Cook County Board of Appeals that option. I don't think under these circumstances in this day and age we would want that to happen.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Further discussion? Senator Netch.

SENATOR NETSCH:

Thank you, Mr. President. It seems to me also, Senator Nedza, that this is inconsistent with legislation that...or at least a bill that the Senate had earlier passed which in a sense builds up the requirement that a statement of the...not only the results but of the reasons and the method by which those results were reached must be given to the...as a part of the public record. As I recall, that bill was Senate Bill 246, I think, I may have the wrong number, and it seems to me that...that this is basically going in exactly the opposite direction.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Nedza.

SENATOR NEDZA:

Thank you, Mr. President...now quite the contrary. This does not change anything, it still has the...the...the two options. The computer would have to have the same data as 246 requested. The taxpayer or the assessor or whoever wishes to make this, because the availability of all the records are still there, the worksheets, the tax returns, the appraisals, the reduction or nonreduction notification. This is all available. All of it is available. Nothing is being hidden. All this is doing is giving them an option to use because of the fact that the forty thousand cases that are pending before the board today. They do not have the time limitations. This in effect when they do not close out the books on time, then the assessor doesn't have the books at the mandatory date, there we will have to go into tax anticipation warrants, that also will cost the taxpayers more money. It's nothing to take anything out of what has been done and what is being done; it's something to expedite the matters because of the fact that the volume that they have. Senator Kustra, I believe you had a bill that you amended that you're increasing the board to three members. I voted for that, because I

think it's a laudable thing. There's just too much work for the people that are there. It's not changing anything. It's allowing them an option but the availability, the data is there. Nothing else is being changed.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

Let me read you the exact language then and ask for...just further elaboration. The sentence is that in each instance in which an assessment is ordered corrected, the board of appeals shall, your new language is, "transmit a computer printout of the results," end of new language. The existing language was, "make and sign a brief written statement of the reason for such change in the manner in which the method used by the assessor in making such assessment was erroneous and so forth." What I am asking is, does the language transmit a computer printout of the results include the brief written statement of the reason for the change in the manner in which the method used was erroneous?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Nedza.

SENATOR NEDZA:

Yes, as you were reading that, Senator Netsch, you missed one word which is the key word, "or make a sign." The "or" in the...the data..the...the same data would be included in both of the statements, be it come from a handwritten or a computer printout, the same would apply.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

No, that wasn't precisely my question. I realize that the "or" is there, that is an option. You can either give the computer printout or make and sign the statement. My question is, I'd...no one wants to do anything other than

speed up this process and...and produce less work if possible, but does the language, "a computer printout of the results," include a brief written statement of the reason? Would that computer printout include the same information as the brief written statement which was the prior language? If it does, then it probably is a true option. If it does not, then it seems to me something has been eliminated which is quite important.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Nedza.

END OF REEL

REEL #6

SENATOR NEDZA:

Yes, Senator Netsch, if you continue on to the...it says "or" the same thing would be "the reason for such change." That's included in the printout or in the hand written statement.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Kustra for a second time.

SENATOR KUSTRA:

Excuse me for speaking a second time, Mr. President, but I...I've read it twice, three times now, and I think I'm having the same problem that Senator Netsch is having. I still think that with the word computer printout of the results you will not require the...the county board of appeals to provide the same brief written statement which is in the bill as is...or in the law as is. I don't think there's any way of getting around it. I'm sorry.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, any further discussion?...Senator Nedza may close.

SENATOR NEDZA:

Thank you, very much, Mr. President. It's written there, it says, "a computer printout or a written statement for the reason for such change." You're dealing in semantics. The interpretation...the interpretation is there. The intent of the bill is either of the two, and I would ask for your favorable consideration.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall House Bill 300 pass. Those in favor will vote...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 44, the Nays are 13, none voting Present. House Bill 300 having received the required constitutional majority is declared passed. House Bill 302, Senator Rock. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 302.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Bill 302 is an amendment to the Civil Administrative Code, and it authorizes the Department of Conservation to...lease or purchase property in the ordinary course of their business, particularly those as it states in the bill of historic significance which are listed in the Illinois or National Register of Historic Places. The Department of Conservation supports this proposal, and its intent, as I understand it from the House sponsor, concerns itself with one historic structure in Cook County which the department has entered into negotiations with the forest preserve district to lease and they wish to permanently improve that property for public use and, obviously, as we all know, they are not so authorized at the moment. They cannot expend or make any capital...expend monies or make any capital improvements on a leasehold. I know of no objection. I would urge a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Bruce.

SENATOR BRUCE:

Not...not to stand in opposition. The bill is an excellent bill, but...and I hope the Department of Conservation

doesn't plan to buy my house, but because of a conflict, I do not plan to vote on this legislation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any further discussion? Any further discussion? If not, the question is, shall House Bill 302 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 55, the Nays are none, 1 voting Present. House Bill 302 having received the required constitutional majority is declared passed. 305, Senator Rigney. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 305.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rigney.

SENATOR RIGNEY:

House Bill 305 merely allows when you're out trolling you can use three lines instead of two. Certainly not one of the major bills of this Session. I understand that there are some interests, particularly the charter boat...industry at...out in Lake Michigan. There are times when out there with the proper equipment a couple of people renting a charter boat actually could each put out three lines, that's where the legislation came from. I ask your Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, is there any discussion? Senator Grotberg.

SENATOR GROTEBERG:

Yeah, I have a question of the...he didn't clarify is it for fish?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield. Senator Rigney.

SENATOR RIGNEY:

Yes, Senator Grotberg, and I'd be happy to take you fishing and explain how all this works.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, Mr. President and Ladies and Gentlemen, all I can say, this is sure a fishy proposition.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Further discussion? The question is, shall House Bill 305 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Sam. Leroy. Have all voted who wish? Take the record. On that question, the Aye are 57, the Nays are none, 1 voting Present. House Bill 305 having received the required constitutional majority is declared passed. 307. 307, Senator Davidson. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 307.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

Mr. President and members of the Senate, it does exactly what it says on the Calendar, lets insurance companies make political contribution. Appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there any discussion? Senator Jeremiah Joyce.

SENATOR JEREMIAH JOYCE:

Wait a minute. This is a bill that we oppose all the time because the insurance companies only give to Republicans, is that right, Doc?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

Not that I know of. It's been...they can't give to anybody under the present situation unless they have created a pack. The insurance companies have asked to be a responsible member of the...of the political force and give them an opportunity the same as any other business, and that it came out of committee 10 to nothing...or 11 to nothing. I'd appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Rock.

SENATOR ROCK:

Question...question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield. Senator Rock.

SENATOR ROCK:

How many industries or persons are currently prohibited from indulging in partisan politics?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

As far as I know, only two. One, the insurance companies by Illinois law, and the other was...is the National Banks which Illinois law does not cover. This will let the insurance companies get into political contributions or into the realm of the twenty century now.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Well, thank you, Mr. President. I rise in support of House Bill 307 and I think, unless we've changed it, we still, unfortunately, and...and rather anachronistically prohibit those in the horse racing industry and those in the

liquor industry from direct political involvement, I think, I...I'm not...I'm not sure we did. In any event, I don't think anybody should be prohibited, frankly. Politics is here to stay and we are the two parties that are charged with the proper administration of government, and if, in fact, the insurance industry or any other industry thinks that your party has better candidates, God bless them. We don't happen to think so, and I think that everybody ought to be involved in partisan politics, whether ringing a doorbell or contributing financially. I urge an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Euzbee.

SENATOR EUZBEE:

Well, I think Senator Jeremiah Joyce hit the nail right on the head. In looking at my campaign contribution list the last time as compared to my opponents, I noticed I didn't get one dollar from any insurance company packs. My opponent got several thousand dollars from insurance company packs. This is a bill to elect Republicans. That's why I'm confused as to why the Senate President and the...and the chairman of the Democratic Party in the State of Illinois is in favor of the bill. Now, if you were to amend the bill and say in there that tavern owners and liquor dealers can also contribute along with insurance companies, then, I might be willing to vote for that because a lot of little tavern owners and a lot of beer drinkers in my area are Democrats. But this is a ...this is a blatant attempt, it seems to me, to let the big insurance companies make contributions to the Republican Party. I don't see any reason for us to do that, especially since we got the majority over on this side. I think it's a good time to kill the bill and then put it in sometime in the future when...when you want to allow the...the tavern owners and the beer distributors and all that sort of thing to also...no, Senator Davidson, I'm told that they do not have

that authority right now. So, I think it's a good idea...well, whether they do or whether they don't, why should I contribute to having...Republicans elected? I think we ought to kill the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Three additional Senators have...have sought recognition on this bill, Senator Johns...Senator Geo-Karis and Senator Vadalabene. Senator Johns.

SENATOR JOHNS:

Senator Davidson, do you know who holds the greatest financial strength in this nation? Come on, let's hear it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, sponsor indicates he will yield. Senator Davidson.

SENATOR DAVIDSON:

Yes, sir. Your wife and my wife, 'cause they hold the credit cards and they hold the majority of the stock that they inherited from us hard working husbands.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Johns.

SENATOR JOHNS:

You know better. Come on, let's give me an answer. Who holds the largest financial strength in this nation, as an...as an industry?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

Well, I...I...I will give you the answer which I just told you, all the national wire service and all the stories, women do. But if you're talking about one institution per se, the ones who have the greatest amount of money available at their fingertips is all the combined pension funds is first after the women; and then, if you want to get into the insurance companies, then I can't tell you. If that's what

you're driving at, if you know the answer, you'll have to answer it, 'cause I don't know other than women and pension funds.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Johns.

SENATOR JOHNS:

You're going to have to do more of your homework, my friend, because you know better than anybody else that you're asking for insurance companies to be able to contribute. They are the largest financial strength in this nation as an industry. Now, anybody wants to debate that, I'll take them up on it any time right outside anywhere, but I know for a fact the greatest holdings is in the insurance industry and you're wanting that giant financial strength to be able to contribute, and I think Senator Buzbee and Senator Joyce hit it right on the head, it's aimed at benefitting your party, period.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, to correct the statement made by my...one of my colleagues there, if you recall Elroy Sandquist's bill...Representative Sandquist's bill, was passed and signed into law allowing the taverns to contribute and they did. And I think we should allow the insurance companies to contribute because they do it anyway through their employees and executives, so let's make it legal. I'm for it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Vadalabene. All right. Any further discussion? Senator Davidson may close.

SENATOR DAVIDSON:

Well, Mr. President and members of the Senate, the...the answer in relation to the liquor industry being able to con-

tribute has been answered, they can. Secondly, I think the President of this august Body, as his position as the Democratic State Chairman will have just as much ability to raise funds from the insurance companies when we make it legal for them to contribute as we or anybody else. Senator Buzbee, I didn't get any contributions either. I think I got three hundred dollars from one...one guy's pack, but if your opponent got it, then sobeit, but this will give you an opportunity now to participate if you'd like to. This is a good bill. Let's put the insurance industry into the Twentieth Century, and I appreciate an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall House Bill 307 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 45, the Nays are 12, none voting Present. House Bill 307 having received the required constitutional majority is declared passed. 308, Senator Jones. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 308.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

Yeah, thank you, Mr. President and members of this Senate. Senate Bill...House Bill 308 merely authorizes the Department of Public Aid to give Medicaid payments for diagnostics and treatment of sickle-cell anemia, and I move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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

question is, shall House Bill 308 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all...have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are 1, none voting Present. House Bill 308 having received the required constitutional majority is declared passed. 312, Senator Smith. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 312.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Smith.

SENATOR SMITH:

Thank you, Mr. President and members of the Senate. This...this bill creates a new Act in relation to a work study program for disadvantaged young people at the ages from...grades eleventh grade to the twelfth grade. They must live in an area where their income is low, but they want to elevate themselves in their study and at the same time want to earn a living while they're going to school. There are certain requisites that they must maintain but the overall is that creating a program that these young people that are disadvantaged might have an opportunity to make a...a work program for themselves at the same time while they're in study.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there any discussion? Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President. I've talked with Senator Smith in length about this bill. Clearly what she is attempting to do is within the guidelines established by Department of Labor with respect to the Federal Job Training

Partnership Act Funds. I think there are a couple of things that must be mentioned though and I have told her I was going to mention these on the Floor of the Senate. We don't clearly alone in this Body have the right to necessarily address the eight percent set aside funds for education. Again, clearly those funds can be used for the purpose that Senator Smith is suggesting. But I have indicated to her that I feel rather strongly that when the individuals are picked in her particular service delivery area, this should clearly be a part of their overall plan and she understands that and agrees with me, and I think it will be because truly this addresses a very needed area. I believe the passage of this legislation can send a signal to that particular service delivery area that that should be a part of their plan and they should approve it and authorize expenditure of those funds in that area. Clearly in my judgement, this...the State Coordinating Council should allow this to be a high priority area also, and...and should also approve the funding in this particular area. It must be understood, however, that there are only so many dollars to go around, especially the first year, and I think we understand that also; but this bill can clearly send a signal, it seems to me, to that service delivery area that this is a very necessary area and they should approve it, and I think this bill will send that signal.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Collins.

SENATOR COLLINS:

Yes, thank you, Mr. President. I rise in support of Senate...House Bill 312 also. I think I raised some of the same concerns with Senator Smith and Senator Maitland in committee and I think those objections have been clearly satisfied. I do think this is a very good bill. As a matter of fact, we passed this similar bill out called the youth

incentive employment program idea, I think three years ago. That program had Sunset provision and it is no longer being funded. I think this is a good time for this particular concept to again be funded, and the opportunity is there because the funds will be available to do so. I hope that the Governor and the administrators of this particular program do not allow it to phase out and terminate and be forgotten as the youth incentive...employment program originated here in this State.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Smith may close.

SENATOR SMITH:

Thank you, Mr. President. I merely ask for your favorable vote on House Bill 312. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, the question is, shall House Bill 312 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 9, none voting Present. House Bill 312 having received the required constitutional majority is declared passed. 317, Senator Berman. Senator Berman on the Floor? Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 317.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Bill 317 clarifies some confusion that's been raised when the Department of Public Aid imposes a lien upon

a...a lawsuit in which money is received back on behalf of a recipient of services that have been paid for by the...Department of Public Aid. What this bill does is to clarify that whatever fees are payable to the attorney that, in fact, is getting the money back for the recipient and the department, that the department will pay its fair share towards those attorneys fees. I'd be glad to respond to any questions, and solicit your Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there any discussion? Any discussion? Question is, shall House Bill 317 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 55, the Nays are 2, none voting Present. House Bill 317 having received the required constitutional majority is declared passed. Senate Bill 320, Senator Bruce. 329, Senator Weaver. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 329.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. House Bill 329 requires mortgage lenders who receive assessment changes or tax bills to mail copies of these notices to the mortgagor within fifteen days of the lenders receipt of them. Basically, a property owner has only thirty days after publication of the assessment list to appeal any assessment and they should be notified when these changes are made. If there's any questions, I'll be happy to try to answer them. If not, I'd appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, is there any discussion? Any discussion? If not, the question is, shall House Bill 329 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 57, the Nays are none, none voting Present. House Bill 329 having received the required constitutional majority is declared passed. Top of page 14, 331, Senator Collins. 332, Senator Collins. 340, Senator Maitland. All right, top of page 14, the Order of 2nd Reading, House Bill 340. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 340.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President. House Bill 340 amends the State Use and Occupation Tax Acts to exempt personal property purchased by a nonprofit Illinois County Fair Association for the use in conducting, operating and promoting the..the county fairs. Most of you know, I believe, the county fairs are to a great extent funded by State dollars, and there is an inconsistency involved here in that they give the money to the...give the money to the fairs and, of course, and taxes are paid on...on items that are purchased for the operation of that fair and that that goes back to the State. It seems to be an inconsistency and I think the concept is good and...and House Bill 340 should...should receive an affirmative vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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

question is, shall House Bill 340 pass. Whoops, Senator Netsch. Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. I was not going to rise in opposition to it. I was going to point out simply that it...the...the amount of revenue involved is extremely small, estimated to be at...less...anywhere from twenty-five thousand to perhaps as much as fifty-six thousand for the State Fair. It is not at all clear that it...that it is fully collected at the present time anyway, and in any event it is to some extent, although not totally so, a bookkeeping transaction. This is probably not the world's best public policy but it certainly does not do any harm.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any...any other discussion? Any further discussion? Senator Maitland, do you wish...Senator Maitland.

SENATOR MAITLAND:

Well, just...just one comment, Mr. President. I don't want to...to have the wrong impression left. We're not talking now about exempting vendors who...who sell at the fair. This only...only pertains to the association itself. Okay? Fine. Thank you, very much.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, the question is, shall House Bill 340 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 57, the Nays are none, none voting Present. House Bill 340 having received the required constitutional majority is declared passed. 344, Senator Marovitz. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 344.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. House Bill 344 raises from ten thousand thousand to fifteen thousand dollars the maximum amount of claims for damages which may be tried by a jury of six, but request of either party would have the case tried by a jury of twelve. I would ask for affirmative vote on House Bill 344.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there any discussion? Any discussion? Question is, shall House Bill 344 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 55, the Nays are none,....none voting Present. House Bill 344 having received the required constitutional majority is declared passed. House Bill 345, Senator Luft. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 345.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. Last year the General Assembly voted out of here and sent to the Governor a bill which would have allowed anyone either directly or indirectly in the sale or purchase or whatever of liquor to serve on any public body, a city council or county board. It was believed that the Governor got some wrong information and vetoed that bill. This year we've recycled it, only...this time we're dealing

only with those people indirectly involved with liquor, we're not dealing with any person licensed; and what we're trying to do is to create a situation where, in fact, that in my town where a gentleman got elected to the city council this year, he is a warehouse manager in a beer distributorship that is not even licensed by the city but there is some question now whether he can even serve in that position. So, what we're trying to do is to allow people indirectly involved in the liquor business to serve on public bodies.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Will the...sponsor yield to a question?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield. Senator Geo-Karis.

SENATOR GEO-KARIS:

Under your bill then, Senator, I...would I be correct in saying if someone is a bookkeeper in a bowling alley that has a tavern license, she would not be considered...she would be exempt, she could hold public office, is that right, sir?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...Senator Luft.

SENATOR LUFT:

In my opinion, yes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Mahar.

SENATOR MAHAR:

Thank you, Mr. President and members of the Senate. As I recall this bill in committee received considerable discussion, and it was amended in...in committee to try to accomplish what Senator Luft is trying to do, and that is to have someone, as he said, who is a warehouse worker to become an alderman and that sort of thing which I have no objection to. However, I think the bill was amended on the Floor and indi-

rectly was put back in which seems to me that there's still...there still would allow a mayor to hold a liquor license and people who have directly...directly involved in this thing and it's not very clear. I...I, for one, am opposed to somebody in a position of influence who has the ability to either extend the number of license, extend the hours a license can operate or actually issue a license to be involved, and I think that the bill...while it's trying to solve a series of problems throughout the State, I don't think it's quite arrived...reached that point, and I would respectfully request a No vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

A question of the sponsor, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Schuneman.

SENATOR SCHUNEMAN:

Senator,...does the bill describe an indirect interest?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft.

SENATOR LUFT:

No, it does not. And if I could respond to the previous question, and also to Senator Schuneman, I'd like to explain what we tried to do. The language says, "No such official shall be interested in any way, either directly or indirectly." We took out the words "in any way" so it says "shall be interested either directly or indirectly." With the words, "in any way" there was no way to interpret..."indirectly." I mean there was just absolutely no interpretation. I think "directly" speaks for itself, but if you take out the words "in any way" I think it leaves open to interpretation the word "indirectly," and that's what we've tried to do, leave it open to interpretation on "indirectly"

and we felt like "directly" was taken care of.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Well, thank you, Mr. President. I have no problem with the examples that you cite...that have been cited. A book-keeper, for example, or someone who owns a warehouse and leases it to a liquor distributor, but I think the law originally was put on the books for some very good reasons; primarily, because people who are elected to public bodies have the right to issue licenses, and that certainly a conflict of interest is created if the members serving on that public body are also involved in the businesses of those licensees. And so I have a concern along this same line that since the bill is not specific as to what an indirect or direct license or interest is, it seems to me that...that someone on the board of directors of a...of a licensee might, in fact, and not be directly involved in the day-to-day activity, might be able to serve on a board and vote on a liquor license and I have a concern about that.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Jeremiah Joyce.

SENATOR JEREMIAH JOYCE:

Thank you, Mr. President. You know, we always seems to want to make the worst case. In this day and age, we take Statutes that are twenty-five, thirty, fifty, a hundred years old. In this day and age, probably the person who would operate a licensed establishment better than anybody else in the community would be a public official. Now this thing doesn't even touch on that, this is so far removed. I support this. My understanding is, is that we, and I've been trying to get an answer to this, that we, as members of the General Assembly, can hold liquor licenses, and...and I would appreciate if anybody in the Body,...I would like to take

this opportunity to...to get an answer to that that the a...on...on Senator Luft's time...isn't it true that we can hold a liquor license?

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Luft.

SENATOR LUFT:

I can't honestly say so, but I...I'm almost sure that we can.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Nedza.

SENATOR NEDZA:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. When this bill appeared before us in committee, the bill...the original language in the bill was allowing a mayor, allowing an alderman, allowing any variety of public officials the right to...to have liquor licenses. The amendment...the committee amendment struck all that language. It no longer allows any of the public officials that we...my previous speakers had alluded to. That is all eliminated. The only thing that was changed in order to make it conducive to a problem that Senator Luft had in his particular district is to remove one more word which was the second amendment to the word. There is...you can rest assured, that all that language that was in there allowing the mayor, the alderman and wide variety of other public officials the right to hold the liquor licenses directly, that has been eliminated. I think Senator Rupp and Senator Mahar had some concern with it. That concern was dealt with. The amendment took all that language out and I think if it's legal, I think the bill is in its proper order.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Keats.

SENATOR KEATS:

A question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield. Senator Keats.

SENATOR KEATS:

Yeah, I don't mean this to be a harsh question. What is the difference between a local official and a liquor license and an attorney in the Legislature? I don't mean that in a nasty way, but I mean, to me, hey, we've all got some conflicts. If you're a local official or a legislator. Is there some major difference it's just...that I'm just plain missing?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft.

SENATOR LUFT:

I, obviously, don't think there is a conflict or I wouldn't be supporting this bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Keats.

SENATOR KEATS:

Being a light drinker myself, this is not a serious problem but, Grotherg, man, you got problems with this bill. Thank you, I would support it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Luft may close.

SENATOR LUFT:

Thank you, Mr. President. I only want to point out that we are not dealing with those people directly involved, and the only thing that I've tried to do is open for interpretation the word "indirectly." And I might point out to you that sitting on city councils in this State right now, or on county boards, are realtors who are voting in zoning matters that are probably pertaining to them directly, there are also probably insurance agents voting on insurance contracts, and we can sit here and talk about potential conflicts for the next two weeks. I would just ask for your support of this

bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, the question is, shall House Bill...well, Senator Grotberg, he was closing. Senator Grotberg, for what purpose do you arise?

SENATOR GROTBERG:

Well, on a point of personal privilege.

PRESIDING OFFICER: (SENATOR DEMUZIO)

State your point, Mr...

SENATOR GROTBERG:

My name having been used in...debate rather spiritously, I would suggest, from my colleague on my right, but the fact of this bill is one of the oldest bills in this Senate or the Legislature of Illinois, it's an annual bill, and I would like to rise to tell you that I'm going cast a Present vote because I...I'm one of the few people that worked for a not-for-profit organization that has a liquor license that sits in the General Assembly, and I've got so many conflicts on that subject that I'm literally going to vote Present and that is the reason.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Great point, Senator. Question is, shall House Bill 345 pass. All those...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 44, the Nays are 6, 5 voting Present. House Bill 345 having received the required constitutional majority is declared passed. 346, Senator Vadalabene. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 346.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. House Bill 346 amends the Downstate Firemen's Pension Fund Article to provide that should there not be a retiree in a fund to fill the retiree position on a pension board, an active fireman shall be elected to fill the position until such time as there a retiree to fill the position. This language is needed because in many of our newly created funds there are no retirees in the system. This bill simply provides for filling the vacancy on the board on a temporary basis until someone retires. There are no increase costs of the funds, and I would appreciate a favorable vote.

PRESIDENT:

Any discussion? Any discussion? If not, the question is, shall House Bill 346 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 none, none voting Present. House Bill 346 having received the required constitutional majority is declared passed. 350, Senator Darrow. Senator Darrow. 351, Senator Rigney. 352, Senator Holmberg. On the Order of House Bills 3rd Reading is House Bill 352. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 352.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Holmberg.

SENATOR HOLMBERG:

This bill simply speeds up the payment of road district and township employees. Sometimes they need to wait as long as a month before they're paid. It asks that they be paid no

later than fifteen days after each scheduled pay period.

PRESIDENT:

Any discussion? Senator Keats.

SENATOR KEATS:

Two questions. First of all, an old famous one, who wants this bill?

PRESIDENT:

Senator Holmberg.

SENATOR HOLMBERG:

The townships are in favor of this bill.

PRESIDENT:

Senator Keats.

SENATOR KEATS:

That wasn't really my answer, but the second one, according to schedule, there's an issue of schedule, who is setting up the pay schedule?

PRESIDENT:

Senator Holmberg.

SENATOR HOLMBERG:

Now...right now that they may not be paid until their claims for salary have been approved or audited. Sometimes because of the date at which the township meeting is held this means that an employee will not get paid for, you know, a month or six weeks, and it's simply a matter of...of hurrying up the audit and making sure that the person gets paid on time.

PRESIDENT:

Senator Keats. Senator DeAngelis.

SENATOR DeANGELIS:

Yeah, a question of the sponsor.

PRESIDENT:

Indicates she will yield, Senator DeAngelis.

SENATOR DeANGELIS:

Can you explain to me how mathematically you can be paid

only once a month, but no...no later than fifteen days after your pay period?

PRESIDENT:

Senator Holmberg.

SENATOR HOLMBERG:

Well, before township or road district employees may be paid, the salary claims must be approved and audited by the township trustees or the district auditors, whichever the case maybe; and in some cases, this process can take two to six weeks after the end of the pay period, and it's just to insure that pay periods are established and that it's done in a very timely and orderly manner.

PRESIDENT:

Senator DeAngelis.

SENATOR DeANGELIS:

Well, I know that's what the bill does, but I was just wondering how mathematically you cannot be paid later than fifteen days after the end of the pay period and still only be paid once a month. You got to be paid more than once a month, but that's okay, it's not an issue.

PRESIDENT:

Further discussion? Senator Mahar.

SENATOR MAHAR:

Thank you, Mr. President and members of the Senate. I...I rise in support of the bill, I think just an attempt to clarify and speed the payment after the claim list is presented. It...it can't...it can't be held over unless there's good and valid reasons and this allows the people to get their pay, and the township people support this, so I would urge an Aye vote.

PRESIDENT:

Further discussion? Further discussion? Senator Holmberg, do you wish to close?

SENATOR HOLMBERG:

I ask for a favorable roll call.

PRESIDENT:

Question is, shall House Bill 352 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 55, the Nays are none, none voting Present. House Bill 352 having received the required...56 to nothing. House Bill 352 having received the required constitutional majority is declared passed. On the Order of House Bills 3rd Reading, bottom of page 14, is House Bill 355. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 355.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. House Bill 355 mandates the school boards file collective bargaining agreements with the regional superintendent of schools. The School Code presently provides that no election for an exclusive bargaining representative shall be conducted in any bargaining unit during the term of a collective bargaining agreement. This bill mandates the filing of the collective bargaining agreement with the regional superintendent which thus provides the opportunity for the superintendent to administer Chapter 122 appropriately.

PRESIDENT:

Any discussion? Senator Keats. Somebody want to filibuster while Senator Keats finds his notes? Senator Maitland to the rescue.

SENATOR MAITLAND:

Sure. Thank you, so very much, Mr. President. I just simply rise in opposition to the bill. It...it merely is another mandate upon local units of...local school districts. It's something else they're going to have to do. It takes away funds, it seems to me, from kids and directs them in...in another direction. I think it's another mandate we...we just simply should vote against the bill.

PRESIDENT:

Further discussion? Senator Keats.

SENATOR KEATS:

Okay, first of all, a question of the sponsor.

PRESIDENT:

Indicates he'll yield, Senator Keats.

SENATOR KEATS:

Okay, the first point, in terms of...of representative things, there's it...has to do with representative elections cannot be filed during the...the length of a contract. In other words, should it be one local and want to shift to the other, unless I'm wrong, this bill says the only time you can do it is in the middle of the collective bargaining process which is probably a little disadvantageous for the group that is not presently the representative.

PRESIDENT:

Senator Luft.

SENATOR LUFT:

I...the only thing that I'm doing is saying that the agreement should be filed and that's it. That's all this bill is doing is saying that the bargaining agreement should be filed with the superintendent and that's it.

PRESIDENT:

Further discussion? Further discussion? If not, the question is, shall House Bill 355 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 39, the Nays are 16, none voting Present. House Bill 355 having received the required constitutional majority is declared passed. Leave of the Body, we'll move to the Order of Resolutions. It's one minute to six, we'll be out at six. Let's go. Resolutions.

SECRETARY:

Senate Resolution 254, by Senator Holmberg. It's congratulatory.

Senate Resolution 255, by Senator Coffey. It's commendatory.

Senator Resolution 256, Senator Mahar. It's congratulatory.

Senate Resolution 257, Senator Lechowicz, Nedza and all Senators, and it's commendatory.

PRESIDENT:

Concent Calendar. Further business? Senator Demuzio.

SENATOR DEMUZIO:

Thank you, Mr. President. I filed a motion in writing this...this afternoon on...on House Bill 60. Having voted on the prevailing side, I move to reconsider the vote by which House Bill 60 was defeated.

PRESIDENT:

Well, we can take the motion up at the appropriate time. It's been filed, the paper work has been appropriately held up. It will be on the Calendar for proper action. Further business to come before the Senate? Senator...any announcements? Senator Nedza.

SENATOR NEDZA:

Thank you, Mr. President. It seems that our schedule will permit us tomorrow to...to have our annual baseball game, so I would ask all the ball players to report for practice this evening, because the House has already had about four or five sessions and I think that we have a team that

can beat the House this year, so please come out to practice.

PRESIDENT:

Further business to come before the Senate? Ask the members on the Democratic side not to forget Senator Holmberg's little reception. Senator Hall moves that the Senate stand adjourned until Tuesday, June 21, at the hour of 9:00 a.m. Nine o'clock sharp. The Senate stands adjourned.